

**Testimony of Mike Dombeck
House Natural Resources Committee Oversight
Hearing on the Alaska Roadless Rule
November 13, 2019**

Thank you for inviting me to testify on the Alaska Roadless Rule. I'm very familiar with this Committee's work, having testified many times as acting-Director of the Bureau of Land Management and as Chief of the Forest Service, including several times on the very topic of this hearing—the future of Roadless Areas on the National Forests. I greatly appreciate this Committee's important role in the oversight and management of our nation's precious natural resources and public lands. I am very grateful to have spent a career in public service and have witnessed a very wide variety of public land management debates.

I appreciate this Committee's interest and oversight in the need for proper multiple-use management on our public forests. Rolling back the protection provided by the Forest Service 2001 Roadless Rule in Alaska or anywhere else is bad public policy. Opening up backcountry areas to road construction will cost taxpayers far more than the economic benefits will yield. It will compromise long-term watershed health, and it will take us back to the unproductive controversies of the past.

I believe it important to review a bit of history to put the current proposal into a broader historical context. I have included the preamble to the 2001 Roadless Rule as an appendix. The preamble provides more detail regarding the rationale for the Rule and associated resource values.

No other nation in the World has this bounty of public land belonging to all citizens. Some of our public land was acquired through conquest or treaty; other land including Alaska was purchased, paid for by taxpayers from every state.

Translating multiple-use land management on the ground is no easy task. Every constituency—forest products, grazing, mining, recreation, wilderness, and so on—pushes to maximize its interest. Couple this with constantly changing economic needs and social values, and the realities and the challenge get even messier. In the last half of the last century few issues elicited as much interest and controversy as the disposition and management of this nation's last remaining wild and unfragmented land, including 58 million acres of National Forest roadless lands.

As this nation grew, by the early 1900's the great forests of the eastern U.S. had been clear cut, but millions of acres of large old growth forest remained in the West. Prior to World War II the timber industry did not want a lot of National Forest timber on the market because it would depress prices of private land timber. However, World War II changed all that with the tremendous demand for wood for the war effort followed by the post-war housing boom. With most of the

privately-owned old growth timber harvested, this left the western national forests with a bounty of big trees---old growth forest. The U.S. Forest Service at the request of Congress did its part by ramping up harvest to meet the demand.

Roads are needed for timber harvest. In the 46 years between 1950 and 1996, the National Forest road system more than doubled, from 165,000 miles to 373,000 miles. The construction and maintenance of this extensive road system was financed in large part by timber sales.

The easily accessible timber was harvested first and as years went by the Agency had to put up timber sales in increasingly remote forests. With the easily accessible high value timber already cut, the agency was forced to move into more mountainous, rugged and remote lands, locations with steep slopes and fragile soils. To maintain its high level of timber harvest, the agency had to construct roads into these increasingly remote areas. Many of these timber sales lost money and the Agency was roundly criticized for “below cost timber sales,” i.e., timber sales that cost taxpayers more money to design, access and sell than they generate in revenue. The impact on Agency budgets was profound. By 1979, only 38% of existing roads were maintained to the safety and environmental standards to which they were designed. Even with the record high level of timber production in 1989, only 47% of forest roads were maintained to standard. The timber harvest levels were unsustainable as was the ability to maintain the extensive road system.

Yet some forest roads are important to local communities. They can provide access for development, tourism and recreation and many other needs. However, when forest roads are not maintained, particularly in rugged mountainous terrain, they erode and slide into streams, muddying drinking water and ruining fish habitat. Roads fragment wildlife habitat, negatively impact rare species, and serve as vectors for invasive species. Additionally, public support for protecting remote wild lands was increasing.

When I became Forest Service Chief in 1997, everyone was upset about roads and roadless areas. County commissioners complained about the poor condition of roads on the National Forests. Wilderness advocates and many hunters and anglers strongly opposed punching roads into remote places, wanting the remaining large tracts of wild places kept wild. The controversy was at a fever pitch. There was constant controversy and litigation over timber sales and road construction into wild remote places on the National Forests. Many forest management decisions were made in the courtroom.

By 1998, the Forest Service had a 380,000-mile road system with an \$8.5-billion maintenance backlog. Many inside and outside the Forest Service and Congress rightly began to question why the agency would build more roads into relatively pristine areas when it could not take care of the roads already in place.

Members of Congress and this Committee were very concerned as well. As a surrogate to protect roadless areas, in 1997 the House of Representatives came within a single vote of cutting the Forest Service's road budget by 80 percent. This would have crippled the agency and jeopardized public access and use of the National Forests.

When you find yourself in a hole, put the shovel down and stop digging. Why in the world would the Forest Service continue to build roads in remote forests such as the Tongass National Forest when they couldn't take care of the roads they already had *for timber sales that lost the taxpayers money!*

As a result of broad consultation and deliberation, the Forest Service developed a protective strategy for roadless areas over a three-year period that involved more than 600 local public meetings and a record-breaking 1.6 million public comments. More than 90% of the public comments favored protection of the entire 58 million acres of inventoried roadless areas on National Forest lands. The result was stronger protection of roadless areas.

The Roadless Rule, finalized in 2001, ended the most damaging and expensive threats to those roadless areas. But carefully designed exceptions allow for some new road construction on a case-by-case basis, where that is in the public interest. Roads are permitted for firefighting, forest health, energy development and access to private inholdings, for instance, as well as public thoroughfares between communities. For example, on the Tongass National Forest alone, all 58 requests for entry into roadless areas since the Rule has been in place have been granted. These include roads for mining projects, hydropower and intertie projects, a geothermal lease, a road realignment, road reconstruction, and U.S. Coast Guard and Alaska Army National Guard projects, among others. Most projects are approved within a month, and that time is expected to become even shorter since authority to approve requests was delegated to the regional foresters in October 2018.

The Roadless Rule was controversial on many fronts and some controversy remains so today, as is evidenced by the need for this hearing. However, the Rule has gone a long way to reducing conflict over national forests, focusing Forest Service management on what the land needs and the American people want, and better prioritizing and utilizing budget dollars. It has:

- Saved taxpayers millions of dollars from below cost timber sales and by not adding to the road maintenance financial burden.
- Saved millions of dollars in downstream water filtration costs.
- Reduced litigation over forest management.
- Calmed the waters over timber harvest, which has restored at least some level of trust and enabled collaboration among opposing interests.
- Allowed for more effort and restoration of roaded and previously harvested National Forest lands.

- Provided more certainty to both the timber industry and other forest interests.
- Allowed for more resources and work to be directed toward reducing risk and severity of wildfires, focusing on areas naturally prone to wildfire, especially near human communities.

During my tenure as 14th Chief of the Forest Service, the management of the Tongass was among the most politically charged and controversial issues I dealt with. A key question that should be considered is what does this nation want the Alaska National Forests to look like in the coming decades? What resource values should be considered?

The Tongass is not only the largest of our National Forests, but it is also one of the most valuable and important. It has unique and irreplaceable cultural value to vibrant local Alaska Native communities. It produces more salmon than all other National Forests combined, with 50 million salmon commercially harvested annually at a value of \$60 million. The region's beautiful scenery, abundant fish and wildlife, and expansive tracts of undeveloped lands attract visitors and recreationists in increasingly large numbers, with current estimates projecting 2 million out-of-state visitors in the coming years. Seafood and tourism now support 26% of local jobs and \$2 billion in economic contribution.

The Tongass is also one of the last remaining intact temperate rainforests in the world and a globally significant storehouse of carbon. According to Forest Service estimates, Tongass trees contain 650 million tons of carbon, which is equivalent to 2.4 billion tons of CO₂. This is nearly half (45%) of the total carbon emissions for the entire U.S. in 2017.

Recent analysis by Conservation Science Partners, a nonprofit science think-tank using advanced satellite data and geospatial analyses, shows that the continental U.S. is losing natural lands at the rate of two football fields per minute, due to factors that include road building. This along with increasing urbanization of the U.S. makes the remaining wild places more valuable each year.

The key recommendation I have for this Committee, the Congress and the Executive Branch is to focus on how to maintain the long-term health, diversity, and productivity of the land. The challenge as defined by Gifford Pinchot is to manage for the "greatest good for the greatest number for the longest time." Watershed protection and restoration were the basic concerns that led to the establishment of the National Forests. The critical role forests play in the carbon cycle and moderating climate change is perhaps the most recent value we must take seriously. The intense forest fires in parts of the West and other extreme weather patterns are reminders that maintaining and protecting forests and their sound management is of the utmost importance.

The Forest Service should be protecting the best remaining undeveloped lands and restoring the rest. It should invest in new scientific research to improve our understanding of how to reduce risk from wildfire and climate change. The Forest Service should focus its efforts where it is most needed: on addressing climate change, promoting wildfire resiliency, restoring damaged habitat for important and rare fish and wildlife species, and creating new opportunity for recreation, hunting and fishing.

For the Tongass, where two-thirds of the high-volume timber stands have already been logged at an immense social and economic cost, the Forest Service should focus on addressing the \$100 million backlog of watershed restoration needs and the \$68 million road maintenance backlog. And above all else, the Forest Service should stop the bleeding by keeping the Roadless Rule in place.

The 2001 Roadless Rule in my view is conservative public policy. It maintains the status quo, keeps options open for the future, and saves taxpayer money. The time and money spent attempting to roll back roadless area protections on the Tongass or any of the National Forests is a big step backwards to the era of gridlock and costly litigation.

Thank you for the opportunity to share my views with the Committee.

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Appendix: Preamble to 2001 Roadless Area Conservation Rule

Roadless Area Values and Characteristics

Inventoried roadless areas considered in this rule constitute roughly one-third of all National Forest System lands, or approximately 58.5 million acres. Although the inventoried roadless areas comprise only 2% of the land base in the continental United States, they are found within 661 of the over 2,000 major watersheds in the nation (FEIS Vol. 1, 3-50) and provide many social and ecological benefits.

As urban areas grow, undeveloped private lands continue to be converted to urban and developed areas, and rural infrastructure (such as roads, airports, and railways). An average of 3.2 million acres per year of forest, wetland, farmland, and open space were converted to more urban uses between 1992 and 1997. In comparison, 1.4 million acres per year were developed between 1982 and 1992. The rate of land

development and urbanization between 1992 and 1997 was more than twice that of the previous decade, while the population growth rate remained fairly constant (FEIS Vol. 1, 3-12). In an increasingly developed landscape, large unfragmented tracts of land become more important. For example, from 1978 to 1994, the proportion of private forest ownerships of less than 50 acres nearly doubled (Birch, T.W. 1996. Private forest-land owners of the United States, 1994. Resource Bulletin NE-134. Radnor, PA: USDA Forest Service, Northeastern Experiment Station. 183 p). Subdivision and other diminishment of tract size of these lands can discourage long-term stewardship and conservation.

Inventoried roadless areas provide clean drinking water and function as biological strongholds for populations of threatened and endangered species. They provide large, relatively undisturbed landscapes that are important to biological diversity and the long-term survival of many at risk species. Inventoried roadless areas provide opportunities for dispersed outdoor recreation, opportunities that diminish as open space and natural settings are developed elsewhere. They also serve as bulwarks against the spread of non-native invasive plant species and provide reference areas for study and research (FEIS Vol. 1, 1-1 to 1-4).

The following values or features often characterize inventoried roadless areas (FEIS Vol. 1, 3-3 to 3-7):

High quality or undisturbed soil, water, and air. These three key resources are the foundation upon which other resource values and outputs depend. Healthy watersheds catch, store, and safely release water over time, protecting downstream communities from flooding; providing clean water for domestic, agricultural, and industrial uses; helping maintain abundant and healthy fish and wildlife populations; and are the basis for many forms of outdoor recreation.

Sources of public drinking water. National Forest System lands contain watersheds that are important sources of public drinking water. Roadless areas within the National Forest System contain all or portions of 354 municipal watersheds contributing drinking water to millions of citizens. Maintaining these areas in a relatively undisturbed condition saves downstream communities millions of dollars in water filtration costs. Careful management of these watersheds is crucial in maintaining the flow and affordability of clean water to a growing population.

Diversity of plant and animal communities. Roadless areas are more likely than roaded areas to support greater ecosystem health, including the diversity of native and desired nonnative plant and animal communities due to the absence of disturbances caused by roads and accompanying activities. Inventoried roadless areas also conserve native biodiversity by serving as a bulwark against the spread of nonnative invasive species.

Habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land. Roadless areas function as biological strongholds and refuges for many species. Of the nation's species currently listed as threatened, endangered, or proposed for listing under the Endangered Species Act, approximately 25% of animal species and 13% of plant species are likely to have habitat within inventoried roadless areas on National Forest System lands. Roadless areas support a diversity of aquatic habitats and communities, providing or affecting habitat for more than 280 threatened, endangered, proposed, and sensitive species. More than 65% of all Forest Service sensitive species are directly or indirectly affected by inventoried roadless areas. This percentage is

composed of birds (82%), amphibians (84%), mammals (81%), plants (72%), fish (56%), reptiles (49%), and invertebrates (36%).

Primitive, Semi-Primitive Non-Motorized, and Semi-Primitive Motorized classes of dispersed recreation. Roadless areas often provide outstanding dispersed recreation opportunities such as hiking, camping, picnicking, wildlife viewing, hunting, fishing, cross-country skiing, and canoeing. While they may have many Wilderness-like attributes, unlike Wilderness the use of mountain bikes, and other mechanized means of travel is often allowed. These areas can also take pressure off heavily used wilderness areas by providing solitude and quiet, and dispersed recreation opportunities.

Reference landscapes. The body of knowledge about the effects of management activities over long periods of time and on large landscapes is very limited. Reference landscapes of relatively undisturbed areas serve as a barometer to measure the effects of development on other parts of the landscape.

Natural appearing landscapes with high scenic quality. High quality scenery, especially scenery with natural-appearing landscapes, is a primary reason that people choose to recreate. In addition, quality scenery contributes directly to real estate values in nearby communities and residential areas.

Traditional cultural properties and sacred sites. Traditional cultural properties are places, sites, structures, art, or objects that have played an important role in the cultural history of a group. Sacred sites are places that have special religious significance to a group. Traditional cultural properties and sacred sites may be eligible for protection under the National Historic Preservation Act. However, many of them have not yet been inventoried, especially those that occur in inventoried roadless areas.

Other locally identified unique characteristics. Inventoried roadless areas may offer other locally identified unique characteristics and values. Examples include uncommon geological formations, which are valued for their scientific and scenic qualities, or unique wetland complexes. Unique social, cultural, or historical characteristics may also depend on the roadless character of the landscape. Examples include ceremonial sites, places for local events, areas prized for collection of non-timber forest products, or exceptional hunting and fishing opportunities.

Fiscal Considerations

The Department is also concerned about building new roads in inventoried roadless areas, when there presently exists a backlog of about \$8.4 billion in deferred maintenance and reconstruction on the more than 386,000 miles of roads in the Forest Transportation System. The agency

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estimates that at least 60,000 miles of additional unauthorized roads exist across National Forest System lands.

The agency receives less than 20% of the funds needed annually to maintain the existing road infrastructure. As funding needs remain unmet, the cost of fixing deteriorating roads increases exponentially every year. Failure to maintain existing roads can also lead to erosion and water quality degradation and other environmental problems and potential threats to human safety. It makes little fiscal or

environmental sense to build additional roads in inventoried roadless areas that have irretrievable values at risk when the agency is struggling to maintain its existing extensive road system (FEIS Vol. 1, 1-5 and 3-22). The National Forest System was founded more than 100 years ago to protect drinking water supplies and furnish a sustainable supply of timber. Neither objective is fully achievable given the present condition of the existing road system. The risks inherent in building new roads in presently roadless areas threaten environmental, social, and economic values.

Development activities in inventoried roadless areas often cost more to plan and implement than on other National Forest System lands. Some planned timber sales in inventoried roadless areas are likely to cost more to prepare and sell than they realize in revenues received. Because of the level of public controversy and analytical complexity, projects in roadless areas often require development of costly environmental impact statements for most resource development activities, including timber harvesting, in inventoried roadless areas. In some cases, road construction costs are higher due to rugged terrain or sensitive ecological factors. Many development projects in inventoried roadless areas are appealed or litigated. These factors contribute to generally higher costs for the agency to plan and implement development activities in inventoried roadless areas.

National Direction vs. Local Decisionmaking

At the national level, Forest Service officials have the responsibility to consider the "whole picture" regarding the management of the National Forest System, including inventoried roadless areas. Local land management planning efforts may not always recognize the national significance of inventoried roadless areas and the values they represent in an increasingly developed landscape. If management decisions for these areas were made on a case-by-case basis at a forest or regional level, inventoried roadless areas and their ecological characteristics and social values could be incrementally reduced through road construction and certain forms of timber harvest. Added together, the nation-wide results of these reductions could be a substantial loss of quality and quantity of roadless area values and characteristics over time.

In 1972, the Forest Service initiated a review of National Forest System roadless areas generally larger than 5,000 acres to determine their suitability for inclusion in the National Wilderness Preservation System. A second review process completed in 1979, known as Roadless Area Review and Evaluation II (RARE II), resulted in another nationwide inventory of roadless areas. In the more than 20 years since the completion of RARE II, Congress has designated some of these areas as Wilderness. Additional reviews have been conducted through the land management planning process and other large-scale assessments. The 58.5 million acres of inventoried roadless areas used as the basis for this analysis were identified from the most recent analysis for each national forest or grassland, including RARE II, land and resource management planning, or other large-scale assessments such as the Southern Appalachian Assessment.

Of the 58.5 million acres of inventoried roadless areas considered in the FEIS, approximately 34.3 million acres have prescriptions that allow road construction and reconstruction. The remaining 24.2 million acres are currently allocated to management prescriptions that prohibit road construction; however, protections in these existing plans may

change after future forest plan amendments or revisions.

Over the past 20 years, roads have been constructed in an estimated 2.8 million of those 34.3 million acres of inventoried roadless areas. The agency anticipates that the trend of building roads in inventoried roadless areas will gradually decrease in the future even without this rule due to economic and ecological factors already discussed, changes in agency policy, increasing controversy and litigation, and potential listings under the Endangered Species Act. While these anticipated changes may reduce some of the impact to inventoried roadless areas, they would not eliminate the future threat to roadless area values (FEIS Vol. 1, 1-14 to 1-15).

On many national forests and grasslands, roadless area management has been a major point of conflict in land management planning. The controversy continues today, particularly on most proposals to harvest timber, build roads, or otherwise develop inventoried roadless areas. The large number of appeals and lawsuits, and the extensive amount of congressional debate over the last 20 years, illustrates the need for national direction and resolution and the importance many Americans attach to the remaining inventoried roadless areas on National Forest System lands (FEIS Vol. 1, 1-16). These disputes are costly in terms of both fiscal resources and agency relationships with communities of place and communities of interest. Based on these factors, the agency decided that the best means to reduce this conflict is through a national level rule.

Importance of Watershed Protection

Watershed protection is one of the primary reasons Congress reserved or authorized the purchase of National Forest System lands. Watershed health and restoration is also one of four emphasis areas in the agency's Natural Resource Agenda. Protecting the remaining healthy components of a watershed provides multiple benefits and a strong base to anchor future restoration in unprotected portions of these watersheds. Rivers, streams, lakes, and wetlands within a watershed are the circulatory system of ecosystems, and water is the vital fluid for inhabitants of these ecosystems, including people (FEIS Vol. 1, 1-1).

Inventoried roadless areas comprise a small fraction of the national landscape, representing less than 2% of the land base of the continental United States. They are, however, disproportionately important to the small percentage of the land base they occupy. Overall, National Forest System watersheds provide about 14% of the total water flow of the nation, about 33% of water in the West (FEIS Vol. 1, 3-46). Of the watersheds on National Forest System land, 661 contain inventoried roadless areas and 354 of those watersheds serve as source areas of drinking water used by millions of people across the nation. Therefore, the health of these watersheds is important to people's health throughout the United States.

Roads have long been recognized as one of the primary human-caused sources of soil and water disturbances in forested environments (FEIS Vol. 1, 3-44). For example, while landslides are a natural process, extensive research and other investigations in the West have closely associated land management activities, particularly roading and timber harvest, with accelerated incidence of landslides by several orders of magnitude (FEIS Vol.

1, 3-58). A joint study by the Forest Service and Bureau of Land Management in Oregon and Washington found that of 1,290 landslides reviewed in 41 sub-watersheds, 52% were related to roads, 31% to timber harvest, and 17% occurred in undisturbed forest (FEIS Vol. 1, 3-59). Another evaluation of landslides initiated by the Siuslaw National Forest found that roads were the source of 41% of landslides, harvest units less than 20 years old were the source of 36%, while natural forest processes accounted for the remaining 23%. Without the disturbance caused by roads and associated activities, stream channels are more likely to function naturally (FEIS Vol. 1, 3-54). Current road construction and timber harvest practices reduce the potential for damage associated with the use of earlier and less sophisticated techniques. However, even with today's improved design standards for road construction and timber harvest, these activities can still result in adverse effects to watersheds. These effects include pollution, changes to water temperatures and nutrient cycles, and increased sediment from storm or runoff events that exceed road design standards (FEIS Vol. 1, 3-45 to 3-50).

Improving Ecosystem Health

Inventoried roadless areas provide large, relatively undisturbed blocks of important habitat for a variety of terrestrial and aquatic wildlife and plants, including hundreds of threatened, endangered, and sensitive species. In addition to their ecological contributions to healthy watersheds, many inventoried roadless areas function as biological strongholds and refuges for a number of species and play a key role in maintaining native plant and animal communities and biological diversity (FEIS Vol. 1, 3-123 to 3-124). For example, about 60% of unroaded or very low road density sub watersheds within the Interior Columbia Basin Ecosystem Management Project (ICBEMP) assessment area are aquatic strongholds for salmonid populations (FEIS Vol. 1, 3-161). Inventoried roadless areas are key to recovery of salmon and steelhead stocks in decline, providing habitat to protect species until longer-term solutions can be developed for migration, passage, hatchery, and harvest problems associated with the decline of anadromous fish.

Species richness and native biodiversity are more likely to be effectively conserved in larger undisturbed landscapes, such as inventoried roadless areas (FEIS Vol. 1, 3-142). For example, inventoried roadless areas cover approximately 21% of the centers of biodiversity for animals and 10% for plants identified in ICBEMP (FEIS Vol. 1, 3-144 and 3-173). Inventoried roadless areas also provide reference landscapes that managers can use to gauge the health and condition of other land areas.

Road construction, reconstruction, and timber harvesting activities can result in fragmentation of ecosystems, the introduction of non-native invasive species, and other adverse consequences to the health and integrity of inventoried roadless areas (FEIS Vol. 1, 3-128 to 3-136). As human-caused fragmentation increases, the amount of core wildlife habitat decreases. This fragmentation results in decreased connectivity of wildlife habitat and wildlife movement, isolating some species and increasing the risk of local extirpations or extinctions (FEIS Vol. 1, 3-133). The value of inventoried roadless areas as habitat for threatened, endangered, and sensitive species and as biological strongholds can also be diminished due to these activities. For example, 220 species that are listed as threatened, endangered, or

proposed for listing under the Endangered Species Act and 1,930 agency-identified sensitive species rely on habitat within inventoried roadless areas (FEIS Vol. 1, 3-180). The Department of Agriculture believes that the risks associated with certain development activities in inventoried roadless areas should be minimized and that these areas should be conserved for present and future generations.

Need for Action

Promulgating this rule is necessary to protect the social and ecological values and characteristics of inventoried roadless areas from road construction and reconstruction and certain timber harvesting activities. Without immediate action, these development activities may adversely affect watershed values and ecosystem health in the short and long term, expand the road maintenance backlog which would increase the financial burden associated with road maintenance, and perpetuate public controversy and debate over the management of these areas. The new planning rules provide for review of other activities and allow for additional protection of roadless areas, if warranted. Adoption of this final rule ensures that inventoried roadless areas will be managed in a manner that sustains their values now and for future generations.