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## TREE FARM BULLETIN, February 2009

Greetings,

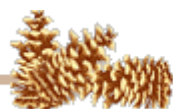
One of the primary missions of the Tree Farm program is to advocate for public policy issues that affect Tree Farmers and other private forest landowners. As you know the New Mexico Legislature is in session and a bill has been introduced in the House, HB 520, that would require virtually any project conducted on private lands that affects the environment and requires a state permit to have an environmental impact statement (EIS) done, at the expense of the private landowner. The EIS must have "detailed information about the effect that a proposed project is likely to have on the environment". This would include State Forestry harvest permits and forest practices done with cost-share dollars that are administered by the state.

As any natural resource professional will tell you, an EIS of this scope can easily run into the thousands of dollars to have prepared. The proposed bill also states that the person or entity doing the EIS cannot have had any business dealings with the private landowner for seven years. So if you have worked with a forest consultant he/she cannot do the EIS. You would have to hire an outside consultant. To complete an EIS of this scope usually takes a team of natural resource professionals since forest, wildlife, water, archaeology, social issues all have to be examined in an EIS.

If enacted, this bill would effectively shut down private timber sales in New Mexico, since the cost to prepare an EIS would in almost all cases be far greater than any financial gain received by the landowner for the wood products sold. This would really cripple efforts to improve our forest lands.

As Chair of the New Mexico Tree Farm Committee I have sent a letter to the Chairman of the House Energy and Natural Resource Committee, Representative James Roger Madalena. My letter is reproduced on the back of this page. The Committee is to consider the bill but has yet to set a date.

I urge you to contact Representative Madalena and express your opinion about this proposed legislation. His contact information is 1-575-867-3351, Room 314A, State Capitol, Santa Fe, NM 87501. You can access HB 520 at the New Mexico Legislature website: [www.nmlegis.gov](http://www.nmlegis.gov). Please call or e-mail if you have any questions or would like to discuss this with me.



Representative James Roger Madalena  
Chair: Energy and Natural Resources Committee  
Room 314A, State Capitol  
Santa Fe, NM 87501

Dear Representative Madalena,

I am writing as Chair of the New Mexico Tree Farm Committee (NMTFC) to offer comments on HB 520, the Consolidated Environmental Review Act which is before your committee.

The NMTFC is a part of the American Tree Farm System; a program of the American Forest Foundation. The Tree Farm system represents over 90,000 forest landowners in 46 states. Here in New Mexico we have about 200 forest landowners enrolled in our program. To be enrolled in the program, the forest landowner must have a written management plan that ensures forest management practices are conducted in a manner that leads to a more productive forest and improves soil and water retention.

Many of our members have worked closely with the State Forestry Division of EMNRD with either commercial harvest permits or forest thinning projects to reduce fuels and promote forest health. These projects are included in HB 520.

The NMTFC believes that current State Forestry regulations, which were most recently revised in 2007, are more than adequate to protect the forest resource. As you may know, the regulations are based on a set of best management practices (BMP's) that have been developed over many years by natural resource professionals with the sole intent of protecting New Mexico's forests from harmful practices.

If private landowners are required to meet additional regulatory hurdles the cost of meeting these hurdles could very easily exceed whatever monetary value is associated with the forest practice. If forest practices then cease because costs exceed income, it will have the opposite effect than a stated purpose of the bill to "develop and maintain a high quality environment now and in the future". If the purpose is to develop and maintain the forest this can only be done by active management. A do nothing approach will not work.

Forest practices being conducted on private lands also provide a source of badly needed employment in many rural areas of our state. If forest practices cease, due to unreasonable regulatory burdens, jobs will be lost. At a time when all agree creating jobs is important, eliminating forest workers from the landscape would be a tragedy.

In conclusion, the NMTFC sees no need for additional environmental reviews of forest practices and does not support HB 520. We are dedicated to the long-term management of our forest resources in New Mexico and believe that not enough is being done to improve our forest productivity. There is no question in our opinion that this bill would lead to less management of our forests and greater susceptibility to the ravages of fire and insects.

Thank-you for the opportunity to express our opinion.

Sincerely,



Harry A. Morrison  
Chair New Mexico Tree Farm Committee