

ARIZONA STATE LEGISLATURE
Forty-sixth Legislature – First Regular Session

JOINT LEGISLATIVE HEALTHY FOREST TASK FORCE

Minutes of Interim Meeting
Wednesday, September 10, 2003
Senate Hearing Room 1 -- 2:00 p.m.

Cochairman Jarrett called the meeting to order at 2:10 p.m. and the secretary noted attendance.

Members Present

Senator Marsha Arzberger	Representative Joe Hart
Senator Jack A. Brown	Representative Bill Konopnicki
Michael E. Anable, Foray Land Consulting, former State Land Director	Jack Metzger, Rancher, Flagstaff
Dr. Wally Covington, Ecological Restoration Institute, NAU	Ben Nuvamsa, Fort Apache Agency
Senator Marilyn Jarrett, Cochair	Lon Porter, Precision Pine & Timber, Inc., Heber
	Representative Cheryl Chase, Cochair

Members Absent

Charlie Ester, SRP

Speakers Present

Cochairman Jarrett recognized persons who did not speak, page 1
Kerri Morey, Senate Research Analyst, Committee on Natural Resources & Transportation
Dr. Wally Covington, Regents' Professor, School of Forestry, Ecological Restoration Institute,
Northern Arizona University (NAU)
Benjamin H. (Ben) Nuvamsa, Superintendent, Fort Apache Agency
Sylvia Allen, Heber, President, Freedom For America League
Rob Smith, Southwest Regional Director, Sierra Club

Introductions

Cochairman Jarrett welcomed everyone present and asked Task Force members to introduce themselves.

She recognized Nelson Pierce, representing District I Congressman Rick Renzi, and Bruce Raden, representing District III Congressman John Shadegg.

Cochairman Jarrett said she anticipates holding three meetings, each three weeks apart, with individual topics to be covered at each meeting. The next meeting is tentatively scheduled for October 1, 2003.

Committee Charge

Kerri Morey, Senate Research Analyst, Committee on Natural Resources & Transportation, read the Task Force's charge:

To recommend policies based on sound scientific principles for the restoration and long-term health of Arizona's forests and to determine realistic approaches for implementing those policies.

Update on the Current Condition of Arizona's Forests

Dr. Wally Covington, Regents' Professor, School of Forestry, Ecological Restoration Institute, Northern Arizona University (NAU), gave a PowerPoint presentation titled "*Update on the Current Condition of Arizona's Forests*" (see copy, Attachment 1). Topics discussed include the following:

- Symptoms and consequences of unhealthy forests in Arizona. These include catastrophic fire seasons, increased insect and disease problems, lengthened fire seasons, and increased Wildland Urban Interface (WUI) conflicts.
- Crownfires are the latest in a long series of symptoms of declining ecosystem health. These include increased erosion and sedimentation, loss of herbaceous cover and forage, tree population explosions, and loss of plant and animal diversity.
- Watershed degradation - requiring a multiple century recovery period.
- Environmental impact of fires, including costs for fire suppression, damage to homes and infrastructure, degradation of wildlife and human habitats, watershed, erosion, tourism, loss of recreational facilities, evacuation costs, timber losses, cultural and archeological sites, rehabilitation and public health.
- Chart of Arizona/New Mexico Forest Service total fires by decade, showing average acres burned per year increasing at an accelerating rate.
- Current status of bark beetles in Arizona. An estimated 6-8 million trees have died in 2003 and beetle populations remain active. This can be expected to be a multi-year outbreak and, in the absence of tree thinning, continued episodic beetle outbreaks can also be expected.

Dr. Covington reviewed the 2003 fire season which resulted in approximately 183,000 acres burned to date, the fifth worst fire season on record, and emphasized that new records continue to be made. He asserted that forest conditions continue to decline, not only by fire and bark beetles, but also a comprehensive loss of resource values in the state. The forests are greatly impoverished in terms of water yield, wildlife habitat and human habitat compared to the latter part of the 19th Century. He concluded that, in his estimation, if these trends continue Arizona has perhaps twenty years left before virtually every acre is affected and degraded.

Senator Arzberger asked what can be done to reverse the trend. Dr. Covington said it is essential to get at the underlying problem, which is an overpopulation of young trees at the expense of older trees.

Restoration Activities on Reservation Land since the 2002 Rodeo-Chediski Fire

Benjamin H. (Ben) Nuvamsa, Superintendent, Fort Apache Agency, made a PowerPoint presentation about restoration activities on reservation land in response to the 2002 Rodeo-Chediski fire (see printed copy, Attachment 2). He reviewed the history of the fire, which began on June 18, 2002, and resulted in the merging of two fires, a loss of more than 470,000 acres, and evacuation of 30,000 residents.

Mr. Nuvamsa reviewed in detail the primary *Burned Area Emergency Rehabilitation (BAER)* goals:

- Emergency stabilization
- Rehabilitation

He advised that an estimated 2.1 million seedlings per year will be needed over a 15-year reforestation period. The program has just begun with 700,000 trees on 7,000 acres.

The overall BAER project is estimated at \$24 million over a three-year time frame to address the immediate fire impact. Long term issues will require further appropriations. He cautioned that flooding can be expected to continue until the vegetation takes hold.

Mr. Nuvamsa concluded with the following findings:

- Treatments are not broad enough
- Multiple treatments are needed

Responding to a query by Mr. Porter about the treatments, Mr. Nuvamsa said there has been some pre-commercial thinning of pole-sized material. However, since there is no other utilization of that material, markets need to be developed. In addition, mistletoe and other pests were addressed.

Cochairman Jarrett asked how the acreage was selected to begin the planting of 700,000 trees on 7,000 acres. Mr. Nuvamsa said it was necessary for the team to prioritize. The Bureau of Indian Affairs (BIA) uses the *Indian Self-Determination and Education Assistance Act*, under which the Tribe can assume some of the functions. He emphasized that it is a team effort.

Mr. Metzger asked what measurements are used to determine whether another treatment is needed. Mr. Nuvamsa responded that the Tribal Council is consulted, as well as the interdisciplinary team that includes hydrologists, archeologists and others. He added that higher elevation areas will require more aggressive treatments.

In response to a query by Mr. Anable, Mr. Nuvamsa confirmed that the same protocols are followed, as well as Tribal environmental laws. He concluded his presentation by noting that there exists a Statement of Relationship between the United States Fish and Wildlife Service and the White Mountain Apache Tribe with regard to endangered species.

Science-based Approaches to Improving the Health of Arizona's Forests

Dr. Covington reviewed a PowerPoint presentation on science-based approaches for improving forest health, and emphasized that the basic premise of ecological restoration is to address the underlying causes. He made the following points:

- Heal the patient, not just treat the symptoms
- Reference restoration treatment
- Change the basic prescription for specific resource objectives
- Alternative restoration prescriptions produce very different outcomes

He pointed out that Arizona has an active and ongoing research program and a strong science base for comprehensive ecosystem restoration. In that regard, the state can do the following:

- Establish Arizona as **the** forest health restoration research development and application test site for the nation
- Support the Congressional delegation in acquiring resources to restore forest health in Arizona
- Provide leadership in assuring federal, state and local government cooperation to implement large scale restoration treatments
- Support efforts to assure that federal and state agencies are adequately funded
- Enhance state university collaboration through the Ecological Restoration Institute

Dr. Covington advised that he meets regularly with NAU President John Hager and that NAU is prepared to answer the call. In addition, the Western Governors' Association (WGA), Secretary of the Interior, and Secretary of Agriculture have signed a ten-year cohesive strategy, and the federal government will provide the resources needed to get the job done if Arizona provides leadership.

In conclusion, he emphasized that the map of susceptible forest to catastrophic loss from fire and beetles in Arizona is almost all red. This, he said, makes it essential to move forward apace.

Responding to questions, Dr. Covington explained that when he speaks of "pre-settlement" he means the period around 1880, because before that time natural processes kept tree populations in check.

Cochairman Jarrett said she has been told that 95 percent of the pine trees around Prescott have been destroyed. Dr. Covington affirmed that the beetle outbreaks around Prescott have between a 70 percent and a 100 percent mortality in some of the stands, which is analogous to a severely burned area. This points to the need for a process for bark beetle rehabilitation, and, in that

regard, restoration to natural conditions can be compared to intensive care. Responding to further questions, he noted that it is uncertain if the trees need to be cleaned out. The landscape can be hazardous and it needs to be done quickly because of rapid degradation. In addition there is the sociological question of whether any benefits may be derived from the trees. To date there is no forward movement to clean up the forest on a large scale.

Mr. Hart asked where Arizona falls, with about 10,000 acres, on the graph shown on the presentation. Dr. Covington said Arizona is now 10:1 or 20:1, and even removal of a lot of trees would not restore forest health. He added that the cost of the fires is massively underestimated. The federal government spent \$1.2 billion to restore 50,000 acres near Los Alamos. He opined that, at \$10,000 to \$20,000 per acre, it makes no economic sense to let the fires burn.

Mr. Hart asked if it would not be smarter to put the \$24 million into treatment right away, rather than rehabilitate one area. Dr. Covington said these are difficult choices, but that money spent for prevention is worth much more. He remarked that many areas are, to all intents and purposes, gone for many generations.

Mr. Nuvamsa pointed out that the \$24 million is just a beginning and it will take a lot more to address the long term impacts of the fire. In fact, it will take a minimum of 150 years of forest management to bring the burned area back into a commercial forest.

Mr. Metzger said he believes goal directed management is needed. He added that he is concerned about getting funding, and the need for balance to allow for human use of the forest, which would require a change in federal law. At this time there is no direction to do anything that is proposed. Dr. Covington agreed that the deck seems to be stacked against action, and said he believes the worst would be to do nothing.

Mr. Hart said he believes the State of Arizona has been damaged financially and that the Attorney General should be asked to find out who is responsible.

Sylvia Allen, Heber, President, Freedom For America League, said she is a fifth generation Arizonan who has been involved in forestry issues since 1991. She described the stress and anger she experienced when her family was forced to evacuate in June, 2002, which included moving 24 animals. She contended that all scientists agree with Dr. Covington that there are too many trees. Watershed and wildlife habitat are being lost, the paper industry is gone, as well as the timber industry, which at one time contributed \$500 million to the state treasury. She observed that the focus has moved to homeowners, yet a quarter-mile clearing will not save homes.

Ms. Allen distributed photographs of the devastation and said the Freedom For America League supports HR 1904, the Healthy Forest Restoration Act. (Attachment 3 is a packet of materials provided by the Freedom For America League consisting of an August Alert, a handout titled "*Nothing is a greater threat to animal habitat than a catastrophic forest fire,*" and the May 2003 and August 2003 editions of "*Evergreen*" magazine.)

Ms. Allen pointed out that, absent legislation to stop them, the White Mountain Apache Tribe is able to log \$50 million board feet per year, which has resulted in beautiful forest lands.

She emphasized that the community will come up with solutions if they are just given an opportunity to do so.

Rob Smith, Southwest Regional Director, Sierra Club, said he is a public member of the Governor's Forest Health Advisory Committee. He pointed out that the U.S. Forest Service in Albuquerque has reported that 90 percent of the ponderosa pine trees in the Southwest are 12 inches in diameter or less. The remaining 10 percent are the most fire resistant, the most rare, and also the most commercially viable, which creates the controversy. Mr. Smith contended that private industry will not solve the problem with the 90 percent because they can only afford to take the largest trees, so it will take public investment to cut the right trees in the right places. He said there is agreement that money is available for fire fighting, but not enough on the front end for prevention. In regard to public lands, he said it is important to look at piñon-juniper and grasslands, as well as ponderosa pine. And, since most fires start where people live, it makes sense to start thinning around communities because as long as people in communities are threatened by wildfire, it will be difficult to tell them that the forest in the back country should have priority.

Cochairman Jarrett asked if the Sierra Club would support an industry that would cut down the small trees. Mr. Smith responded that it makes sense and that the Southwest Forest Alliance supports cutting trees. Mrs. Jarrett observed that some companies can use the smaller diameter trees. Mr. Smith said he would not oppose an industry focused on thinning smaller diameter trees. Asked to comment further, he reiterated that there are too many small trees and it is his contention that the Forest Service should mark and start with the smaller trees. He said the need is to cut the small trees and allow the big ones to grow.

Cochairman Chase remarked that lives have been lost because of the fires and resulting flash floods and she believes it is important to move forward.

Mr. Nuvamsa commented that everyone is concerned about the health of the forest, but his charge is sustainability, and while he agrees that the Wildland Urban Interface needs to be addressed, it is essential to get into the interior of the forest. He added that the Tribe is not necessarily looking at the commercial value of the trees because there are areas of cultural significance and other issues involved. Mr. Smith said it is possible to prioritize certain key areas outside the WUI, but the science is less clear and the goals more complex.

Mr. Metzger remarked that although in his experience it is possible to work with individuals in the environmental community, road blocks arise in dealing with environmental groups, particularly over old growth and a vision for the future. He said this is a discussion that needs to be held. Mr. Smith responded that some projects have been a good idea, and the objection by the Sierra Club or other groups is to cutting old growth.

Mr. Metzger asserted that the issue is forest health. He said there are many things that are impossible to discuss, and asked if the Sierra Club is willing to sit down and consider the future. Mr. Smith said the Sierra Club works with the Southwest Forest Alliance, and it is his belief that there is general consensus in the environmental community that the issue is not one of stopping the cutting of trees, but rather which ones, and where. He added that if the discussion is driven by forest health rather than revenue from timber sales, the groups would agree.

Mr. Anable asked if the environmental groups' objection is to the timber industry profiting from cutting, or to cutting trees more than 12 inches in diameter. Mr. Smith responded that the Alliance has stated "*No trees above 16 inches.*" In addition, the Sierra Club has a policy of "*No commercial sales from national forests*" because it has seen the industry cut what they could afford to cut and leave the others. The groups agree with paying to cut trees.

Cochairman Jarrett pointed out that there is no money to pay people to cut trees. On the other hand, the Apache Tribe has been able to glean the usable timber and manage the forest. She asked if the environmental groups approve of the way the Apache Tribe has managed and cleaned up the forest since the Rodeo-Chediski fire. Further discussion ensued between Mrs. Jarrett and Mr. Smith, and Mr. Smith pointed out that erosion will only increase if trucks are driven across the land.

Mr. Metzger commented that he believes the adamant rejection of any commercial activity on public lands is an impediment to sound forestry. Mr. Smith observed that there is a limited market in the Southwest, and the reality is that public investment will have to take place.

Without objection, the meeting adjourned at 4:19 p.m.

Carole Price, Committee Secretary
September 15, 2003

(Original minutes, attachments and tape are on file in the Senate.)