

# Forest fuel reduction funding absent in omnibus bill

By DAN WHEAT  
Capital Press

More effective wildfire fuel reduction was left out of the \$1.1 trillion omnibus federal spending bill, and the forest products industry and ranchers are sorely disappointed, groups who support them say.

Efforts will continue next year but it will be much harder because the omnibus bill offered the best chance for passage, said Nick Smith, executive director of Healthy Forests, Healthy Communities based in Roseburg, Ore.

Categorical exclusions from the National Environmental Policy Act to speed up reviews for logging, thinning and prescribed burns on federal forest lands had the best chance of passing in the omnibus bill because they were tied to a FEMA fix the Obama administration wanted to end "fire borrowing," Travis Joseph, president of the American Forest Resources Council in Portland, has said.

Fire borrowing is the U.S.

Forest Service's practice of using non-firefighting funds to cover the cost of firefighting when it goes over budget.

The administration wants to pay for firefighting overages with Federal Emergency Management Agency money. The Resilient Federal Forest Act of 2015, HR 2647, sponsored by Rep. Bruce Westerman, R-Ark., did that and included categorical exclusions, called "CEs," to speed NEPA reviews for logging, thinning and prescribed burns of 5,000 to 15,000 acres.

That was reduced to 3,000 acres in negotiations spearheaded by Sen. Ron Wyden, D-Ore., that had strong bipartisan support from Republican and Democratic senators from Montana and other states and the backing of the White House, Smith said.

But, Smith said, the agreement was ultimately blocked by Sens. Lisa Murkowski, R-Alaska, and Maria Cantwell, D-Wash. Murkowski is chairwoman of the Senate Energy and Natural Resources Committee and the Interior

Appropriations Subcommittee. Cantwell is ranking minority member of Energy & Natural Resources.

In a statement on the Senate floor, Murkowski said the agreement didn't do enough to address forest management and that FEMA money is for natural disasters but not disasters on federal lands.

"We're not going to get at this overall solution simply by clearcutting large swaths of land in which we haven't made the right assessments," Cantwell said on the Senate floor.

The omnibus bill includes \$1.6 billion for fire suppression, which is \$600 million more for 2016 than the annual average over the past 10 years. It also includes \$545 million for hazardous fuels reduction and \$360 million for active forest management.

Smith said that's just more money for a very slow NEPA process in which only 4 to 9 percent of federal timber vulnerable to wildfire, insects and disease is treated by logging, thinning or prescribed

burning per year.

"It's very disappointing that Congress missed an opportunity to fix wildfire spending and initiate modest forest management reforms ahead of the next fire season," said Smith.

"We continue to be dumbfounded by the broken political process and lack of resolution," said Joseph of the American Forest Resources Council.

"Despite loss of lives to catastrophic wildfires, hundreds of lost homes, billions of taxpayer dollars spent and millions of acres of blackened forests, Congress once again failed to pass common-sense forest management and fire borrowing reforms. I don't know what else it's going to take to get Congress to wake up," Joseph said.

AFRC appreciates the work of the Oregon congressional delegation, particularly Wyden, and will keep working for a solution to a "very real and very dangerous forest health and fire funding crisis Oregon faces," he said.



George Plaven/EO Media Group

Clinton Shaver, with the Molalla Rural Fire District, watches as a tree goes up in flames on the Canyon Creek Complex south of John Day, Ore., this summer. The \$1.1 trillion omnibus federal spending bill did not include forest fuel reduction measures timber and ranching interests supported.

# Omnibus bill allows Idaho interstate truck weight increase

By JOHN O'CONNELL  
Capital Press

Idaho now has the opportunity to increase its interstate highway truck weight limit, thanks to a provision included in the recently approved \$1.1 trillion omnibus federal spending bill.

No trucks in excess of 105,500 pounds have been allowed on interstates in Idaho since the federal government enacted a freeze on states' weight limits in 1991.

The Idaho-specific transportation rider, which was added to the House version of the federal spending bill by Rep. Mike Simpson and to the Senate version by Sen. Mike Crapo, both R-Idaho, allows the Idaho Legislature to increase its weight limit to 129,000 pounds.

Idaho Trucking Association President and CEO Julie Pipal said the change, once implemented by the state, will put Idaho on equal footing with Utah, Montana and Nevada. Wyoming's limit is 117,000 pounds, Pipal said.

"This is a tremendous development and provides a lot of great economic options for all of the carriers," Pipal said.

Previous efforts to increase Idaho's interstate limit have been defeated, due to strong opposition from railroads, the International Brotherhood of Teamsters and others who have raised safety concerns.

Pipal said the state conducted a pilot project, beginning in the late 1990s, to test the safety of increased truck weight limits on certain state routes. She explained heavier trucks have more axles to distribute weight and increase breaking power, and the pilot studies proved increasing the limit didn't result in more accidents or wear on infrastructure.

Based on the findings, the state made 129,000-pound weight limits permanent on the pilot routes and created a mechanism for increasing weight limits on other state and local routes, as requested by shippers. Pipal said even with the recent interstate highway victory, there's still more work to be done on convincing Idaho's local jurisdictions to increase truck weights.

Amalgated Sugar Co. was part of an 80-member coalition with strong agricultural representation that lobbied on behalf of higher weight limits. Amalgamated CEO John McCreedy said the interstate change could save his company between \$2 million and \$4 million in annual shipping costs.

"We will be more effective, more efficient, safer and able to compete at a much greater level than we have in the past on this issue — the transportation of beets on and around the state and federal highways," McCreedy said.

The Idaho Farm Bureau Federation endorsed the broader spending bill and considers the truck weight provision to be "a common-sense step forward," said spokesman John Thompson.

Simpson said there's an ongoing movement by the American Trucking Association to increase interstate truck weights nationwide.

"What agriculture tells me is it will reduce their shipping costs by 15 percent, which is huge when you're running on small margins, such as agriculture does," Simpson said.



A TranSystems truck arrives to pick up beets from an Amalgamated Sugar piling location in Rupert, Idaho. A new law allowing Idaho to set its own truck weight limits on interstate highways stands to save the company millions in shipping costs.

John O'Connell/Capital Press

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## Columbia-Snake River Irrigators Association Media Release

December, 15, 2015

### Irrigators Challenge Illegal Cost Assessment Discouraging Private Sector Irrigation Development

The Odessa Subarea Irrigators, having fought for two years to build and finance their own irrigation distribution systems from the East Low Canal, are ramping-up litigation against the East Columbia Basin Irrigation District.

Represented by the Columbia-Snake River Irrigators Association (CSRIA), the Irrigators have filed a Summary Judgement Motion in Adams County requesting the Superior Court to declare the District's so-called "development fee" illegal. The "development fee" attempts to push the District's "normative assessment" program onto the Irrigators, even when they pay their own irrigation system capital costs.

The "development fee" is squarely at odds with cost assessments allowed under Washington State irrigation district law (RCW 87.03), where "common costs" must be separated from specific individual costs of service, with different benefits:

- The District has attempted assert that "everyone will benefit equally" from completion of all separate systems, but none of the systems provide for common water delivery—they are all separate pieces of hardware serving different acreages.
- The "development fee" is based on landowner "willingness to pay," to extract the maximum revenue stream for the District. Actual Irrigators costs were ignored.
- The District's so-called "normalization" scheme--ostensibly to equalize the cost of receiving Odessa replacement water, is arbitrary and capricious. It is an *ad hoc* choice injuring those whom CSRIA represents, as well as others seeking to build their own irrigation systems with their own money.
- The "development fee" is an attempt to subsidize the costs of other systems, well beyond any "common benefits" received by those paying the fee—it is an illegal assessment.

While the Irrigators have already secured financial backing to build System 1, about \$42 million, and associated lending commitments to build Systems 2 and 4, the District has been forced to abandon its initial, unsecured LID revenue bonding proposal. Instead, the District would have to now either bond against its total financial capability, or receive full capital payments up-front from landowners. The land owners are balking.

The Summary Judgement Motion is under the Irrigators' Injunctive Complaint already filed in Superior Court, and it falls on the heels of the litigation filed against the U.S. Bureau of Reclamation for failing to review adequately the Irrigators water service contract request.

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