



MICHIGAN  
**FOREST  
PRODUCTS**  
COUNCIL

## **MICHIGAN FOREST PRODUCTS COUNCIL JOINS NATIONAL COALITION TO PROTECT FOREST ROADS**

**COALITION PLEDGES SUPPORT FOR BIPARTISAN S. 971 & H.R. 2026 || MAY 28, 2013**

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The Michigan Forest Products Council has joined over 50 other state and local organizations in supporting federal legislation to protect forest roads. The bills— S. 971, sponsored by Senators Ron Wyden (D-Ore.) and Mike Crapo (R-Idaho), and H.R. 2026, sponsored Representatives Jaime Herrera Beutler (R-Wash.) and Kurt Schrader (D-Ore.)—are a part of bipartisan efforts to maintain the authority of the EPA on environmental issues and nonpoint source status for forest roads.

The bill seeks to protect federal, state, county, tribal and private forest roads from costly permit requirements or other point source regulation along with litigation expenses from citizen lawsuits. This legislation further preserves jobs, recreational access and working forests that are an integral part of Michigan's state economy.

In March of this year, the U.S. Supreme Court reversed the Ninth Circuit Court's ruling that determined that forest roads are subject to mandatory point source stormwater permits. The ruling, however, did not address the Ninth Circuit Court's other ruling that deemed forest roads to be point source pollution. The Environmental Protection Agency (EPA) has held since 1976 that forest roads and forestry activities are nonpoint source pollution and that such activities are most effectively regulated by states through Best Management Practices (BMPs).

"Most importantly this legislation will bring an end to the decades-long confusion in the courts over whether or not forest roads are point sources," said Kevin Korpi, MFPC executive director. "The most troubling aspect of the March Supreme Court ruling is that litigators are already seeking new ways to use the courts to regulate forest roads as point sources against EPA or legislative authority."

According to the National Alliance of Forest Owners (NAFO) both forestry and clean water experts agree that point source permits for forest roads will not improve water quality compared to BMPs. Furthermore, permits and other point source regulations that increase cost and litigation risk may hurt the environment by accelerating the fragmentation and loss of private forestlands.

"These bills provide certainty for all levels of government and private landowners," said Korpi. "Without certainty about emerging regulations and costs we cannot build a sustainable future for this industry, which supports numerous communities throughout the state."

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