

Conservation Update, December, 2004

It is inspiring, for anyone involved in conservation efforts, to have so many subjects to deal with (Not!!). Six of these topics will do for the current update:

The **Chief of the US Forest Service issued regulations** on Dec. 22 making it unnecessary for the forest superintendents to prepare environmental impact statements in support of new forest plans. This means that there will be fewer steps for the Service to go through, and also, important for us, there will be fewer, if any, opportunities for the public to have input to these plans, or to assess their potential for adverse impacts to the environment. “The regulations affect recreation, endangered-species protections and livestock grazing, among other things, on all 192 million acres of the country's 155 national forests. . . .The government no longer will require that its managers prepare an environmental impact analysis with each forest's management plan, or use numerical counts to ensure there are "viable populations" of fish and wildlife. The changes will reduce the number of required scientific reports and ask federal officials to focus on a forest's overall health, rather than the fate of individual species, when evaluating how best to protect local plants and animals.” (Quoting from an article by By Juliet Eilperin of the Washington Post, reprinted in the Seattle Times Dec. 23, 2004)

Three east-side national forests in Washington (The Colville, Okanogan and Wenatchee national forests, or COW, as they say) have begun preparing new forest plans, and their website says that they will be issuing draft environmental impact statements for these plans by June, 2005. An unanswered question at this time is whether the “revision” of the current forest plans that is currently in progress (see below) will go through the full EIS process (the old way) or switch to the new bushy process. Your letters to members of Congress and to the team managing this process may be crucial to the outcome.

I urge all members of our Society - Please! Read the articles and editorials on this subject which have appeared recently. They include

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an article published on Thursday, December 23, 2004 by Knight-Ridder  
“Forest Service's Plans Strip Out Environmental Protections, Critics Say”  
by Seth Borenstein

Available on the WEB at <http://www.commondreams.org/headlines04/1223-03.htm>.

Thursday, Dec. 30, 2004: Seattle Times Editorial, “Retreat in U.S Forests” by (presumably) Vesely, Blethen, Blethen, Blethen and Kelly.

<http://o.archives.seattletimes.nwsourc.com/cgi-bin/texis.cgi/web/vortex/display?slug=planed30&date=20041230&query=Retreat+in+U.S.+forests>

Friday, December 24, 2004: “New forest regulations may affect whole region” By Seattle Times staff reporter Warren Cornwall.

<http://archives.seattletimes.nwsourc.com/cgi-bin/texis.cgi/web/vortex/display?slug=forest24m&date=20041224&query=Forest+Plan+revision;>

Thursday, Dec. 23, 2004: “Sweeping new plan for forests to loosen restraints” By Juliet Eilperin,

The Washington Post (printed Dec. 23 in the Seattle Times)

<http://archives.seattletimes.nwsourc.com/cgi-bin/texis.cgi/web/vortex/display?slug=forest23&date=20041223&query=Sweeping+new+plan+for+forests>

When you have read at least some of these articles, I hope that you will be moved to write to your Congresspersons and Senators, and any other members of Congress who you believe may help us to have the new regulations rescinded. It would also be very helpful, in fact critically important, to write to the Forest Service Team that is preparing new (or revised) Forest Plans for the Colville, Okanogan and Wenatchee national forests (r6\_ewzplanrevision@fs.fed.us; or Forest Plan Revision Team for Colville, Okanogan and Wenatchee National Forests, Okanogan Valley Office, 1240 Second Avenue South, Okanogan, WA 98840; [www.fs.fed.us/r6/colville/cow](http://www.fs.fed.us/r6/colville/cow)). Your comments could be helpful in determining whether they continue to work in a way that permits meaningful public oversight.

**A Draft Environmental Impact Statement for Invasive Plants** was released for comment last fall by Region 6, US Forest Service (Why do I not say “USDA Forest Service”? Because I don’t believe that the Forest Service should be part of the Department of Agriculture. Forestry is not, and should not be, farming. If you go back to its beginnings, the Forest Service has been in other government departments, and it was instituted initially to conserve our forests, not to create tree farms in their place), and we submitted comments. This is on balance, a very good thing, because it will require plans for management of invasives to be part of any forest management operations or plans prepared in National Forests in Washington and Oregon.

There will be a field trip to the Flat Timber Sale Jan 5, 2005. Those wishing to attend should be at the Olympic National Forest Headquarters in Olympia at 9 AM. Car-pooling will be arranged from that point. This sale, which will address restoration on the South Fork of the Skokomish River, was prepared under terms of the **Stewardship Contracting process**, a new management tool for the US Forest Service. The Skokomish tribe was able to provide input to the conditions of this sale. The Northwest Ecosystem Alliance was a partner in preparing the conditions for the Flat Timber Sale, one of the first stewardship contracts. An article on page 8 of their newsletter for Winter, 2005 goes into the collaborative process (required under the Congressional act authorizing these sales) which was employed in the sale

A bill, The **Voluntary Grazing Permit Buyout Act** HR 3324, has been proposed in Congress. It represents a new approach to reducing the impact of grazing on federal lands. The proposed Act would permit interested parties to purchase grazing rights from willing sellers. Land preserved under such this mechanism would never be leased for grazing again. The bill was introduced in October 2003 by U.S. Representatives Christopher Shays, a Connecticut Republican, and Raúl Grijalva, an Arizona Democrat. An annotated copy of the bill may be seen at [http://www.publiclandsranching.org/htmlres/buyout\\_legis\\_annotated.htm](http://www.publiclandsranching.org/htmlres/buyout_legis_annotated.htm)  
The WNPS State Board voted in their June , 2004 meeting to appeal to our Congressional Representatives for their support of this bill.

**A Cross-Base Highway Opposition Coalition** has been formed. The proposed Cross-Base Highway, to traverse Ft. Lewis on an east-west axis, would divide a valuable Garry oak/ponderosa pine woodland which is home to a small population of western gray squirrels and

seriously affect wetlands which are probable sites of populations of the federally listed water howellia (*Howellia aquatilis*). The highway was recently given the go-ahead in a record of decision issued by the Federal Highway Administration, in spite of a grade of "Inadequate" having been given to the Environmental Impact Statement for the project by the US Environmental Protection Agency.

A group of about 14 met in the Tacoma Nature Center Dec. 14 to discuss formation of a coalition to oppose the building of this highway. They included the Tahoma Audubon Society, the Woodbridge Hunt Club (which conducts trail riding events on Ft. Lewis), at least three members of Washington Native Plant Society, and wildlife experts.

Points discussed at this initial meeting included Citizen Involvement, Mitigation Inadequacies - unsuitability of land, forced sales of private land, Economic Issues - taxes, jobs, Identification of Supporting Groups, Existing Legal and Financial Hurdles to Road Completion, Formation of Coalition and Task Assignments. Bryan Flint, of Tahoma Audubon, led the meeting. Don Norman and I were tasked to look at environmental concerns and mitigation inadequacies. An information meeting with four members the Washington Department of Transportation followed the earlier meeting.

The **Society for Ecological Restoration** will hold a **Regional Conference, "Sustainability and Restoration: A Practical Partnership for the 21st Century"** in Seattle, at the Washington State Convention and Trade Center, Seattle the week of April 4-8, 2005.

Terry Tempest Williams will be the keynote speaker. There will be sessions on Rare Flora, ecological restoration of Garry Oak/Prairie ecosystems and other topics relevant to the priorities of WNPS.

Thursday, December 30, 2004 - Page updated at 12:00 A.M.

“Retreat in U.S. forests”

Editorial by The Seattle Times Editorial Board

New Bush administration rules that rewrite long-standing forest-planning policies are a false economy that limit public involvement in the guise of greater management efficiencies.

Instead, they create administrative opportunities to expedite timber cutting, oil and gas exploration and mining with less challenge or scrutiny. All of these activities would take place with fewer environmental directives to shape the land and resource management of the nation's 155 national forests and 20 grasslands.

The changes are an especially bad fit in the Northwest, which spent a decade rebuilding trust and confidence after the spotted-owl wars.

Our national forests are not tree museums. They are a rich and robust source of natural resources, increasingly valuable watersheds, and they are also welcome and heavily visited havens for hikers, campers and hunters. Forest plans are the heart of the process: They are long-range documents put together using the 1976 National Forest Management Act. They cover everything from timber auctions and grazing rights to recreational planning and how off-road vehicle use is managed.

The new Bush rules scrap environmental-impact statements for the forest plans and substitute an undefined system of outside audits to measure good intentions. Legally enforceable environmental and management regulations are replaced with a performance review and an earnest chat.

Gone, too, are requirements to monitor individual wildlife species whose health and survival are in jeopardy. The old standard of viable populations of fish and wildlife becomes much, much broader, more akin to: "Got critters?"

Scientific review is given short shrift in the new rules, turning the best available science into a concept that can be trumped by resource needs.

Public participation is dramatically rolled back. Access to decision-makers who build these 15-year plans should not be viewed as time-consuming and bothersome, as it clearly is now.

In the future, the public — the owners of the national forests — will be consulted at times and places the new rules leave conveniently vague. All of this is done with an eye toward maximizing bureaucratic discretion.

The entire approach seeks a corporate-style flexibility for the managers, with the public consulted — though not necessarily heeded — on a final project. Taxpayers and interested

parties are reduced to a focus group.

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<http://www.commondreams.org/headlines04/1223-03.htm>

Nation & World: Thursday, December 23, 2004

“Sweeping new plan for forests to loosen restraints”

By Juliet Eilperin

The Washington Post (reprinted in the Seattle Times Dec. 23, 2004)

WASHINGTON — The Bush administration issued comprehensive new rules yesterday for managing the national forests, jettisoning some environmental protections that date to Ronald Reagan's administration and putting in place the biggest change in forest-use policies in nearly three decades.

The regulations affect recreation, endangered-species protections and livestock grazing, among other things, on all 192 million acres of the country's 155 national forests. Sally Collins, associate chief of the U.S. Forest Service, said the changes will replace a bureaucratic planning process with a more corporate management approach that will allow officials to respond to changing ecological and social conditions.

The new rules give economic activity equal priority with preserving the ecological health of the forests in making management decisions and in potentially liberalizing caps on how much timber can be taken from a forest. Forest Service officials estimated the changes will cut its planning costs by 30 percent and will allow managers to finish what amount to zoning requirements for forest users in two to three years, instead of the nine or 10 years they sometimes take now.

The final regulations, which will take effect when they are published in the Federal Register next week, are nearly identical to a proposal the administration outlined two years ago.

The government no longer will require that its managers prepare an environmental impact analysis with each forest's management plan, or use numerical counts to ensure there are "viable populations" of fish and wildlife. The changes will reduce the number of required scientific reports and ask federal officials to focus on a forest's overall health, rather than the fate of individual species, when evaluating how best to protect local plants and animals.

"We're really in a new world," Collins said in an interview. "You've got to have different plans for different places, and you've got to have more dynamic plans."

Critics such as Rep. Tom Udall, D-N.M., a member of the House Resources Committee who has tried to block the proposed rules, said the changes will promote logging and other commercial exploitation of the national forests and relegate the public to the sidelines.

"With [President] Bush's anti-environmental forest policy, you can't blame him for trying to hide behind other news, but not even Scrooge would unveil these regulations," Udall said. "These regulations, being offered two days before Christmas, cut the public out of the forest planning process, will inspire many more lawsuits and provide less protection for wildlife. It's a radical overhaul of forest policy."

Collins said the administration sought to update the rules to address new challenges, such as invasive species and forest fires, and to give the public input on how to manage the forests rather than commenting on individual projects.

Three presidents, including George H.W. Bush and Bill Clinton, have tried to change how the

government drafts the 15-year management plans that dictate how federal officials auction off timber, locate campsites, allocate grazing rights and protect vulnerable species in each forest. Because the plans can take five to nine years to complete, some activists and timber-industry representatives have complained they are out of date when they become final. Rick Cables, who oversees 11 national forests spanning 22 million acres in the Rocky Mountain region, said the regulations will save his deputies time so they can devote more attention to such issues as off-road vehicle use and forest overgrowth.

"This planning rule just makes more efficient and effective use of our field people's time and energy," Cables said. "In doing that, it makes it easier for us to tackle the problems we have today."

Administration officials said they will balance this newfound flexibility with regular audits of forest management decisions, but environmentalists said only strict federal rules can guarantee a haven for animals that seek refuge in the forests.

One-quarter of U.S. species at risk of extinction — including more than 25 species of trout and salmon — live in national forests, according to the conservation group NatureServe. Large animals such as grizzly bears, wolves and elk depend on the forests' large, undisturbed swaths of land for habitat.

"The end result of all this is there will be more logging and less conservation of wildlife," said Mike Leahy, a spokesman for Defenders of Wildlife. "They're not going to provide enough land for these species to hang on."

National forests also are an increasingly popular tourist destination for tens of millions of Americans. The number of visitors to national forests doubled over the past eight years.

But timber-industry officials want access to the land, and they said they need a less-burdensome process so federal officials can make timely decisions on proposed timber auctions.

Chris West, who represents lumber and paper companies as well as landowners in 13 Western states, called the new rules "a step in the right direction" that will allow forest managers to make "better, more informed and quicker decisions" about timber sales.

Local News: Friday, December 24, 2004

“New forest regulations may affect whole region”

By Warren Cornwall  
Seattle Times staff reporter

If the forest regulations unveiled by the Bush administration Wednesday had been in place years earlier, the fight over Northwest old-growth trees and spotted owls could have taken a different direction.

Environmentalists' successful legal challenges to logging in Northwest national forests in the 1980s and early 1990s hinged partly on rules now being set aside in favor of streamlined regulations.

As national forests around the region prepare to overhaul their plans for the first time since the earlier timber wars, environmental veterans warn that the new regulations will help undo a Clinton-era measure that led to dramatic cuts in logging on Northwest national forests. And they say it removes vital tools used in that era to prod the U.S. Forest Service to protect the environment.

Forest Service officials, however, say they are trying to respond to new threats facing Northwest forests -- including massive wildfires and invasive weeds -- with more speed and agility, and without drawn-out bureaucratic processes that deter public involvement. Widespread logging is largely a thing of the past, they said.

"We're still arguing about logging, and frankly we're not doing a lot of logging," said Linda Goodman, the regional forester who oversees national forests covering 25 million acres in Washington and Oregon.

The new regulations govern how land managers devise 15-year plans for the future of each national forest, governing everything from wildlife protections to logging to recreation.

The new rules replace requirements for highly detailed plans in favor of overarching goals that can guide future decision making, as the agency grapples with changing and often competing demands.

If the new regulations survive expected legal challenges, their effect could be felt throughout the Northwest, where national forests are scheduled to revise long-term plans that guide everything from logging and mining to salmon protection and trail maintenance.

"The litmus test [for the administration's new regulations] will likely occur with the Northwest Forest Plan, because it is the granddaddy," said Andy Stahl, executive director of the Portland-based Forest Service Employees for Environmental Ethics.

That plan was the federal government's 1994 answer to U.S. District Judge William Dwyer's rulings blocking logging until the Forest Service came up with a plan to protect the spotted owl, listed as threatened under the Endangered Species Act. It put large stretches of old-growth trees off-limits to chain saws.

While the Endangered Species Act gained much of the attention at the time, it was the

less-well-known law governing plans devised by national forests that was the linchpin. Environmentalists successfully argued that the Forest Service hadn't shown its plans would protect the "viability" of the spotted owl, something required under regulations at the time.

The new regulations would scrap the "viability" language in favor of broader language requiring protection of a diversity of plants and animals. It also would make an environmental-impact statement about the forest plan optional. Dwyer's rulings over the spotted owl focused on whether those impact statements were adequate.

Getting rid of those provisions could make it harder to hold the Forest Service accountable, and reopen some areas closed to logging by the Northwest Forest Plan, said Todd True, an attorney for the environmental group Earthjustice, who was the lead lawyer on the spotted-owl lawsuits.

"The regulations that were changed by the Bush administration were the fundamental catalyst in the lawsuits over Northwest ancient forests," he said. "They played that important role because they set standards that the public, or anyone else, could use to be sure that the government was accountable -- that there was a yardstick you could measure its actions against."

Forest Service officials say the new regulations do take into account the needs of animals and plants in the forest, but with a broader eye toward protecting overall habitat, rather than species by species. That's in keeping with the latest science about how ecosystems work, said Sally Collins, associate chief of the Forest Service and a former forest supervisor of Oregon's Deschutes National Forest.

"We've got to have a regulation that really is allowing us to bring new science in and take old science out," Collins said. "We're going to have as much analytical work done to take a look at biological diversity as we have in the past."

The provisions of the Northwest Forest Plan, written into the plans of individual forests, will be reviewed as each plan comes up for revision, Goodman said.

"They'll be taking a lot of what the Northwest Forest Plan says and saying, 'What do we need? Do we need more? Do we need less?' "

Chris West, vice president of the American Forest Resource Council, which represents forest-product manufacturers and landowners, said the new regulations would allow environmental studies of individual projects. Those should be more useful than overly broad examinations of programs throughout a national forest or region, he said. It also would help break bureaucratic logjams that environmentalists have used to block legitimate projects, he said.

"The environmentalists aren't going to like this because they've been able to use and abuse the 20-plus-year-old regulations to obstruct activities," he said. "They want to block things. They want to turn national forests into national parks."

But Stahl said lifting the requirement for broader environmental-impact statements could neglect the cumulative effects of a myriad of smaller projects.

In Washington, three national forests east of the Cascades could be the first place where the new regulations are put to the test. The Okanogan, Wenatchee and Colville forests are all in the early stages of revising the forest plans. It hasn't been decided whether those will take the new track or continue down the regulatory path they began on, Goodman said.

Those forests are grappling with questions of how to regulate off-road vehicles, how to deal with forest-fire threats, what areas might warrant additional wilderness protections and whether to maintain limits on cutting large trees, among other things.

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