

January 5, 2009

Mrs. Barbara Boxer, Chairwoman
Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Mr. Max Baucus, Chairman
Transportation and Infrastructure
410 Dirksen Senate Office Building
Washington, DC 20510

***RE: Creation of a 'Forest Roads Reclamation and Remediation Program'
in the reauthorization of SAFETEA-LU***

Dear Chairman Boxer and Chairman Baucus:

You are tasked with the challenge of reauthorizing SAFETEA-LU in a period of extremely difficult economic conditions. Although this will be an arduous process, the situation provides an opportunity to seriously reevaluate the programs funded by the bill and redesign the bill to meet the need of future generations by funding solutions to longstanding problems and dealing with the erosion and associated collapse of our federal infrastructure, both built and natural.

In previous bills public lands transportation infrastructure was funded inequitably, excluding national forest system roads (forest roads) from transportation funding. We believe it is time for the Federal Highways Administration to join the Forest Service (FS) in their efforts to comprehensively address transportation issues on forest lands.

The FS' crumbling road system poses an active threat to clean water, threatened and endangered fish and wildlife, and the safety of recreational users of forest roads. Due to chronic problems with insufficient funding the FS is incapable of effectively managing our forest roads. Currently 36%¹ of the twelve western states' national forest roads are maintained to standard. With more than 60% not maintained to standard, the impacts of the road system go far beyond that which was analyzed and planned for, significantly affecting forest and water resources.

¹ United States Department of Agriculture, Forest Service. 2006. U.S. Forest Service Annual Road Assessment Reports

Therefore, the undersigned organizations strongly recommend establishing a Forest Road Reclamation and Remediation Program to provide funding to address the problem of failing forest roads by decommissioning unneeded forest roads, and repairing fish culverts or performing other critical maintenance to reduce the impacts of needed forest roads. Furthermore, due to funding shortfalls, we believe this is the time to scrutinize the Forest Highway program (FHP). The FHP has been funded for nearly 100 years to develop roads important to states, counties and local communities. We believe the FHP mandate has largely been met and the program is now negatively impacting resource management on our national forests.

Problem with Forest Roads: Deteriorating forest roads are compromising drinking water quality for over 3,400 communities that rely on water derived from our forests, fish and wildlife habitat, as well as the safety of an ever increasing number of recreational users. There are more than 377,600 miles of forest roads in our national forests. They were predominately built to provide access to logging but as logging revenue decreased the ability for the FS to manage and repair these roads declined dramatically. Even when timber receipts were at their highest, the agency was not able to fully maintain its road system. In 2001, the agency published a long-term transportation plan calling for the decommissioning of up to 186,000 miles of FS system roads. In the meantime, the Forest Service estimates their maintenance backlog at nearly \$8 billion² (although when administrative and indirect costs are included the backlog actually totals \$10.3 billion³)...a truly staggering price tag.

Failing roads contribute sediment-laden runoff to forest streams resulting in violations of both the Clean Water Act and the Endangered Species Act. In the Pacific Northwest alone, thousands of miles of forest roads block salmon passage, compromise in-stream habitat and have the potential to trigger massive landslides. Sediment derived from these roads destroys spawning and incubation habitat of threatened and endangered fish. This situation has been intensified by the effects of global climate change which produces more powerful winter storms and increases the risk of road failures.

An inadequate solution: SAFETEA-LU attempted to address this issue by modifying the Forest Highways program but failed to hit the mark. In 2005, changes were made to the Forest Highways program (Section 1101) to allow \$20 million for maintenance of forest highways and \$10 million for aquatic organism passage on forest highways. The solution provided in the bill was inadequate because the problem is actually with forest roads and not with forest highways⁴, which are higher-speed roads under the jurisdiction

² United States Department of Agriculture, Forest Service. 2004. *Fiscal Year 2005 Forest Service Budget Justification*. sec. 10, p.33.

³ Taxpayers for Common Sense. March, 2004. *Road Wrecked: Why the \$10 billion Forest Service Road Maintenance Backlog is Bad for Taxpayers*.

⁴ 23USC202

of counties and states. Forest roads⁵ (and trails) are defined as roads (and trails) used for the protection, utilization and administration of the National Forest System.

While the technical corrections bill for SAFETEA-LU rectified the problems for aquatic organism passage by allowing funds to be used for culvert repair on forest highways and forest system roads, no correction was provide for the use of maintenance funds on forest system roads. In fact, the \$20 million provided for maintenance has never been requested by local jurisdictions, as the program is specifically designed for construction to convert roads to highways and not for maintenance.

Problem with the Forest Highway Program: The Forest Highway program, an account in the Public Lands Highway program, upgrades forest roads to forest highways often producing environmentally harmful results. These highways can lead to increased development in sensitive forest areas, such as the wildland urban interface; forest fragmentation; aquatic impacts; and water supply challenges, among other damaging effects. Upgrading forest roads to forest highways results in wider, straighter, paved roads, with longer sight distances and other commensurately increased components of the highway footprint, all to facilitate faster transportation. The change in character of these roads dramatically increases driving speeds. This produces greater barriers and disturbances to wildlife as well as an increase in wildlife vehicle collisions. Paving dirt roads also results in an increase in the delivery of toxic volatile organic chemicals to stream systems impacting aquatic species.

Since forest highways must be constructed to Federal Highway Administration standards⁶ they must be constructed to move the maximum amount of traffic at the maximum speed without compromising safety. This seriously conflicts with the mission of the FS to maintain forest roads for the protection, utilization and administration of the National Forest System. FS roads were built to access timber or other natural resources and now are used primarily for recreational purposes. When people access the national forests for recreational purposes, the objective should be to provide safe access with the least impact on the environment, including fish, avian and terrestrial wildlife and their habitat.

Our Request: We respectfully request that the reauthorization of SAFTEA-LU include a new Forest Roads Reclamation and Remediation Program to address the Forest Service's deteriorating road system. We believe it should be funded at \$200 million annually, which would still result in at least fifty years of needed funding to eliminate the forest road maintenance backlog. The Forest Road Reclamation and Remediation Program should be distinct from the Forest Highways and Public Lands Highways programs to

⁵ 23USC101a

⁶ As require by the American Association of State Highway and Transportation Officials' green book.

reduce the existing confusion between forest *highways* and forest *roads*. This would allow the FS to have a separate roads account comparable to the National Park Service and the National Fish and Wildlife Service's Refuge System. This request for \$200 million annually is compatible with the FS' request of the committee for forest roads funding for the reauthorization of SAFETEA-LU.

We strongly suggest that the new program supports the Legacy Roads and Trails Remediation Initiative (Legacy) created in the Interior, Environmental, and Related Agencies Division of Fiscal Year 2008 Consolidation Appropriations bill. Funding for this program was dedicated "*for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered or sensitive species or community water sources and for urgently needed road repairs required due to recent storm events.*" These funds are dedicated to road decommissioning, culvert repairs, and road and trail maintenance.

Conclusion: The undersigned organizations look forward to working with you to address the serious and long-standing problems with failing forest roads in the reauthorization of SAFETEA-LU by creating a Forest Road Reclamation and Remediation Program completely independent of the Forest Highway program.

Sincerely,

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