

US Forest Service

Region 5 Roundtable on National Planning Rule

Location

Inyo National Forest Supervisor's Office
351 Pacu Lane, Bishop, CA 93514

April 6, 2010

Summary Report Prepared By:

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Executive Summary

Meeting participants in the US Forest Service (Forest Service) Region 5 Planning Rule Roundtable, held at the Inyo National Forest Supervisor's office, represented a range of interests and concerns. Over the course of two meetings (one in-depth planning session and one session designed to receive large group feedback) participants provided valuable input on proposed principles for the Planning Rule (Rule) revision.

Input on the principles varied, but several key themes occurred. These themes included:

- A need for greater collaboration with locally affected stakeholders in the development of planning actions. In particular, participants expressed the need for local county and tribal governments input as *partners* in Forest Service planning processes.
- A desire for all forest management plans to apply a “multi-use” philosophy to forest use that balances recreation, ecosystem/habitat concerns, and business uses (i.e., pack stations, grazing, timber sales, etc.).
- Critical need to develop increasing opportunities to engage youth in outdoor activities and learning opportunities on the national forests.
- Maintaining flexibility in the Rule to develop forest management plans that apply to local conditions as opposed to a “one size fits all” approach.
- The need for sound, peer reviewed science (both social and natural systems) to help inform the development of the Rule. In particular, as currently written, the proposed principles assume that the public lands are environmentally degraded and in need of restoration. Does science support this?
- The critical importance of transparency in Forest Service planning processes. Participants expressed a substantial amount of distrust and confusion about the Rule and the management plans that develop out of it.
- Ensure that adequate and accurate economic analysis be considered during development of the Rule.

In-depth discussions were held on each of eight suggested principles for the Rule. Participants delivered comments and concerns on the principles and offered constructive recommendations for consideration in the Rule. These recommendations are discussed in detail below.

Introduction

This Roundtable was one of four that took place throughout Region 5 on April 6, 2010. The Inyo Roundtable was divided into two sessions: an in-depth planning discussion in the afternoon and a large-group discussion in the evening. Participation in the day session was robust with nearly 50 participants representing a wide variety of viewpoints. The evening session was lightly attended and included a couple of individuals who had also attended the earlier session. The following document describes the result of the meeting in detail.

Concerns, comments, and recommendations are divided into three main categories: general comments for input as plan content, a summary for input on substantive topics, and a summary for input on process topics. The substantive topics are divided into five planning principles. These include:

1. Restoration and Conservation
2. Climate Change
3. Water Quality/Watershed Health
4. Diversity of Species and Wildlife Habitat
5. Contribution to Vibrant Rural Economies

Process topics refer to specific strategies/processes for development of the Rule and subsequent forest management plans and included three additional principles:

6. Collaboration with the Public
7. An “All-Lands” Approach to Planning
8. Basing Plans on the Latest Planning Science

Meeting Overview

1.1. Meeting Location and Participants

- 1.1.1. Date of Meeting: April 6, 2010
- 1.1.2. Location of Meeting (town, state): Bishop, California
- 1.1.3. Approximate number of meeting participants: 55 (A few people attended both the afternoon and evening session.)

Please circle the appropriate categories to indicate diversity in attendance at the meeting (to the extent possible):

Financial Users

Oil and gas
Timber users ✓
Outfitters ✓
Ecotourism ✓
Ski Areas
Grazing permit holders ✓

Users

Off-road vehicle ✓
Mountain Bike ✓
Horse Riders ✓
Hiker ✓
Wilderness ✓
Neighbor ✓

Academic

Science ✓
Economics
Planning
Adaptive Management
Global Climate Change

NGOs

Endangered Species ✓
Environmental Groups ✓
Environmental Groups ✓
Conservation Groups ✓
Environmental Justice

Other Governmental Entities

Fish and Wildlife Service
EPA
Bureau of Indian Affairs ✓
BLM ✓
County Government ✓
Local Town/City Government ✓
State Government
Tribal Government ✓

Forest Service Staff

Regional FS staff ✓
National FS staff –including planning staff ✓
National Grasslands

Media

Local newspaper ✓

Points of Contact for the Worksheet Summarizer

1.2.1 Was the facilitator a Forest Service staff person or an independent facilitator?

The lead facilitators were contracted from the Center for Collaborative Policy (CCP), a neutral facilitator group. Small group/breakout session facilitators were a mix of CCP and Forest Service staff.

1.2.2 Name of person completing these notes: Austin McInerny, CCP

1.2.3 Phone: 510-981-1124

1.2.4 Email: amcinerny@ccp.csus.edu (Austin McInerny)

Recommendations

What Works

Meeting participants almost unanimously stated that §219.7 of the 1982 Rule (concerning consultation with local government) should be continued or, where appropriate, enhanced to provide increased coordination with local governments and other stakeholders.

The conservation representatives stressed the importance of the previous 1982 and 2000 rulemaking reliance on the input of an independent committee of scientists and urged that this approach be taken for the current Rule writing effort.

What Doesn't Work? Summary of Input for Plan Content

Concerns/Problems

Participants had a number of concerns about the current Rule and future planning efforts:

- Local government is not a stakeholder in the same way that private organizations or the general public is. Local government should be included in direct, government-to-government consultations from the beginning of any planning process. Local elected county supervisors expressed a desire for increased “influence rather than input” into Forest Service decisions.
- Recreation does not *specifically* appear in the principles as written. The *Multiple Use Sustained Yield Act of 1960* specifically calls for recreation on National Forests and the principles should reflect Congress’ intent on this matter.
- Local stakeholders’ (i.e., private organizations, general public, the recreation community, pack station permit holders, etc) do not believe their concerns are reflected in planning documents or the rule planning process. There is a high level of distrust or confusion about how their input will or will not be incorporated into the Rule and subsequent forest management plans.
- Forest users perceive a lack of transparency regarding the way the Forest Service develops information for the Plans and how that data affects policy decisions. There is a strong desire for increased sharing of information and dialogue with affected communities that is not all internet based.
- Many expressed concern that biased science and data is misleading and wrongly influencing the development of the Rule. Many asked “where is the science that proves that climate change is an issue and that forests are in need of restoration?”
- An emphasis on a multi-purpose approach, including recreation and resource extraction, to land management does not specifically appear in the principles.

- Planning rule revisions (and the forest management plans they produce) are too costly and take too long to implement. Moreover, there is a lack of funds to adequately implement and monitor most forest decisions.
- Injunctions, litigation, and appeals against actions on Forest Service land discourage entrepreneurs from investing in industries like co-generation facilities that could benefit to local economies.
- The permitting process for private businesses operating on Forest Service land (i.e., logging, grazing, wilderness outfitting, etc) is too time consuming and confusing.
- Wilderness designations are left to the discretion of individual managers or the political process instead of sound science.
- Coordination between land management agencies (Forest Service, BLM, state/federal parks, etc) is lacking. In some cases, forest users could inadvertently cross onto another agency's land and be subject to a different set of regulations without knowing it.

Recommendations

- Where possible, revise and enhance the 1982 and 2000 Rules as opposed to “reinventing” planning rules. In the interest of making the Rule digestible for forest users, simplify language and requirements wherever possible.
- Develop robust collaboration/communications requirements in the Rule that clearly illustrate how stakeholder/public input will be incorporated into plans. Clarify where data will come from and how it will be used in future management plans. Rely on input from individuals who actually visit and recreate on the lands being planned for; don't let special interests dictate how lands are managed.
- Recognize or enhance the Forest Service's use of §219.7 of the 1982 Rule to coordinate forest plans with local governments and tribal representatives. Recognize the need for local government “influence” from the outset of planning activities and rely on existing county government meetings to provide updates to citizens and locally elected decision-makers. Moreover, look for opportunities to collaborate with local governments when implementing on-the-ground activities to both reduce financial costs and help build active support and involvement for actions.
- Create enough flexibility in the Rule to allow each forest to develop management plans that meet their unique needs and regional requirements. Provide more emphasis on creating economically sustainable communities.
- Consider “active utilization” of forest lands as a component of managing and maintaining ecosystem health (e.g., use of controlled burns to manage fuels and provide for plant growth).
- Develop consistent terminology for all data presented to the public and ensure that all presentations are consistent with other data. Participants felt that at times, staff from different offices might present on the same topic but deliver conflicting messages.

- Develop requirements that plans have both the regulatory authority to address the problems they seek to resolve, while at the same time creating a narrow focus for plans to ensure that managers don't have interpretive authority on a wide range of issues.
- Create standardized rationale for wilderness designations based on sound science.
- Develop a system for mitigation of lost revenue to local governments in the event of a reduction of recreation opportunities, pack station and grazing permits, timber sales, mineral extraction, etc.
- Ensure land use regulations are consistent between different agencies wherever possible.
- Management plans should be designed in such a way that they can be updated as needed instead of redone from scratch (i.e., "living documents").
- Develop increased incentives for bringing youth onto the national forest lands to recreate and learn about nature.
- Communicate verbally and in-person more frequently with local communities and rely less on website posting of information.

Summary of Input for Substantive Topics

Principle #1: Restoration and Conservation

- The Rule should address the role of fire in the forest ecosystem. This includes fuel reduction and mechanical thinning to avoid stand-replacing, catastrophic fires. Fire plays an important role in natural ecosystem, but existing conditions may lead to unnatural, catastrophic fire and poses a serious threat to structures, roads, and people.
- Clearly define what "restoration," "resilience," and "sustainability" means from an agency perspective in the Rule; these terms have very different meanings depending on who you talk to.
- Need to clearly define what the "baseline" condition is on each forest before developing the restoration goals. Will each forest be instructed to "restore" to an unachievable past state? Returning to a past state may not be achievable or desirable on all forests.
- As written, principle assumes forest lands are damaged and in need of restorative actions. Watershed level assessments should be undertaken on each forest in order to ascertain ecosystem health before making decisions as to what actions are warranted.
- The Rule should require that plans address noxious weeds and invasive species and their effect on the forest ecosystem.
- Local and regional flexibility must be maintained for all restoration project planning; the Inyo National Forest has unique needs that differ from other forests elsewhere in the country and state.

Principle #2: Climate Change

- Incorporate a range of assumptions about climate change that represent the full scale of climate change estimates.
- Acknowledge that the “science of climate change” is not hard and fast. Additional studies may determine that enough uncertainties exist that it shouldn’t be included in plans.¹
- Require that local management plans maintain enough flexibility to adapt to changes in information about climate change in the future. Forest Service should not box itself in by making decisions that preclude ability to respond to changing climate situations.
- Look to identify and reduce ecosystem stresses by protecting core areas and corridors on each national forest.
- There is a strong need to determine what the baseline condition is that climate change is being measured against.

Principle #3: Maintenance and Restoration of Watershed Health

- Rely on adaptive management methods based on local knowledge that identify best management techniques for protecting water quality.
- Use sound scientific methods to assess watershed health before requiring prescriptive and restrictive activities on the ground.
- Require that plans make a clear linkage between water supply, the health of the watershed, and the broader concerns of the state.
- Work with all involved regulatory agencies and landowners to develop reasonable monitoring methods to help develop regulations that will actually result in positive change.
- Educate both upstream and downstream users of the effects of their activities on watershed health and the forest/water users around them.

Principle 4: Diversity of Species and Wildlife Habitat

- Encourage cooperation and data sharing between relevant regulatory agencies and non-governmental organizations to improve overall planning.
- Where possible, require plans to take an “ecosystem-wide” approach as opposed to relying on single-species indicators.
- Use active methods such as timber harvesting, grazing, mechanical intervention, etc, to enhance wildlife habitat where warranted.

¹ See Robinson, Arthur. “Environmental Effects of Increased Atmospheric Carbon Dioxide,” *Journal of American Physicians and Surgeons* (2007) 12, 79-90.

- Consider proactive conservation methods to prevent the future listing of species; be “proactive” rather than “reactive”.
- Recognize effects of natural events on species health.
- Address relationship between humans and wildlife and plan accordingly to minimize disturbance while balancing the need for providing human recreation on forest lands.

Principle 5: Contribution to Vibrant Rural Economies

- Require that a multi-use philosophy be embraced in local plans that balance recreation, pack stock, grazing, timber sales, mineral extraction, and other uses.
- Include recreation explicitly in this principle. Recreation on national forest lands is a major contributor to many rural economies and Rule needs to recognize expanding recreation and tourism economy in the eastern Sierras.
- Look to develop and support sustainable resource extraction activities off forest lands that could also assist in maintaining ecosystem health. Consider undertaking economic feasibility analysis to identify tangible economic products and activities that could be provided from forest lands.
- Strive to develop educational opportunities for youth on forest lands by increasing access and interpretive opportunities.

Summary of Input for Process Topics

Principle 6: Collaboration with the Public

- Participants believe that collaboration with all users of Forest Service lands in the development of management plans is critical for the long term success and implementation of those plans. Participants expressed a need to be engaged in planning processes from their outset instead of in pre-determined comment periods. There needs to be more opportunities for increased dialogue with forest staff in a variety of public forums.
- Outreach needs to be undertaken beyond the internet, especially in rural areas like the eastern Sierra where not everyone has internet access. More frequent and more informal opportunities for engaging the public should be undertaken.
- Forests that cross state boundaries and that are dispersed over large landscapes need to do a better job at outreach to ensure opportunities for the public to be engaged.
- Education of the public to define the context and “sideboards” is necessary to ensure clarity on what information they are being asked to provide; how that information will be used; and what to expect in the final plan(s) in question.

- Local and tribal governments must be consulted with in government-to-government consultations and coordinated with as partners in the planning process.
- Management plans should seek to honor the stakeholder input provided for them.
- “Local consensus though very important cannot be at the expense of rigorous science based decision making which has as its goal future generations and resource conservation for all the people of the nation.”
- The new Rule must be prepared in accordance with NEPA allowing for broad public review and comment.

Principle 7: “All Lands” Approach to Management Plans

- Forest Service should consider local economic effects from all activities.
- Need to consider adjacent federal lands and tribal trust lands when developing forest management plans. Forest Service should be working and collaborating across boundaries; currently there are no incentives to undertake this type of coordination.
- Fire management must be included as a component of any management plan.
- Look to Bureau of Land Management for guidance regarding “all lands”.
- Bureau of Indian Affairs should play a strong role in working with local forests on their management plans.
- Bring back the “service” component of the Forest Service by looking for opportunities to provide economic return to locals from public lands (e.g., wood collecting).
- Establish working relationship with local law enforcement to create shared responsibility for monitoring and management of public lands.
- Identify successful collaborations across the nation and provide guidance to all forests.

Principle 8: Latest Planning Science

- Acknowledge that “best available science” means many things to many people, and when possible seek to develop a mutual understanding of data with affected stakeholders.
- Require that management plans define and apply science at the local level instead of relying on “global” information whenever possible.
- The Rule writing process should be informed by science based empirical data developed by a committee of scientists who are not employed by the Forest Service.
- Social scientists need to be involved in addition to natural system scientists.
- Scientists need to review historical records to fully understand situation on the ground.

- All science needs to be clearly communicated to local parties in order for affected communities to understand and appreciate how data is informing management decisions.

Conclusion

With most of the lands in the eastern Sierra under federal management, local stakeholders want to be fully engaged in any future discussions related to the National Planning Rule as well as Forest Plan updates in their area. They provided input that the Rule Writing Team should consider, especially as it relates to local flexibility in planning and in simplifying not reinventing the 1982 Planning Rule. Locally elected county supervisors and tribal government representatives stressed their desire for increased coordination on all future planning as it relates to the management of public lands.

Note: The following documents were submitted at the meeting:

- The Sierra Club Range of Light Group provided a copy of a letter dated February 16, 2010 that was submitted in response to the Notice of Intent for the Planning Rule.
- The National Forest Recreation Association provided a copy of a letter dated February 16, 2010 that was submitted in response to the Notice of Intent for the Planning Rule.
- An individual provided a copy of an article he believed was helpful regarding the climate change topic. Robinson, Arthur. "Environmental Effects of Increased Atmospheric Carbon Dioxide," *Journal of American Physicians and Surgeons* (2007) 12, 79-90.