



CWSF
COUNCIL OF WESTERN
STATE FORESTERS

Legislative & Policy Update – March 2020

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The [Council of Western State Foresters \(CWSF\) Legislative & Policy Update](#) provides information on issues of importance to CWSF. Policy and legislative updates are found on the CWSF webpage [here](#). Please note that the items highlighted in these updates are only a selection of the issues CWSF and the Western Forestry Leadership Coalition (WFLC) are monitoring. Keep an eye out for our monthly newsletter that will provide summaries on other key legislative and programmatic issues. If you have not yet subscribed, you can do so [here](#). For more information, please contact Danielle Okst, Associate Policy and Grants Director at dokst@westernforesters.org.

The U.S. District Court for Alaska handed down a decision on the Prince Wales Landscape Level Analysis timber project following the logging injunction from 2019. The Great American Outdoors Act of 2020 (Great American Outdoors Act) was introduced in the Senate this month. As the coronavirus pandemic has spread to the United States, government agencies have altered their normal policies to ensure employees are able to work safely and abide by social distancing guidelines. Meanwhile, Congress has been working on stimulus packages for businesses, agencies, and individuals to provide needed support during these unprecedented times.

Federal Court Rules on Tongass National Forest Project

Earlier this month, the Prince of Wales Landscape Level Analysis timber project within the Tongass National Forest was halted by a federal court in Alaska. This builds on the [initial temporary injunction from September 2019](#) blocking a southeast timber sale on Prince of Wales Island. In the initial order, the Judge held off ruling on the broader question of whether the USDA Forest Service (Forest Service) can utilize landscape level analysis for environmental reviews. The court has now ruled the environmental impacts were not adequately reviewed, siding with the argument made by environmental groups against the Forest Service. The parties to the case have been given 21 days to request outcomes prior to the court selecting a remedy. The administration still has the opportunity to appeal the case to the 9th U.S. Circuit Court of Appeals. The full decision is [here](#).

The Great American Outdoors Act

[Senator Cory Gardner \(R-CO\)](#), Joe Manchin (D-WV), Steve Daines (R-MT), Rob Portman (R-OH), Mark Warner (D-VA), Angus King (I-ME), Lamar Alexander (R-TN), and Richard Burr (R-NC) introduced the Great American Outdoors Act ([S. 3422](#)) on March 9. It combines the Restore Our Parks Act ([S. 500](#)), addressing the deferred maintenance backlog on public lands, and the Land and Water Conservation Fund Permanent Funding Act ([S. 1081](#)), permanently funding the Land and Water Conservation Fund (LWCF) at \$900 million annually. The Act calls for \$3 billion more than S. 500 requested, totaling up to \$9.5 billion over five years (\$1.9 billion per year through fiscal year 2025) that would be allocated to work on this backlog. The National Park Service has the largest backlog and would receive 70% of the funds (about \$1.3 billion per year), the Forest Service

would receive 15% (\$285 million annually), and the U.S. Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education would each receive 5% (\$95 million), all starting in fiscal year 2021. Because LWCF supports the Forest Legacy Program, there would potentially be increases nearly doubling funding for this program if the Great American Outdoors Act passes.

Federal Response to Coronavirus

The White House Office of Management and Budget released a [memorandum](#) on March 12 urging federal agencies to permit telework or leave for those individuals identified as high risk by the Centers for Disease Control and Prevention. The Department of the Interior (DOI) Secretary Bernhardt issued a [memorandum](#) March 22 in response to the coronavirus, directing DOI's 70,000 employees "not performing or supporting mission essential functions or performing mission critical functions" to telework. The USDA has expanded their telework guidance to maximize the use of teleworking to promote social distancing to slow the spread of the virus. Supervisors are currently authorized to increase telework through April 3 with the timing to be continually assessed as the situation evolves. For more on the USDA response to coronavirus, please see [here](#).

The procedural vote for the latest coronavirus stimulus package failed on March 23 by a vote of 49-46 in the Senate. Shortly after the vote, House Speaker Nancy Pelosi (D-CA) announced House Democrats planned to [unveil their own \\$2.5 trillion proposal](#). The text of the Take Responsibility for Workers and Families Act is available [here](#) and a summary [here](#). The House bill provides \$70.6 million to the Forest Service support teleworking, protective equipment, facility cleaning, and research activity restoration. Negotiations for the nearly \$2 trillion economic rescue package continued after the Monday vote, but a disagreement over provisions for unemployment benefits has stalled progress as of this writing. The current proposal being discussed by the Senate is called the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#) and is summarized [here](#). The Senate version would allocate \$70.8 million to the Forest Service.