

Mr. Chairman, I rise today in opposition to H.R. 3530, the Forest Recovery and Protection Act. First, I would like to commend my colleague Rep. Smith for his efforts to reach a compromise and his willingness to make some pretty significant changes to his original proposal. While the revised version of the legislation does not address all my concerns, I did want to take a moment to recognize Rep. Smith and his staff have really made an effort to accommodate a number of the issues that have been raised.

Despite the revisions, however, I still remain deeply concerned about the impact of this legislation on our Nation's forests, as outlined below.

Is the legislation necessary? Scientists disagree strongly as to the current status of our forests. While I don't feel qualified to pick and choose between scientific assessments of forest health, I do feel comfortable in my understanding that the Forest Service already has the authorization to undertake recovery projects along the lines of those proposed in this legislation. No one has adequately demonstrated to me that our forests are in such a deplorable state that the type of dramatic expansion of Forest Service authority as proposed in the bill is necessary.

Will the proposed prescriptions do more harm than good? Under the bill, a recovery project is defined in a variety of ways, including options I strongly support, such as riparian restoration, soil stabilization and water quality improvement, and seedling planting and protection. However, also included are projects such as the removal of trees to improve stand health by stopping or reducing actual or anticipated spread of insects or disease. Although I do understand that in some cases, removal of trees can be a good prescription for forest health, this particular option strikes me as very open-ended -- especially the suggestion that trees should be removed to stop the anticipated spread of insects or disease. What if we're wrong as to the spread of insects or disease? Once the trees are gone, it is impossible to put them back.

In addition, while I appreciate Rep. Smith's efforts to ensure that recovery projects could not take place in wilderness, riparian, or old growth areas, the bill, in my opinion, still leaves open the possibility that entire forests could be designated for intrusive and environmentally harmful recovery projects. It simply does not limit the size or scope of these proposed actions.

Is there sufficient time available for public comment and review of recovery projects? The time frames in this bill are very tight, especially considering the unlimited magnitude of the possible projects. The Secretary has only 210 days to propose standards and criteria, and only 45 days are allowed for public comment on the proposed standards. The Secretary then has

only 30 days to assimilate the comments and issue final regulations. If we are to ensure that our actions actually improve the health of our forests, we must allow more time for analysis of the standards.

Are there built in incentives for recovery projects that remove trees? By focusing efforts on options that are highly 'cost-effective' and designating revenues from the recovery projects would go directly to the states, the legislation skews recovery prescriptions toward those that generate revenues. The revenue provision, in particular, builds in an incentive for State foresters (who must be consulted under this proposal) to suggest prescriptions that would provide revenue.

Is the Scientific Advisory Board sufficiently oriented toward true Forest health? Under the proposal, the SAB is divided equally between individuals with natural science expertise who are leaders in the field of forest resource management, and state foresters who are versed in forest resource management. Obviously, this puts emphasis on those individuals who actively manage the forests, as opposed to those who might focus more on preservation. In addition, I am somewhat concerned about the politicized appointment process outlined in the bill. This could lead to less qualified individuals being members of the board, as well as an extremely slow selection process.