

**Statement of
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United States Department of Agriculture
Before the
Committee on Agriculture
U.S. House of Representatives
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Concerning:
Implementation of the Food, Conservation and Energy Act of 2008**

Mr. Chairman, Ranking Member and Members of the Committee, thank you for the opportunity to appear here today to discuss the implementation of the Food, Conservation and Energy Act of 2008 in Wyoming. The National Forests of this state lie in two Forest Service Regions: the Medicine Bow, Shoshone, Bighorn, and two ranger districts of the Black Hills are in the Rocky Mountain Region, known as Region 2. The Bridger-Teton, as well as portions of the Wasatch, Ashley, Caribou and Targhee, are in the Intermountain Region, known as Region 4.

Let me start by acknowledging the hard work of the members of this Committee and your staff. Having worked with my staff over the past 15 months to implement titles in the bill relevant to the Forest Service, I can fully appreciate the months of hard work that went into crafting this important piece of legislation. You are all to be commended for the strong bipartisan bill that overcame multiple obstacles before becoming law.

I know many of you are very interested in the status of the bark beetle outbreak, so before I describe specifics of Farm Bill implementation, let me briefly discuss the existing forest condition in Wyoming. In 2009, our annual aerial survey in Wyoming detected increased mortality in several species: 1,205,000 acres of lodgepole, limber, whitebark and ponderosa pines killed by mountain pine beetle; 26,000 acres of Engelmann spruce killed by spruce beetles ; 3,800 acres of Douglas-fir killed by Douglas-fir beetles; and 86,000 acres of scattered mortality in subalpine fir caused western balsam bark beetle and root disease.

In the areas where mountain pine beetles have been active for the past several years, standing dead trees are starting to fall, posing threats to public and employee health and safety. On the Medicine Bow National Forest, falling dead trees threaten over 20,000 acres of Wildland Urban Interface, 334 miles of trails; 1,396 miles of roads; and 41 developed recreation sites (campgrounds, picnic grounds, trailheads, and administrative sites).

In FY 2010, we are prioritizing work in those areas that receive the most public use such as roads and developed recreation sites. We plan to reduce hazardous fuels on 5,914 acres in the wildland urban interface, and we plan to mitigate falling tree hazards on 52 miles of roads and 21 miles of trails.

Now I'll turn my remarks to implementation of the Farm Bill in Wyoming. The 2008 Farm Bill made significant changes to the Cooperative Forestry Assistance Act and provided a number of

new authorities for the National Forest System several of which have been implemented in Wyoming.

Market-Related Contract Term Additions (MRCTA) (Sec. 8401)

The 2008 Farm Bill authorized the Secretary to use market-related contract term additions to add up to four years to the terms of certain timber sale contracts awarded prior to January 1, 2007. Prior to the 2008 Farm Bill, contracts could only receive a maximum of three years of MRCTA. The agency revised its regulations on November 4, 2008, to allow all contracts, regardless of their award date, to receive up to four years of MRCTA. In Wyoming, purchasers took advantage of the MRCTA timber contract relief on four sales in Region 2, and four sales on the Bridger-Teton in Region 4.

Contract Cancellations and Emergency Rate Redeterminations (ERR) (Sec. 8401)

The 2008 Farm Bill also authorized the Secretary to provide Emergency Rate Redeterminations and cancellations to certain qualifying timber sale contracts awarded between July 1, 2004, and December 31, 2006. Specifically, the Farm Bill gave the Secretary discretion to cancel certain qualifying contracts that were advertised as of June 18, 2008, (the Farm Bill's date of enactment) at rates at least 50 percent less than the sum of their original bid rates. Other qualifying contracts were eligible to have their rates redetermined to more accurately reflect timber markets. In Wyoming, seven timber sale purchasers requested rate redeterminations, and six of them had their rates reduced. The seventh contract, which was on the Bridger-Teton National Forest, was cancelled subsequent to the emergency rate redetermination.

Forest Resource Coordinating Committee (Sec. 8005):

The Forest Resource Coordinating Committee, chaired by the Chief of the Forest Service, was established in accordance with the Federal Advisory Committee Act to provide advice and assistance in coordinating USDA actions that relate to educational, technical and financial assistance to private landowners for conservation, management, productivity and improvement of forest land. Specifically, for the Forest Service, it provides advice on implementation of the Cooperative Forestry Program. Nominations are being reviewed and our goal is to have the first meeting of the Committee in calendar year 2010.

State Assessments and Strategies (Sec. 8002): Each State forestry agency is working on a State Assessment of forest conditions state-wide across all ownerships, including an assessment of threats to forest land and resources in the State, and on developing a Strategy that identifies priorities for the protection, conservation, and enhancement of forest resources. This program has provided an opportunity for state forestry agencies to collaborate with interested parties. In addition, this program captures the essence of the all lands landscape scale approach to management of our forests. State assessments and strategies are due to the Forest Service by June 18, 2010, and will be reviewed by the Deputy Chief for State and Private Forestry.

The Wyoming State Forestry Division has solicited input from a wide variety of stakeholders on drafts of its Assessment and Strategy, and it has worked closely with the Wyoming Forest Supervisors and Regional Office staff. The draft Wyoming State Assessment and Strategy identifies three primary threats related to bark beetles: unprecedented deterioration in forest health due to epidemic bark beetle levels, lack of retention of a viable forest products industry as an

essential forest management tool, and conversion of older forests to young even age stands due to beetle epidemics.

Competition in Programs Under Cooperative Forestry Assistance Act of 1978 (Sec. 8007):

For the past three years, approximately 15 percent of Cooperative Forestry Assistance funds have been awarded nationally through a competitive process to better conserve, protect and enhance forest resources. Wyoming received \$431,749 through this competitive process for the following projects:

- Clear Creek Vegetation Enhancement, \$74,500;
- Wyoming Information and Education Program, \$56,812;
- Southeastern Wyoming Tree Enhancement, \$ 33,000;
- Northern Laramie Range Integrated Forest Management Project \$255,075; and
- Forest Landowner Education Project: "Today's Forest," \$12,362.

Community Wood Energy Program (Sec. 9013): This program provides grants to state and local governments to develop community wood energy plans and to acquire or upgrade wood energy systems. The President's 2011 budget includes full funding of \$5 million.

This concludes my prepared statement. I would be pleased to answer any questions you may have.