

**Statement of
Richard John Drehobl
Retired Bureau of Land Management Manager of 33 years
Representing Self**

**Subcommittee in Forest and Forest Health
Committee on Recourses, US House of Representatives**

Field Hearing

**Science Research and the Knowledge-base concerning Forest
Management Following Wildfires and Other Major Disturbance.
Management Perspective on Research on Fire Related Management
Issues**

**February, 24, 2006
Medford Oregon**

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My name is Richard Drehobl and I recently retired as a field manager for the Bureau of Land Management. Over my 32-year career I managed hundreds of thousands of acres involving nearly every social and ecological issue conceivable. I graduated from the University of Arizona in 1972 with majors in Forestry, Range Ecology, and Natural Resource Planning. My career covered the. Public Domain lands of California to the O&C lands of Oregon, both as a resource specialist and manager in both states. Over the last 18 years I have been the Area Manager of the Ashland Resource Area the most complex single organizational unit in the Bureau of Land Management. I received the Department of the Interior's second highest reward, the Superior Service Award for "outstanding contributions to the natural resource programs in the Bureau of Land Management. I also received an award from the Public Lands Foundation as "Outstanding Public Land Professional" for "developing the Agency's first "new forestry" project while working under extremely heavy and diverse public opinion" and for bringing "industry, environmental groups together on contentious issues.. The Oregon/Washington BLM State Office also recognized me for being on the leading edge in implementing all facets of the Northwest Forest Plan through innovative approaches to ecosystem based management on a landscape scale and in a collaborative manner.

Although I had some rough times, I owe my success to my perseverance and insistence and pursuit of quality and honest work. Upon retirement I thought that I could finally put my career behind me and move on to the things that I enjoy doing that weren't possible while working. . However one of the issues before us tonight is quite serious, serious enough to bring me out of retirement at least one more time.

As a manager I was responsible for implementing science based projects on an on-going basis. Nearly every project involved a science review, evaluation and a determination of its applicability. And I can tell you that there are a lot of papers out there that purport to be science that upon closer look are nothing more than advocacy statements. Mangers have a name for these papers, we call it junk science. I had a stack of junk science paper this deep. My criteria for separating out sound science from junk science is simple and the following list provides the tests;

1. Does the report provide any new information? Is there any information that is previously unknown that may influence my decision.
2. Are the conclusions supported by the data? Is there sufficient data to cover the area of inference?
3. Are the conclusions independent and agenda free? Is it intended to influence a point of view?
4. Are there relevant and important factors that were not disclosed that would change the conclusion?

First of all I would like to make it clear that I'm not here to talk about the pro or cons of salvage logging, that's why the renowned scientist are here, frankly I don't care. What I do care about is what happened to what was otherwise a good study under my watch, one that I wholeheartedly supported, but was commandeered to promote a political agenda.

I'm referring to the *Science* paper "Post-Wildfire Logging Hinders Regeneration and Increases Fire Risk D. C. Donato, J. B. Fontaine, J. L. Campbell, W. D. Robinson, J. B. Kauffman, B. E. Law "

In 2002 after the Quartz fire in southern Oregon I requested a review of the options relative to post fire management of the Quartz fire, because little information was available on southern Oregon post fire management, and to address the controversy over post fire management. I requested and supported the study proposals presented to the joint Fire Science Program by Doctors Boone Kauffman, Tom Sensenig and Douglas Robinson in 2003. Because I was the BLM manager at the time, I had, and still have, a vested interest in this project. I've been following the media fury which they have made a global issue

I could no longer sit back and watch the frenzy of misinformation continue. The notion that censorship or suppression of academic freedom is what is going on is absolutely false. Academic freedom does not apply to intentionally misleading or publishing disingenuous or politically motivated science funded by the taxpayers. I can understand the temptation for scientist to over state there data to further something that they do or don't support. However I believe this is unethical, especially when federal money is involved.

Lets talk facts:

I believe that this research started out as a sound study having the potential to make important contributions to our knowledge relative to post-fire management. However, at some point it became, derailed for political purposes. The authors made an "end run" to *Science* avoiding all of the required PSW, BLM and OSU protocols that would have revealed their objective. The authors intentionally prepared, submitted and published this

Science without informing the agency or Dr. Sensenig the co-Principle investigator and Project Inspector responsible for overseeing the implantation of the agreement. They portray this as miscommunication. I believe that characterizing “no communication” as “miscommunication” is wrong. The agreement clearly states:

“Recipients must obtain prior Government approval for any public information releases concerning this award, which refers to the Department of Interior or any employee”

“The specific text, layout, photographs, etc. of the proposed release must be submitted with the request for approval”

The agreement further states:

Government Requirement.

“Provide timely review and comments on the document produced by this study and work in partnership on the project”.

The test:

Does the report provide any new information? Is there any information that is previously unknown that may influence my decision

There is no new or useful information in this study. Seedlings and debris were measured before and after felling of trees at one point in time. Seedling mortality is expected to occur in any operation. There is lots of information on expected seedling mortality and seedling damage during harvesting. Nursery seedling orders reflect unanticipated loss of seedlings during logging. Seedling losses as a result of logging occurs regardless of what type of operation is being conducted. It could have been a green tree project or even a thinning had seedlings been in the under story. The authors misleadingly portrayed this as being unique to salvage.

Are the conclusion independent and agenda free?

Is it intended to influence a point of view?

In the paper submitted to *Science* on November 21, 2002 the authors stated that their intention was to “inform the dialogue on pending House Bill 4200, apparently realizing that this statement was incriminating, they requested that it be removed. Because this report contains no new information, and the results are reported out of context it is essentially useless to science, thus there is no other possible purpose than to influence legislation. The use of Federal funds to “mislead the dialogue” on pending legislation is precisely what the Hatch Act was enacted to prevent. By the authors simply stating that this paper had no political purpose, does not make it true. All circumstantial and physical evidence indicate otherwise. Their actions clearly speak for themselves. The agreement clearly states

Opposition to any Legislation

Recipients shall not use any part of the Government's funds for any activity or the publication or distribution of the literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete.

Are the conclusions supported by the data? Is there sufficient data to cover the area of inference?

The data were collected on limited number of sites using 75m transects ½ meters wide. The diversity of the southern Oregon landscapes which varies greatly by slope, elevation, precipitation, plant association, tree species, and stand structure. To typify salvage from data that is infinitesimal, relative to the area of inference is improper and a gross misuse of the data. The Biscuit fire alone covered over 700,00 square miles and some 700,000 acres.

Are there relevant and important factors that were not disclosed that would change the conclusion?

There were many important factors that were not disclosed in the report: 1. had the salvage operation been conducted immediately and not delayed because of the required administrative processes, seedling recruitment would have occurred post disturbance and seedling numbers would have remained unaffected. 2. seedling recruitment is likely to continue over time and thus the disturbed areas will possibly have more seedlings than the undisturbed areas in subsequent years. 3. The number of residual seedlings surviving after logging is, in many cases above adequate levels, and represent tree densities observed in old-growth stands.

The report concluded that salvage logging increased fire hazard. Of course logging creates debris. This is also to be expected and is not new information. What we were not told is that where necessary, fuel reduction treatments were planned. In addition course wood was prescribed to be retained on site by the contractor during the operation to enhance long-term site productivity. To report that a fire hazard was created was to use the data out of context and intentionally misleading.

Although what these authors managed to pull-off is obvious, and every level including the media, OSU, BLM, and *Science* had access to the truth, none could find it within their system to face the truth. Apparently they had their reasons. However, the truth is what compels me to be here today.

When I first read the paper I could not believe what I was reading. This work is an insult to me. The paper contained absolutely no new information and what it did report was taken so far out of context it is meaningless. There is no useful information for a manager in this paper, none. It's obvious this paper was about influencing pending House bill 4200, pure and simple. This is unethical, in violation of the BLM agreement and is precisely what the hatch act was intended to prevent.

I've been asked why the so-called "Session" report is any less unethical. Although I am not going to speak to that report, and really don't care what it says, however there are at least three distinctive differences. The "Session" report; did not involve Federal money, was not research and did not have the expectations of independence, clearly revealed the objectives of the paper up front and clearly defined the purpose of the report.

In my 33 year career I have not observed anything as unethical as this.

A management Perspective on the Donato et al. paper,

- 1. Cost over \$300,000.00 dollars of taxpayer money.**
- 2. Did not provide any new or useful information.**
- 3. Intentionally mislead the dialogue on post fir management and pending legislation**
- 4. Made no contribution to science.**
- 5. Compromised a potentially worthwhile study.**
- 6. Damaged the image of university researchers.**
- 7. Compromised the trust between the agencies, the University and the public.**
- 8. Blatant violation of the Hatch Act.**

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taxpayer and the official originally responsible, I would like to go on record as requesting an investigation as to how something so unethical and illegal could, not only have occurred, but is authorized to continue.

Exhibit 1. Dr, Sensenig's response to questions

As co-PI, these are my questions and concerns, concerning the publication Donato et al.

The research projects being conducted by OSU graduate students Mr. Dan Donato and Mr. Joe Fontaine are part of a cooperative effort between the USFS, BLM and OSU and are being funded by the Interagency Joint Fire Science program. However, the many anomalies in the process leading up to and the publishing of preliminary information raise questions as to the objectives of OSU and other authors. It should be noted that the types of data collected on the plots was more comprehensive than reported. It included information on shrub and forbs height and cover, live and dead biomass, root mass etc., yet only the information on regeneration and fuel hazard were selectively presented. The title derived from regeneration and fire hazard is misleading. Why was pending House bill 4200, referenced in the report but later withdrawn? Note: requirement -Stipulation N, page 10.

Also, why did all six authors withhold the fact that this publication was being prepared for, and submitted to Science for publication from the Bureau of Land Management (administrator of the project), US Forest Service (co-operators), and violate required PSW research publication requirements.? Could it be that had any of the processes been conducted it is clear that the publication would not have gone forward in its present form. Why was publication so urgent, given the simplicity of the data used?

In addition, the data did not support the conclusions displayed in the title. For example, damage to seedlings from logging is expected regardless if the trees are felled dead or alive. If protecting seedlings was the objective then perhaps a different plan may have been utilized. To imply that salvage is uniquely responsible was disingenuous. The report overlooks the fact that had the salvage operations been conducted immediately and not delayed, seedling recruitment would have occurred post disturbance and seedling numbers would have remained unaffected. Also, to report that residual debris from harvesting elevated the fuel hazard when it was clearly understood that subsequent fuel reductions treatments were planned was, at minimum, deceiving. In addition, coarse wood was prescribed and required to be retained by the logger. Therefore, I believe that this paper unfairly served to feed one side of the ongoing political debate over salvaging logging

Shortcomings like these are usually identified during the Journal peer review process, however, as indicated by many OSU and other distinguished scientists, in this case, the peer review process failed to identify these shortcomings.

The way in which this publication was prepared, used the data, reviewed, released, and the misleading conclusions, give the appearance, and raise the possibility that it was intended to influence public policy on this contentious issue

Exhibit 2. Dan Donato's first revealing of their publication

"Donato, Dan"
<Dan.Donato@oregonstate.edu>

01/04/2006 07:17 PM

Tom-

Here's that paper. Do read it with an open mind. It is a simple presentation of numbers, with a few implication statements relative to some of our common post-fire management goals. There is no good-or-bad, for-or-against verbiage in there. But people will run with it anyway. Best, D Dan

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Donato.pdf

Exhibit 3. The publication was kept secret and not revealed to the project inspector until January, 4th 2006. The paper was submitted to *Science* November 21st, 2005 Memo sent to the authors by Dr. Sensenig, a Principle Investigator and the Project Inspector upon seeing the publication for the first time on January 9, 2006.

Dan and others:

"I feel compelled to briefly respond to your recent report. Dan, as you know, this project was conceived by Boone Kauffman and I during the development of the Quartz fire salvage plan, because of the uncertainty and lack of creditable science on several issues. Doug Robinson added the wildlife part later. After considerable work, our proposal was funded and I received the funding when I was the ecologist for the BLM, which I transferred to OSU. Also, as you know, I spent a great deal of time defending the creditability of these OSU studies this past summer during your troubles, when it was perceived by some to possibly have an underlying agenda. I am a principle investigator on these studies, yet I was not provided even a draft report. The timing and handling of the events that led to this situation gives the perception of a political stunt. That fact that preliminary data was intentionally used for political purposes seriously undermines my and your scientific credibility regardless of the quality of the science. Being tasked with explaining and responding to this puts me in a very precarious situation, which I don't particularly appreciate.

I don't think that I'm the one that needs to be reminded to keep an open mind. As I have explained on several occasions, I am not for or against salvage logging or anything else for that matter. Every action has consequences (effects) and good and bad are human imposed values. Effects are only good or bad when evaluated against the objectives. Good science, explains the observation in context, including size, scope, limitations and

variability. That being said, the title of this report is misleading and feeds one side of the debate without sufficient information to understand the limitation of the observations. Your title makes assertions from the numbers, it does not constitute facts. Title "Post-Wildfire Logging Hinders Regeneration" does it? Maybe. For example, the remaining trees may well be sufficient to constitute a fully occupied stand? What about timing, had the salvage operation been conducted immediately and not delayed because of the required administrative processes, seedling recruitment would have occurred post disturbance and seedling numbers would have remained unaffected, yet it was salvaged logged. Will seedlings continue to recruit into the stand over time creating ecological complexity or even result in more seedlings? on and on.

title "Post-Wildfire Logging Increases Fire Risk", does it ? Maybe. The data showed an increase in fuel one/two years following the operation and before fuel treatment. This does not equate to fire risk. Fire risk is much more complex. It involves landscape scale analysis of current conditions, fuel continuity, vegetation structure and probability of ignition. Etc. Also, what about longer-term conditions when fine fuels decompose? etc. This assertion is quite the leap from the data.

Despite my harsh criticism of how this has been handled, I still feel your work is good and will prove valuable in future management. We just need to be more careful and not read more from the numbers than just good science.”

Thomas Sensenig
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Exhibit 4 Dr. Sensenig response to the contracting officer over OSU reference to miscommunication.

To: Contracting Officer, Steve Shapiro
From: Tom Sensenig, Principle Investigator, and Project Inspector
Subject: Communication Regarding Donato et al. Publication
Date: 02-10-2006

Identification of Authors:

Dan Donato and Joe Fontaine: Our study plan included an objective for supporting several student degrees including PhD and Masters program. Dan Donato and Joe Fontaine are the graduate students selected per study plan. Dan is a Masters student in the Department of Forest Science and Joe is a PhD. student in Department of Fish and Wildlife.

Dougals Robinson, and Boone Kauffman were original OSU co-principle investigators along with myself. Boone now works for the Forest Service, Institute for Pacific Island

Forestry in Hawaii. Douglas Robinson works in OSU's Department of Fisheries and Wildlife.

Bev Law- Although not part of the original study, it's my understanding that Boone recruited Dr. Law to join the project upon his leaving OSU to work for the Forest Service.

John Campbell – I have no knowledge of John Camble's participation or role in this project. He was not identified in the study plan, any of the agreements nor had the other PIs or students mentioned that others were involved. I did not authorize his involvement and I don't know if he received any of the BLM's funds. His contribution, if any, is unknown.

***Science* publication background and/or lack of background**

The publication Post-Wildfire Logging Hinders Regeneration and Increases Fire Risk by D. C. Donato, J. B. Fontaine, J. L. Campbell, W. D. Robinson, J. B. Kauffman, and B. E. Law was submitted by these authors to the *Journal of Science* on November 21, 2005. Because information on the preparation and draft reviews among the authors has not been divulged it is not known when the process of development for this publication actually began. Typically several months or more is common. Therefore, preparation of this publication presumably began in October or before.

The Rogue River-Siskiyou and Umpqua National Forests conduct their annual business and science conference in Gold Beach, Oregon during the second week of February. I was informed in late November that the science portion of the 2006 conference was going to focus on the research currently being conducted on the Biscuit fire, and that the Joint Fire Science project, on which I'm a principle investigator and project inspector, is in the program. Science coordinator Robyn Darbyshire, had requested that both Dan Donato and Joe Fontaine prepare presentations for this conference. I called Dan Donato in early December to schedule a meeting where we could prepare for this conference. I said that I would like to discuss their progress and go over any presentational material in preparation for the February conference. I scheduled a meeting for Thursday, December 15, 2005, in Corvallis Oregon. Despite having already prepared and submitted their paper to *Science* Dan did not offer any information regarding the other author's involvement or the fact that they had submitted a paper for publication.

As scheduled, I met with Joe Fontaine and Dan Donato on December 15, 2005 in Corvallis Oregon to prepare for this conference. Contrary to what the OSU letter indicated, I scheduled this meeting, not them, and it had nothing to do with their publication. Both Dan and Joe showed me some PowerPoint slides that they had prepared. Joe discussed the wildlife aspects of the projects, mostly on deer mice. Although the study is comprehensive and involves many types of data, Dan only prepared slides on seedling counts and fine and coarse wood transects. He did not discuss any other aspects of the study. Curious about this, I asked about the other parts of the study. He indicated that he did not have time to look at these data yet, and that regeneration and

fuel hazard are the two factors on which pending House Bill 4200 is based. Because, I was not familiar with House Bill 4200 at that time, I asked him to explain what he was talking about. Because these projects were not complete, was preliminary and because they had kept their publication from me; I had no reason to suspect any wrongdoing at his time. In closing, I asked them to send me any information. I did not receive any information until January 4th when Dan e-mailed their paper to my office.

Had I not scheduled this meeting, there would not have been any communication between any of the authors with me prior to publication. None of the authors had, at any time, contacted me, nor was I provided any of the draft or final documents. It was only a matter of happenstance for Joe and Dan to have had this meeting prior to the release of their paper. To imply that at this meeting I, in any way, condoned, approved, or authorized their publication, which I had no knowledge of, is wrong. In fact, to the contrary, for it was this very meeting that made me instantly realize, when I first read their headlines on January 9th, 2006, what these authors had done.

On the afternoon January 4, 2006, although I was on leave that week, I was in my office taking care of business. I received a call from the Rogue River-Siskiyou Forest officer Robert Shull and Illinois Valley District ranger Bam Bode. They asked me if I knew anything about a news release on the Biscuit fire salvage creating a fire hazard. I had no idea what they were talking about. I explained that our project is still underway and that there is still another year of data collection, so it's not our Joint Fire Science project. However, when they said that the author was Donato et al., I immediately became suspect and called Dan in Corvallis, and explained that I was asked about a "Salvage" publication news release with his name on it, and that I need to know what was going on. He explained that he and others had published a paper on salvage in *Science*. I asked who else was involved and then ask him to send a copy of the paper to me immediately. My computer received the following message from Dan Donato at 7:17 pm January 4, 1006. The timeline speaks for itself.

