

Testimony of Molly Whitney, Executive Director, Cascade Forest Conservancy

U.S. House of Representatives Committee on Agriculture, Subcommittee on Forestry and Horticulture

Reviewing Partnerships to Enhance Management of the National Forest System

June 25, 2026

Chair Newhouse, Ranking Member Salinas, and members of the subcommittee, thank you for the opportunity to join you today to discuss partnerships on the national forest system. I am speaking on behalf of the Cascade Forest Conservancy, an environmental nonprofit organization. For over 40 years, my organization has worked to protect and sustain the forests, streams, wildlife, and communities of the southern Washington Cascades through conservation, education, restoration, and advocacy. Throughout this tenure, we've worked closely with the United States Forest Service (USFS) on forest management, watershed restoration, and economic resilience in southwest Washington.

Conservation NGOs like the Cascade Forest Conservancy (CFC) have a complex relationship with the Forest Service. We provide oversight and accountability for actions impacting public lands. In the past, that role often put us at odds with the Forest Service and led to litigation. That relationship has evolved over the years by leaning into collaboration, and we have become a strong partner while still providing oversight when needed. This partnership is evident throughout the forest, as we collaborate on aquatic restoration projects and beaver relocation efforts. Since 2019, CFC has worked with the Cowlitz Indian Tribe and the USFS to restore beavers to suitable habitats across the Forest, aiming to enhance watershed health and climate resilience. We have relocated 62 beavers to 10 sites throughout the Forest, with active populations remaining at 8 of those locations. These beavers build dams and wetlands that slow water flow, increase soil moisture, improve riparian habitats, and help create natural buffers against drought and wildfire, while avoiding impacts to Forest Service infrastructure.

Our long-standing relationship with the Forest Service is now at risk due to uncertainty, organizational restructuring, and staffing cuts originating from the national level that impact the entire agency. This uncertainty is causing confusion and instability, hampering the Forest Service's ability to plan, collaborate, and execute projects effectively.

A Multitude of Cutbacks are Hampering the Forest Service's Effectiveness

Recent staff reductions have severely impacted the agency's capacity. For example, on the Gifford Pinchot National Forest, interdisciplinary planning teams that previously advanced projects with expert input decreased from three to one. Leadership changes are making it harder for staff to manage public lands effectively with public input.

We are also concerned that the Forest Service is undermining the National Environmental Policy Act (NEPA) and other safeguards using emergency declarations, wildlife survey exemptions, and categorical exclusions to expedite projects, bypassing environmental reviews and public participation. We believe these methods may be unlawful and that the agency should return to comprehensive planning that fully analyzes impacts with public involvement and tribal consultation. Without these critical components, we are increasingly likely to have projects that lead to legal challenges, harm to cultural and natural resources, loss of public trust, and, in general, poorer project outcomes. Clear NEPA review processes have been shown to help agencies refine their projects, making them stronger.¹

Contrary to many talking points, we believe that NEPA is not the primary bottleneck in project delivery; rather, internal staffing cuts within the Forest Service and the resulting constraints are what stall mission-critical work on the ground. The main obstacle being the lack of key positions in the timber program responsible for planning and administering timber sales. NEPA rollbacks are also leading to reduced or eliminated public involvement and input on the management of their public lands, reducing opportunities for collaboration between the agency and stakeholders. For example, USDA's removal of the Schedule of Proposed Actions (SOPA) in its revised NEPA regulations² has further reduced transparency, making it difficult for the public to track upcoming projects. Without notice, communities may first learn of a project only when work begins on the ground. That can erode trust, disrupt forest use, and create conflict.

There also seems to be growing inconsistency across national forests now that public notice and engagement are at the discretion of individual Forests. Varying interpretations and external communication approaches undermine predictability. Without consistency, local communities, members of the public, and those who contract with the agency will find it more difficult to partner effectively with the agency.

¹ Ashley Stava, et al., *Quantifying the Substantive Influence of Public Comment on United States Federal Environmental Decisions under NEPA*, 20 ENVTL. RES. LETTERS 074028 (2025) ("Our analysis revealed that public comments resulted in substantive decision alterations in 62% of cases, with 64% showing modifications to alternatives, 42% showing modifications to mitigation plans and 11% leading to the selection of an entirely new preferred alternative.")

² National Environmental Policy Act, 91 Fed. Reg. 17,062, 17,091 (Apr. 3, 2026) (to be codified at 7 C.F.R. pts. 1b).

Overall, these shifts are contributing to a decline in public trust, especially after years of effort to build stronger engagement and confidence in the agency's planning processes. While Forest and Regional Office staff continue to step up, they can only do so much under these difficult circumstances. The current approach creates barriers that threaten the agency's and partners' effectiveness and result in weaker projects that neither enjoy public support nor are legally durable.

Categorical Exclusions Are Not A Viable Replacement for Environmental Assessments

Categorical Exclusions (CEs) under NEPA are designed for smaller, more limited projects, whereas Environmental Assessments (EAs) are intended for larger, landscape-scale actions and provide a more comprehensive analysis of forest conditions, treatments, and outcomes, which lends legal durability to these projects. CEs often lead to the segmentation of a larger project into smaller parts, undermining the agency's ability to understand cumulative impacts across the full landscape. Additionally, there is little evidence that CEs provide meaningful time savings in acres treated, as both CE and EA processes require similar time per acre. An analysis found that CEs take an average of 162.3 days per 1,000 acres and EAs take an average of 160.5 days per 1,000 acres.³

Per Forest Service and USDA leadership, the Forest Service is leaning into Emergency Situation Determination (ESD) areas to increase logging and forest management projects without meeting the legal standard for a true emergency. This newly envisioned designation now covers approximately 59% of national forest lands⁴ and is based on broad and often unconnected references to wildfire risk and forest health conditions. We understand that it is this administration's policy to increase timber production by 25% over the next several years, rather than to address an immediate threat to people, property, or natural resources.⁵ We think this is inconsistent with federal law, which limits emergency authorities to situations involving urgent and immediate danger requiring swift action. Rushing the work can backfire, leaving behind drier ground, more fire-prone invasive plants, and a higher long-term wildfire risk.

³ Appendix 5: Days of Analysis Per Acre by Decision Type, Comments and Appendices submitted by WELC, et al. on the Forest Service Proposed Rule for NEPA Compliance (84 Fed. Reg. 27,544, June 13, 2019).

⁴ USDA, Secretary's Memorandum 1078-006, Increasing Timber Production and Designating an Emergency Situation on National Forest System Lands, 2 (April 3, 2025) (Designating 66,940,000 acres under "very high or high fire risk" and 78,800,000 acres as experiencing or at risk of insect and disease infestations).

⁵ US Forest Service, Implementation of Secretarial Memo 1078-006, 1 (April 3, 2025) ("I am directing all Regional Foresters to develop 5-year strategies, tiered to the national strategy, to increase their timber volume offered, leading to an agencywide increase of 25% over the next 4-5 years.")

Along with the expanded Emergency Situation Determination declarations, the Forest Service is applying a new interpretation of its rules to bypass Survey and Manage (S&M) requirements, which are pre-disturbance surveys used to identify rare or sensitive plant and animal species before activities such as logging or road building decrease their viability to the point where listing under the Endangered Species Act is necessary.

The agency is asserting that the new Emergency Situation Determination may qualify for an “unusual circumstances” exception to the survey and manage requirement, which would allow it to forego these surveys and proceed with projects more quickly.⁶ However, the Forest Service is now applying this exception across millions of acres based on a broad, programmatic so-called emergency basis rather than evaluating conditions project-by-project. These exemptions are increasingly used for all projects, meaning that the “unusual circumstances” are no longer “unusual” but rather a new standard practice. This approach is legally suspect and further undermines future project delivery.

North Packwood Case Study: 2025 - 2026

For example, the North Packwood project, in the Gifford Pinchot National Forest, is a local example of how recent agency direction has significantly altered project planning and environmental review under the CE, Emergency Situation Determination, and S&M interpretations, creating uncertainty and extending timelines. Initially, the area was identified as the next planning area, and the Forest Service intended to conduct actions under an Environmental Assessment. However, planning shifted after the April 2025 ESD, which authorized emergency procedures, including emergency and expedited consultation under the Endangered Species Act. This change was then reinforced by a July 8, 2025, letter from the Washington Office NEPA Coordinator encouraging forests to utilize Categorical Exclusions whenever possible and to modify projects to remain at the CE level rather than proceed to more detailed environmental analysis in an EA or EIS.

Subsequently, the Forest requested and received approval to add the Packwood Wildland-Urban Interface to the Emergency Situation Determination on October 1, 2025. After this approval, the Forest Service proceeded to develop the North Packwood project as a Categorical Exclusion under 36 CFR 220.6(e)(6), commonly known as “CE

⁶ USDA Forest Service, Guidance for Consistent Application of Survey and Manage Pre-Disturbance Survey Requirements while Applying the Emergency Action Determination Authority, 1 (Oct. 28, 2025).

6.” When a federal district court invalidated CE 6 in January 2026,⁷ the Forest Service reworked the project under a different Categorical Exclusion focused on fuel-break construction.⁸ The resulting decision, just signed June 15, 2026, encompasses approximately 347 acres, compared with the 5,000 to 7,000 acres that would likely have been included in the original project as part of a landscape-scale Packwood-focused EA. The reduction in size and treated acreage is a concern for the majority of members of the relevant forest collaborative. These CEs do not appear to generate the equivalent long-term shelf stock of timber harvest projects as recent EAs did.

Consistent with recent agency direction, the project did not include a public comment period, relied on expedited consultation procedures under the Endangered Species Act, and did not require S&M pre-disturbance surveys because the entire project area falls within the Emergency Situation Determination boundary. As a result, a project that was originally envisioned as a landscape-scale effort subject to a more comprehensive environmental review process, including robust public engagement and tribal consultation, ultimately moved forward under a streamlined approach with reduced public involvement and environmental analysis.

Cascade Forest Conservancy does not intend to object to or challenge the current iteration of this project. In addition, the Forest Service has explained how impacts to sensitive species and critical habitats would be mitigated. However, we find it necessary to highlight the challenges this project presents and those future projects, under this current trajectory, are likely to present. Litigation is an important safeguard that ensures projects meet legal standards and protect vital habitats, species, and other public resources. We believe the issues outlined above could lead to increased, unnecessary litigation of this and future projects on this Forest, as well as others in the region that utilize Categorical Exclusions or Emergency Situation Determinations too broadly.

Navigating Confusion and Creating Transparency and Trust: The Importance of Forest Collaboratives

Recent changes have created confusion both externally and within the Forest Service. The public lacks a clear understanding of what is happening, and agency staff themselves are navigating multiple, sometimes conflicting interpretations due to a lack of consistent guidance from leadership. A recent example of this is a lack of clarity from leadership on when to use Categorical Exclusions (CEs) versus Environmental Assessments (EAs). While these changes may be framed as deregulation, they are instead contributing to operational confusion and instability rather than improved

⁷ Oregon Wild et al. v. US Forest Service, Case No. 1:22-cv-01007-MC (D. Or. Jan. 13, 2026).

⁸ CE Pub. L. 117-58, Sec. 40806.

outcomes, and are likely to lead to long, laborious litigation. All of these factors contribute to the Forest Service's inability to implement effective projects to address issues such as hazardous fuels and community protection.

Because of the ongoing confusion within the agency and throughout surrounding communities, forest collaboratives are becoming increasingly vital, especially as we face constantly shifting priorities, objectives, and tools for implementation. A fundamental element of collaboratives is the trust and transparency built through relationships, which are essential for achieving a shared understanding of constraints and trade-offs. Though collaboration may initially take more time, it ultimately leads to stronger projects and saves time and resources by reducing costly, lengthy litigation. Conversations among collaborative members offer a structured method to engage stakeholders early in the planning process, establishing a baseline understanding that can help reduce conflicts before decisions are finalized. Hearing diverse perspectives, the collaborative process enhances the Forest Service's ability to develop balanced proposals that are more likely to succeed without litigation or, at a minimum, minimize administrative objections that could lead to litigation. Additionally, when information and transparency diminish due to the absence of Environmental Assessments, collaboratives serve as an alternative channel for sharing information and public input, easing public concerns and addressing potential challenges before final decisions are made.

Good Neighbor Authority Cannot Replace Sufficient Forest Service Staffing

Over the past few years, the Forest Service has utilized the Good Neighbor Authority (GNA), which, under this administration, has expanded beyond partnering with the state to include tribes and counties. The agency and administration have promoted these partnerships as a major tool to help address the Forest Service's growing workload and staffing challenges. We believe that it can be a valuable tool and partnership, but it's not an effective or long-term substitute for a fully staffed Forest Service. Even for GNA to function at its intended and proper capacity, the authority still requires agency personnel to lead planning, provide oversight, ensure federal accountability to the American taxpayer, and ensure that projects align with broader management goals and public interests. When responsibilities are transferred through GNA agreements, important sideboards, project intent, and accountability can become diluted, particularly because project documents are often constrained by limited word counts and may not fully capture the context, collaborative discussions, and stakeholder input that shaped a project during the planning process. In addition, the benefits and outcomes of GNA projects are unclear. When projects are completed under Forest Service purview, the layout of timber sales is clearly defined with consistent sideboards, and the funds set

aside for restoration have a known path, with local contractors benefiting from stewardship contracts. These connections may be less robust with GNA projects. As a result, while GNA can serve as a useful tool, maintaining adequate Forest Service staffing remains the more efficient and accountable approach for carrying out forest management and restoration work on our federal public lands.

Right-sizing the Road System is Key for Long-term Success of the Forest Service

Another ongoing issue that highlights a significant systemic problem in partnering with the agency is the Forest Service's increasing difficulty in managing its extensive road network. The road system includes more roads than can realistically be maintained with the available funding, resulting in a significant backlog and a growing financial strain. General budget estimates that we've received from the Gifford Pinchot National Forest capture this trend. They note that they generally allocate \$11.6 million to maintenance each year, but there is a backlog of \$62.3 million in needed maintenance that cannot be addressed. And this doesn't account for the \$6.3 million in updates they'd like to make. As maintenance costs rise and infrastructure ages, the situation is becoming more expensive and difficult to sustain, with deferred maintenance accumulating year after year. Without changing this course of action, conditions will worsen. Instead of expanding the road network, as proposed by this administration and current leadership, the better option is to strategically reduce the road system by decommissioning roads that are no longer necessary and focusing resources on maintaining and improving the roads that are important for public access, recreation, resource management, and emergency response. For example, FR-25 is a main thoroughfare connecting the north and south parts of the Forest, but it remained out of commission for almost two years due to a washout. These kinds of things can be prevented by focusing more on road, bridge, and culvert improvements and less on building new roads into the backcountry, where washouts would be even more common.

Public Lands Benefit From a Stable and Long-term Investment in the Forest Service

Strong partnerships remain one of the most effective tools for achieving durable, science-based, and publicly supported forest management. These partnerships rely on a well-staffed, transparent, and accountable Forest Service that can engage communities, collaborate with tribes and stakeholders, conduct meaningful environmental reviews, and implement projects effectively.

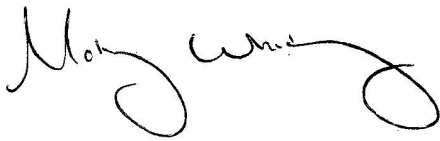
While local Forest Service staff continue to demonstrate remarkable dedication and professionalism, they are increasingly being asked to do more with fewer resources amid agency disruptions and shifting national priorities. This challenge can be addressed through increased funding and investment in the Forest Service's capacity,

as well as through Forest Collaboratives and tribal and public engagement processes that foster trust and improve project outcomes. By strengthening the agency and the relationships that sustain it, we can build a successful multi-use forest that meets goals related to natural resource extraction, forest restoration, wildfire resilience, watershed protection, and community safety on our public lands.

Conclusion

I look forward to discussing and reviewing partnerships with the Forest Service to enhance management of the national forest system with the Subcommittee and answering any questions that the Subcommittee may have. Thank you for the opportunity to share my thoughts and experiences.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Whitney", with a stylized, flowing script.

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