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Democrat Senators Padilla and Hickenlooper Sell Out Forests and the Public by Promoting Trump's MAGA Forest Policy: The Deceptively-Named "Fix Our Forests Act" Logging Bill

Democrat U.S. Senators Alex Padilla (D-CA) and John Hickenlooper (D-CO) have sold out the public and public forests by joining with anti-environmental Republican Senators John Curtis (R-UT) and Tim Sheehy (R-MT) on a Senate version of Trump's MAGA forest policy, the deceptively-named "Fix Our Forests Act" (FOFA), S. 1462. FOFA is an extreme logging bill masquerading as a "forest health" measure. It would eviscerate environmental laws on public forests in order to dramatically increase logging of mature and old-growth trees, and clearcutting, on public lands, at taxpayer expense. The FOFA logging bill would destroy important wildlife habitat, increase carbon emissions and worsen climate change, and exacerbate wildfires and increase threats of fire to vulnerable communities, while severely restricting the public's right to comment on and participate in decision-making on public forests.

The Senate FOFA logging bill that Senators Padilla and Hickenlooper are promoting is basically the legislative version of Trump's recent executive order, which tells the U.S. Forest Service and other land management agencies to ramp up logging, and Trump's Agriculture Secretary's order to exempt 60% of all forests on national forest lands from meaningful environmental analysis and public participation under the hollow guise of an "emergency", to facilitate increased logging. Senators Padilla and Hickenlooper have attempted to greenwash their MAGA logging bill by claiming that it's not quite as bad or destructive as the version passed by the House on January 23, 2025 (HR 471). They are not telling the truth. Their Senate version of FOFA is not significantly different from the House version.

FOFA proponents are 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) FOFA supposedly includes community fire-safe provisions to accomplish home hardening and defensible space pruning, and (c) that FOFA does not

really weaken or override environmental laws but, rather, merely enacts procedures to expedite projects under existing legal authorities. These are lies.

First, most of 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 and "thinned" 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 FOFA 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 the Senate version of FOFA pays lip service to community wildfire safety, referencing "wildfire-resistant structures" and "defensible space" (Sections 201 and 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), FOFA includes no funding or financial incentives to actually promote community wildfire safety.

Last, the claim that the Senate version of FOFA does not weaken or override environmental laws is flatly false:

- Section 101(a)(1) of the Senate FOFA defines "fireshed management areas" as entire forest landscapes, vast in scale. Section 106(a)(1) mandates that the Forest Service "shall" implement logging projects (which the bill spins as "fireshed management 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 this mandatory language. 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 and logging of mature and old-growth trees would certainly occur on a large scale on public lands, at taxpayer expense.

- To make it even clearer that the Senate FOFA bill intends to override NEPA, Section 106(a)(2)(A) explicitly applies a series of so-called emergency exemptions, which are normally reserved for an extremely narrow set of exigent circumstances, to these giant landscape-scale logging projects, so long as agency officials, with a wink and a nod, claim that an "emergency" exists (Section 106(a)(2)(B)), based on no evidence. These emergency procedures circumvent NEPA, and environmental analysis, consideration of science, and public participation. Section 106(a)(2) overrides NEPA to make these emergency exemptions the rule, not the rare exception. Section 106(a)(2)(D)(ii-iv) dishonestly and misleadingly claims that these giant logging projects must comply with NEPA, after establishing in Section 106(a)(2)(A-B) that compliance with NEPA, under FOFA, **now** means enormous logging projects conducted under sham "emergency" exemptions from NEPA's normal environmental analysis and public

participation requirements. This section was clearly inserted to confuse the public and the press, and to make people mistakenly believe that NEPA is not being fundamentally attacked and overridden by the Senate FOFA logging bill.

- Section 106(b) of the Senate FOFA logging bill is another environmental law rollback, as it hugely expands the acreage of logging projects that would be exempt from environmental analysis and normal public participation, under "categorical exclusions", from 3,000 acres to 10,000 acres each.

- Section 117 orders federal land agencies to conduct widespread livestock grazing, supposedly as a wildfire management approach, disregarding decades of scientific research finding that livestock grazing degrades and destroys native ecosystems and strongly tends to exacerbate wildfires, in part by spreading highly combustible invasive grasses.

- Section 121(b) of the Senate version of FOFA 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 FOFA. In addition, Section 121(b) interferes with the judiciary's role in weighing evidence, attempting to prevent judges from upholding environmental laws when agencies break them.

- Section 122 of the Senate version of FOFA 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 FOFA would continue even when they cause the extinction of rare wildlife species.