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Debunking "Fix Our Forests Act" Misinformation

HR 471, the deceptively-named "Fix Our Forests Act", was passed through the House by Republicans, with a few dozen Democrats joining, on January 23, 2025. Proponents of HR 471, including the House sponsor, Rep. Westerman (R-AR), are now trying to promote movement of this bill in the U.S. Senate by claiming that (a) the January 2025 fires that devastated communities in Los Angeles supposedly prove the need for thinning and post-fire logging on federal public lands, (b) HR 471 supposedly includes community fire-safe provisions to accomplish home hardening and defensible space pruning, and (c) that HR 471 does not really weaken or override environmental laws but, rather, merely enacts procedures to expedite projects under existing legal authorities. These are outright falsehoods.

First, most the at-risk communities are not in or adjacent to forests. Importantly, the Los Angeles fires were in chaparral and grassland, not forest. This can be verified through an interactive, user-friendly system set up by Wildlands Mapping Institute, available at: https://wildlandmaps.users.earthengine.app/view/fires24. The portion of recent large wildfires that has been within forests has mostly been in heavily logged areas, where wildfires generally burned fastest and most intensely, often before burning down towns. For abundant scientific evidence, including many studies by U.S. Forest Service scientists, of the tendency of thinning and post-fire logging, conducted under the guise of "fuel reduction", to actually increase wildfire severity and rate of spread, while tripling CO2 emissions relative to fire alone, see: https://johnmuirproject.org/wp-content/uploads/2024/12/JMP-fact-sheet-thinning-and-fire-29Nov24.pdf. Big wildfires are driven mainly by weather, climate, and climate change, and the logging that HR 471 mandates would dramatically increase CO2 emissions, and worsen climate change, which would in turn cause more large wildfires and increase threats to communities.

Second, while HR 471 pays lip service to community wildfire safety, referencing "wildfire-resistant structures" and "defensible space" (Sec. 202), this hollow verbiage is meant only to greenwash the extreme backcountry logging provisions. Unlike real community wildfire safety bills, like HR 582 (Rep. Huffman, D-CA) and HR 948 (Rep. Kiley, R-CA), HR 471 includes no funding or financial incentives to actually promote community wildfire safety.

Last, the claim that HR 471 does not weaken or override environmental laws is flatly false:

- Section 101(a)(1) of HR 471 defines "fireshed management areas" as entire forest landscapes, vast in scale. Section 106(a)(2) mandates that the Forest Service implement logging projects across each of the many fireshed management areas. This mandatory language is an override of all other environmental laws. There are no caveats in the mandatory language requiring the Forest Service to carry out these gigantic logging and post-fire logging projects. There are no limits on the size or age of the trees that this mandate covers, and no requirements to retain any trees where mandated logging occurs, so clearcutting would certainly occur on a large scale.

- To make it even clearer that the bill intends to override NEPA, Section 106(a)(3)(A) explicitly states that a series of so-called emergency exemptions, which are normally reserved for an extremely narrow set of exigent circumstances, will apply to these giant landscape-scale logging projects. These emergency procedures entirely waive NEPA, and all environmental analysis, consideration of science, and public participation. Section 106(a)(3)(A) overrides NEPA to make these emergency exemptions the rule, not the rare exception.

- HR 471 weakens NEPA and public participation, in Section 106(a)(3)(B), by declaring as a matter of law that an entire series of categorical exclusions--more exemptions from NEPA--will apply to the giant logging projects that are mandated to span entire landscapes in each "fireshed management area". Section 106(b) increases the size of any given categorical exclusion logging project to a massive 10,000 acres, overriding existing size restrictions.

- Section 121 of HR 471 imposes a series of draconian restrictions on federal judges, creating so many hurdles of such height that it would be nearly impossible to ever enforce NEPA or other environmental laws, even if an environmental plaintiff could find some way to surmount all of the other NEPA exemptions and rollbacks in HR 471.

- Section 122 of HR 471 eliminates the Endangered Species Act requirement that the Forest Service reinitiate consultation with the US Fish and Wildlife Service on forest plans when a new species is listed under the ESA or when new scientific information indicates that the forest plan is driving a species to extinction. So, the gigantic logging projects mandated by HR 471 would continue even when they cause the extinction of rare wildlife species.