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WEEK IN REVIEW

WEDNESDAY



- Tribal police to gain power to arrest non-Indians
- Stevens Hospital struggles in patient survey
- Buddhist monks build sand mandala in Everett

NORTHWEST

Published: Thursday, April 10, 2008

Forest Service tries again with planning rules

By Jeff Barnard
Associated Press

GRANTS PASS, Ore. -- The U.S. Forest Service on Wednesday adopted a new version of the basic planning rules that made it possible for conservation groups in the 1990s to win court orders drastically cutting back logging to protect the northern spotted owl and salmon.

Associate chief Sally Collins said from Washington, D.C., that she hopes the rule will lead to less conflict and better planning to meet the challenges of global warming and wildfire protection while providing resources such as clean water and timber on the 192 million acres of national forest.

"We have the most transparent, inclusive (forest planning) process anywhere in the planet," Collins said.

Conservation groups said they will be back in federal court to again challenge the rule, which was tossed out by a federal judge last year on procedural grounds. They argue that the Forest Service continues to refuse to analyze the potential for causing harm to the environment after taking out a long-standing system of protections for fish and wildlife habitat.

"This is the same clown in different shoes," said Pete Frost, an attorney for the Western Environmental Law Center in

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SATURDAY

Eugene, which represents some of the plaintiffs in the case.

A 1982 forest planning rule laid out how the Forest Service would implement the National Forest Management Act, the 1976 law that governs management of the national forests. Under that rule, each national forest must adopt a new long-term management plan every 10 to 15 years.

That rule set up a system of protecting so-called indicator species for various habitats. The most famous of those is the northern spotted owl and old-growth forest. That led to court-ordered cutbacks in logging in the Northwest by more than 80 percent in 1994 to protect habitat for the spotted owl and salmon. Similar logging cutbacks rippled across the nation.

This latest revision gets rid of that system, replacing it with provisions for a variety of types of fish and wildlife habitats across the landscape.

"What we learned primarily from science is the notion of indicator species is really not a good way to protect the habitat of a critical species," Collins said. "I would say that when people look at this and really examine it we will see it as a rigorous process for protecting wildlife, because we knew that was important."

Collins said it gives forest supervisors more latitude, while freeing up personnel to do on-the-ground projects rather than preparing planning documents, but still holds them to standards that protect fish and wildlife while giving the public a say in decisions.

The timber industry agrees.

"The good news is these new planning regs will require less bureaucracy and that is so important in today's situation the Forest Service finds itself in, where half the budget is going to (fighting) fire," said Chris West, vice president of the American Forest Resource Council in Portland.

"The only people who are going to be unhappy with these new planning regulations are those who want to use every opportunity they can to obstruct Forest Service activities in the courts."

The Clinton administration revised the rule in 2000. The Bush administration, which has worked hard to boost timber production on federal lands, came out with its own revision in 2005 that eased constraints on forest supervisors.

Conservation groups challenged the 2005 rule, and a federal judge last year tossed it out, saying the Forest Service had not done a proper analysis of the environmental impacts.

The Forest Service went through a formal environmental impact statement, but continues to maintain that the rule itself will have no direct effect on the environment. Those effects will come from specific projects, such as timber sales, which will be analyzed individually.

"The great irony here is that the National Forest Management Act was enacted back in 1976 directly in reaction to the widespread feeling that the Forest Service had been captured by the timber industry with too much clearcutting," said Trent Orr, an attorney for Earthjustice in Oakland, Calif. "The whole purpose was to constrain the Forest Service.

"Here we are 30 years later and the Forest Service takes the position the act allows them to come out with regulations that give them greater discretion. You feel like you're in the fun house."

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