

Dear Committee members, I am writing in opposition to H 7728, the Comprehensive Fire Safety Act, a name which is misleading since this bill would likely endanger private landowners living near forests.

H 7728 would mandate all private landowners who own 500 or more acres of land in the state, including conservation organizations, to create a forest management plan for the alleged purpose of fire mitigation to be approved by DEM.

The language in H 7728 is incredibly vague as it doesn't explicitly state what the mandated forest management plans will actually look like. This opens this bill up to any dangerous forestry practice currently being used for fire mitigation in Rhode Island.

Since DEM's fire mitigation plans almost always include logging and prescribed burning, if this bill is passed, it could force all private landowners who own 500 or more acres of land to log and burn their forests which creates a fire hazard.

Logging contributes to wildfires due to the flammable logging slash left behind after the logging operation, the underbrush that grows soon after due to the removal of the tree canopy, and the drier forest conditions from the tree canopy removal which also exposes the area to wind.

H 7728 may be unconstitutional since a state cannot force a private landowner to log and burn the forests on their land.

This bill could also open the state up to lawsuits by private landowners who do not want their forests to be destroyed and a fire hazard created on their property.

[Logging slash flammability \(usda.gov\)](http://usda.gov)

According to the publication, **Logging Slash Flammability**, from the U.S. Forest Service.

“Slash is the residue left in the woods after timber has been harvested. It consists of foliage, twigs, branchwood, bark, rotten wood, and cull or otherwise unusable material. Most of this debris once comprised parts of the harvested crop trees, but sizable quantities are sometimes broken from the residual stand in logging. Leaving slash after the harvest of forest products is as inevitable as leaving the core after eating an apple. An apple core must be picked up because garbage is an eyesore and a public nuisance. Slash also is unsightly, but it requires treatment primarily because it is highly flammable.”

“Some of the most disastrous forest fires in North American history burned in slash left from logging and land clearing... Over much of the West logging slash is now the most hazardous forest fuel, and it threatens to remain so for an indefinite period.”

Prescribed burning can get out of control leading to a massive wildfire.

[New Mexico's Largest Wildfire Was Set by the Government. What Are Victims Owed? - The New York Times \(nytimes.com\)](#)

A 2022 prescribed burn by the U.S. Forest Service got out of control and created the largest wildfire in New Mexico history which burned over 530 square miles of land and destroyed homes.

[10-12-2023 Special Legislative Commission to Evaluate and Provide Recommendations on Proper Forest Management for Fire Prevention \(cablecast.tv\)](#)

In Fire Chief Robert Franklin's testimony before the House Fire Commission, he stated, "I have reservations about endorsing a plan to do wildland burning in a management area. Part of the reason is liability issues I face, part of it is just looking at the plain numbers of people available if the unthinkable happens and the fire doesn't do what we told it to do and decides to do what it wants to do..."

Therefore, DEM has been creating a fire hazard in our state forests for decades since logging slash is left behind after DEM logging operations as confirmed through ground and aerial photographs, and DEM's prescribed burns could get out of control anytime.

One of the DEM's main arguments for logging for fire prevention is the supposed flammability of dead trees in forests affected by insect defoliation.

[cbi\\_495.tex \(harvard.edu\)](#)

However, according to the scientific paper, "**Preemptive and Salvage Harvesting of New England Forests: When Doing Nothing Is a Viable Alternative,**" by Dr. David Foster and Dr. David Orwig of Harvard Forest,

"New England forests do not commonly experience insect outbreaks that lead to large accumulations of hazardous fuels as the southern or western United States do (White et al. 1999; Foster et al., 2006)."

"Finally, many management decisions cite a concern about wildfire, both as a threat to the forest and to surrounding property. On this subject there is much speculation and strong opinions but few studies or real data for the northeastern U.S. temperate forests. Windstorms are frequently cited as one possible catalyst for forest fires in the New England landscape, and this was a major motivation for the massive salvage program following the 1938 hurricane. Nevertheless, no studies exist of the changes in fuel loading after windstorms from New England forests, and there is no good historical research that links windstorm events and fire. Most cutting is predicated on the intuitive notion that downed woody debris enhances long-term fire hazard. Although blowdowns in New England conifer stands may produce a short-lived increase in hazard (Patterson & Foster 1990), data from the hurricane experiment suggest that fine fuels, which are the main fire concern, are unevenly distributed and highly transient due to the rapid decay of

fine material and the gradual mortality of the trees. The decomposition of fine fuels and the rapid growth of hardwood sprouts and understory plants quickly reduce the fire hazard. As a consequence, overall fire hazard was only slightly increased in the experimental study and for a relatively short time.”

Logging a forest with dead trees will create a greater fire hazard than letting the forest to naturally recover since logging slash creates a long-term fire hazard.

The forest that burned in the Queen’s River Fire last year consisted of mostly living trees up to the time the forest burned, not dead trees as initially reported by the media, which was later confirmed by The Nature Conservancy in a December 11, 2023, Providence Journal article. It should also be noted that the Queen’s River Fire started in a clearcut created by The Nature Conservancy and NRCS, and that a private forest nearby that burned was logged two years before the fire and had no effect in stopping the wildfire.

[PowerPoint Presentation \(rilegislature.gov\)](https://rilegislature.gov)

According to a presentation by legislative counsel before the House Fire Commission, Rhode Island ecologically is one of the states with the lowest wildfire risks in the country.

It should also be noted that the Queen’s River Fire was human caused.

[10 Tips to Prevent Wildfires | U.S. Department of the Interior \(doi.gov\)](https://www.doi.gov/10-tips-to-prevent-wildfires)

Almost 9 out of 10 wildfires are caused by humans according to the U.S. Department of the Interior, yet this bill doesn’t address the human factor at all. Instead, it just blames our forests.

[Forest-clearing to create early-successional habitats: Questionable benefits, significant costs \(harvard.edu\)](https://www.harvard.edu/forest-clearing-to-create-early-successional-habitats)

For the purposes of fire prevention, the most effective way to prevent wildfires is updating the state’s wildfire laws to impose stricter penalties on people who cause wildfires in forests, and protecting our mature forests in their natural state since unlogged mature forests, especially Old Growth Forests, are more resistant to wildfire due to the intact tree canopy keeping the forest floor cool and wet, as well as keeping wind out.

H 7728, which could force private landowners to use bad forest management practices for fire mitigation on their land creating a fire hazard in the process, is not the answer to preventing wildfires.

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