

Alpine Lakes Protection Society * American Whitewater * Cascade Forest Conservancy *
Conservation Northwest * North Cascades Conservation Council * Olympic Forest Coalition *
Olympic Park Advocates * Pilchuck Audubon Society * The Mountaineers * The Wilderness
Society * Washington Trails Association * Washington Wild * WildEarth Guardians

April 27, 2023

Elizabeth Berger
Acting Regional Forester
Pacific Northwest Region
U.S. Forest Service
1220 SW 3rd Avenue
Portland, OR 97204

Re: Legacy Roads and Trails Remediation Program – Annual Project Selection Process and Public Input

Dear Acting Regional Forester Berger:

The Washington Watershed Restoration Initiative (WWRI), a coalition that includes the undersigned organizations, writes to you on an urgent matter concerning the Pacific Northwest Region’s administration of the Legacy Roads and Trails (LRT) Remediation Program. In November 2021, the LRT Program was permanently authorized through passage of the Infrastructure Investment and Jobs Act, codified at 16 U.S.C. § 538a. The program directs funding toward restoration activities on national forest lands for restoring fish passage, road decommissioning, improving public access, and stormproofing roads and trails for resilience to extreme weather events. Congress provided \$250 million for the LRT Program for FY22 - FY26.

In determining which restoration projects receive funding, Congress required the Forest Service to “establish a process for annually selecting projects for funding” and to “solicit and consider public input regionally in the ranking of projects for funding.” 16 U.S.C. § 538a(c)(2). To date, WWRI is unaware of any effort by the Regional Office to establish an annual LRT project selection process. Nor is WWRI aware of any effort of the Regional Office to solicit and consider public input in project rankings. Further, recent communications with the Regional Office indicate that the Forest Service may be on the verge of making final project selections through FY26. We are concerned by the lack of a public process in selecting and ranking LRT projects as outlined by Congress. We respectfully ask you to rectify this prior to proceeding with FY25 and FY26 and establish a process for public input.

WWRI has a long history of working collaboratively with the Regional Office to address critical restoration needs in Washington’s national forests. The LRT program was initially conceived by WWRI in cooperation with the Washington congressional delegation. Driven by the serious road-related water quality problems plaguing Washington’s national forests, WWRI campaigned for a targeted fund to address the forest road system, earning a broad array of support from organizations across the country. Once established, LRT quickly became a cornerstone of the Forest Service’s restoration program, reducing road impacts on water quality and fish, and better aligning the road system to current management needs and capacity.

Over the first decade of LRT implementation (FY08-FY17), Congress allocated \$470 million to the Forest Service for much needed road decommissioning, stormproofing, and culvert replacement. Over that period, 18,000 miles of roads were stormproofed and over 7,000 miles of roads were retired, improving habitat, reducing pollution, and saving taxpayer dollars. In addition, over 1,600 miles of stream habitat were restored and over 1,000 culverts were replaced, improving passage for fish and other aquatic organisms.

Despite that decade of success, LRT was defunded in 2017 and remained unfunded until passage of IIIJA in November 2021. While the program went unfunded, the Forest Service's backlog of deferred road maintenance only continued to grow. For example, in FY21, the Forest Service's backlog of deferred road maintenance was \$3.5 billion. Just one year later, it was \$4.4 billion. With the reauthorization of LRT and initial funding through FY26, there are ample opportunities to address critical restoration needs in our national forests.

That need is especially pronounced in the Pacific Northwest Region. With nearly 90,000 miles of roads, the Pacific Northwest Region has more roads than any other region, constituting nearly 25 percent of the entire National Forest System road network. Frequent and intense winter storms have wreaked havoc on forest roads in this region, polluting streams with sediment, blocking fish passage, and closing public access. Despite the need, out of the 122 LRT projects funded nationally in FY22, only three projects were selected in this region. According to the publicly available information about these projects, which is scant, no road decommissioning was included in these projects. This is unfortunate given the substantial need to reduce the road network in the Pacific Northwest Region.

WWRI is concerned that the Regional Office has not considered public input in how LRT funding is allocated in this region, in apparent violation of 16 U.S.C. § 538a(c)(2). If groups in the WWRI coalition are included in the ranking and selection process, we can help the Forest Service identify numerous opportunities for urgently needed road decommissioning to restore wildlife and aquatic habitat. However, WWRI and the public at large have not been involved in this process and we are running out of time to rectify this problem before the next round of project selections.

WWRI respectfully requests that the Regional Office immediately establishes a process for annually selecting projects for funding and solicits and considers public input regionally in the ranking of projects for funding, as required by 16 U.S.C. § 538a(c)(2). We would welcome meeting with the Regional Office to further discuss how we can work together to identify the best restoration projects for LRT funding, including much needed road decommissioning.

Sincerely,

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