

VOTE NO

on the so-called “Resilient Federal Forests Act of 2017” (H.R. 2936)

AN ASSAULT ON OUR PUBLIC LANDS AND OUR DEMOCRACY

H.R. 2936 sacrifices our National Forest System and Bureau of Land Management (BLM) lands by catering to industry interests at all costs.

The bill destroys environmental and judicial protections by:

- Severely undermining the National Environmental Policy Act (NEPA) by creating sweeping and arbitrary waivers at unprecedented levels, limiting consideration of alternatives, and establishing radically short deadlines
- Eliminating citizen access to judicial relief, even when the government fails to follow the law
- Opening up millions of acres of treasured roadless areas to harmful road-building and logging
- Reallocating funds away from environmental restoration toward timber production
- Dismantling interagency consultation that provides checks and balances integral to protecting critical wildlife under the Endangered Species Act
- Threatening national monument designation under the Antiquities Act

A closer look into the bill—

Cast aside NEPA requirements for public engagement and environmental review

- Waives NEPA for a wide range of harmful activities that are **categorically excluded from substantive review**
- Enables forest clearing on areas **up to 30,000 acres** without substantive environmental review or public engagement
- Creates a categorical exclusion up to **nearly 429 times larger** than the current 70-acre categorical exclusion for national forest logging projects
- Limits the application of “extraordinary circumstances” procedures, allowing **abbreviated environmental reviews** that exclude consideration of a project’s potential location within a wilderness area, cumulative impact on the environment, and effect on endangered species, among other vital considerations
- **Limits the review of alternatives** to only the agency’s proposed action and taking no action at all
- Drastically limits review timeframe to **as short as 2 months**

Brazenly attacks the Endangered Species Act (ESA) and our nation’s most threatened wildlife

- Allows the Forest Service and BLM to unilaterally determine if projects authorized by the bill would adversely affect listed species or critical habitat – **without ever consulting with experts** at the U.S. Fish and Wildlife Service, as required by the ESA
- **Slashes timelines** for consultation processes and deems projects that fail to meet those timelines to be in compliance with the ESA
- **Exempts forest activities** from consultation requirements by declaring them non-discretionary actions
- Exempts the Forest Service and BLM from re-initiating consultation on land and resource management plans after the plan is adopted, **even after a number of changed circumstances** including new species listings, new critical habitat designations, and when harm of listed endangered species exceeds the amount from the original plan

Puts iconic National Monuments at risk

- Requires protected lands in Western Oregon to be managed for “permanent forest production,” which could result in a **statutory repeal of the Cascade-Siskiyou National Monument**
- Jeopardizes other national monument designations due to broad language that **may implicate all BLM public lands**

☑ Stifles the fundamental American principle of citizen access to courts

- **Eliminates rights under the Equal Access to Justice Act** for citizens to recover attorneys' fees from the federal government when they prevail in court
- Forces many management challenges through an internal and binding agency arbitration process that allows the agency to **eliminate judicial review** in federal courts for up to ten challenges a year in each of the nine Forest Service Regions and each of the fourteen state regions of BLM
- Eliminates the ability of federal judges to apply appropriate balancing tests to independently determine if injunctions are warranted and, instead, **allows irreparable damage to a forest ecosystem** to occur before a court can properly review the action and issue a final ruling

☑ Incentivizes logging and increases forest fire risk

- **Fundamentally changes restoration programs** under the Secure Rural Schools Act (SRS) by reducing size and geographic diversity of restoration committees, requiring that at least half of SRS funds are used exclusively for projects that **"include the sale of timber or other forest products."**
- Creates a categorical exclusion under NEPA for salvage logging operations up to 10,000 acres in size—**40 times larger than the current 250 acre limit**—following broadly defined "catastrophic events," which **increases fire risk** by logging ecologically-necessary standing snags remaining after a fire and leaving behind flammable and high-risk slash waste.

☑ Undermines conservation and land management safeguards

- Overrides the Roadless Area Conservation Rule of 2001 by excluding mandatory requirements to avoid damaging salvage logging and reforestation projects in roadless areas, making **millions of acres of protected roadless areas** not updated in forest plans vulnerable to logging.
- Requires **unnecessary procedural burdens** for the Forest Service to decommission roads
- Fails to include requirements to avoid wild and scenic river corridors, threatened and endangered species habitat, and **an array of other ecologically sensitive areas**

☑ Disregards the only legislative reform needed for effective fire management

- Fails to remedy the growing costs of wildfire management within the Forest Service's overall budget—absent changes to the current budget approach, fire costs **could account for over 2/3 of the Forest Service budget by 2025**.
- The most critical issue facing the Forest Service is overall declining budgets combined with "fire borrowing" to address emergency wildfire suppression costs, which has diverted funding away from other vital program areas.



Our national forests and grasslands are a national treasure. They provide a broad range of values and benefits, including clean air and water, outstanding recreational opportunities, biodiversity, fish and wildlife habitat, forest products, erosion control, soil renewal, and more. It is critical to preserve and protect these public lands for future generations to come, and to provide the Forest Service with the resources it needs to do so.

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