



September 12, 2020

The Honorable Steve Daines  
320 Hart Senate Office Building  
Washington, DC 20510

RE: S 4431 Emergency Wildfire and Public Safety Act of 2020

Dear Senator Daines,

The mill manufacturing members of the Montana Wood Products Association would like to take this opportunity to thank-you for your hard work and determination to bring a bipartisan bill that addresses the need for critical forest management.

Exhausted fire crews are working around the clock to beat back raging wildfires that have scorched over 5 million acres across the West. The fires have plunged the region into anguish and fear, as fairgrounds have become places of refuge for the many who have been forced to flee their homes. 2020 will likely be the worst wildfire year in US history, costing millions of dollars to fight, extensive loss of property and tragically, human life.

According to an ABC program on Sunday, Senator Jeff Merkley, Democrat of Oregon, is quoted as stating "It is apocalyptic, this week I drove 600 miles up and down the state, and I never escaped the smoke. We have thousands of people who have lost their homes. I could have never envisioned this."

Therefore, the time is now to pass the Emergency Wildfire and Public Safety Act of 2020. This bill proposes to require the Forest Service and Department of Interior to carry out up to 75,000-acre wildfire risk reduction project in California and Montana. We would respectfully submit, that this provision must be extended across the West and not limited to only three projects in Montana and California. The entire West is in desperate need of help to manage fuels before they become tinder in a wildfire. In addition, a new 3,000-acre Categorical Exclusion, to be used for fuel reduction along Forest Service roads, trails, and transmission lines, will help as well.

Accelerating post-fire restoration and reforestation, by creating a new statutory authority, giving the Forest Service the opportunity to grant an Emergency Situation Determination under 36 CFR 281.21 is an important and effective tool. This decision would not be subject to an environmental review, allowing the projects to be streamlined with an Action, No-Action process.

This bill will provide resource managers with additional tools to address fuel reduction and forest health, however, it is critical that hazardous fuel reduction projects are not stymied by frivolous

lawsuits. It is vital that we correct the precedent set by the Cottonwood Decision and establish a standard for what constitutes “new information” triggering the requirement for consultation. This correction allows for informal, formal, or no consultation for projects, and allows forest projects to continue through the environmental process and keep them out of the courts. Correcting the Cottonwood Decision is vitally important, however there are additional judicial reforms needed to protect hazardous fuel reduction projects from getting enjoined in federal court, thus halting all important fuel or restoration work.

Considering this apocalyptic fire year, we believe this bill is critically important, however we must do more! There must be a laser focus in congress, within federal agencies and the public to address forest health conditions across the West and provide the necessary tools and funding. We simply cannot allow another fire year like 2020 to happen again.

We applaud you and Senator Feinstein for bringing this bill before the committee and your work to get it across the finish line. We gratefully offer any assistance we can in your efforts moving forward.

Best wishes,

*Julia*

Julia Altemus  
Executive Director