

USDA Forest Service National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule
Courtyard Portland Downtown/Convention Center
435 NE Wasco St, Portland, OR
July 12-14, 2016

Introduction

The National Advisory Committee for Implementation of the 2012 National Forest System Land Management Planning Rule (the Committee) held its sixteenth meeting from July 12-14, 2016 in Portland, OR.

Objectives

The objectives of the meeting were to dialogue with US Forest Service (USFS) agency leadership to explore key challenges and innovative approaches to gaining efficiencies in planning, discuss the amendment process, explore key planning challenges with USFS Region 6 and continue to implement and refine the 2016 Work Plan.

Meeting Participants

- Committee members present: Mike Anderson, Susan Jane Brown, Robert Cope, James Magagna, Peter Nelson, Martin Nie, Thomas Troxel, Lindsay Warness, William Barquin, Chris Topik, Joan May, Daniel Dessecker, Angela Sondenaa, Russ Ehnes, Rodney Stokes, and Ray Vaughan
- Committee members absent: Vickie Roberts, Candice Price, Greg Schaefer, Adam Cramer,
- Agency Staff: Chris French-Designated Federal Official (DFO), Meryl Harrell, Jim Peña, Andrea Bedell-Loucks, Julia Riber, Bob Davis, Ken Tu, Peter Gaulke, Mark Bethke, Karen Mollander, Al Olson, Tony Erba, Maria Lisowski, Liz Townley, Jamie Barbour, John Rupe, Wendy Zirngibl, Sue Spear, Becky Heath, Tracy Tophoven, Jackie Andrew, Gina Lampman, Bruce Meneghin,
- Facilitators: Kathleen Rutherford and Pam Motley

Agreements and Actions –

1. ***The Committee agreed to the final recommendations on an info-graphic for USFS planners that explains the methods/opportunities for public participation at each stage of the wilderness evaluation process. The recommendations, with cover letter, will be conveyed to agency leadership.***
2. ***The Committee agreed to final ‘observations’ on public engagement. The observations will be shared with the DFO via memo.***
3. ***The Committee agreed to the outreach work group’s proposal for the Citizens’ and Government Guides communication strategy, including short, mid and long-term steps.***
4. ***The Committee agreed to the final draft amendment to the rule addressing amending 1982 era plans. The facilitation team will circulate the final draft to the Committee members not present for a 24-hour review and comment. The agency will then submit the amendment to the Federal Register for formal public comment. The Committee will review the public comment with the agency and assist with drafting the final language. The Committee and USFS will develop a joint media release on this amendment to the rule.***
5. ***The next Committee meeting will be held in Washington, DC on August 30 – September 1, 2016.***

Opening Remarks

Paul Lumley, Executive Director of the Columbia River Inter Tribal Fish Commission, opened the meeting by welcoming the Committee to Oregon and highlighting the important work that Native American Tribes do to protect natural resources on national forests. Tribes can and should play an important role in forest planning; they can offer incredible expertise on the ecosystem and associated wildlife species. Jim Peña, USFS R6 Regional Forester, also welcomed the Committee and noted that Region 6 has a rich history of collaboration. Co-Chair Susan Jane Brown welcomed the members and shared that the Committee’s work will directly influence several large-scale collaborative efforts in Region 6. Chris French, DFO, explained that the next six weeks will be a key

time for the Committee to finalize current conversations prior to the end of this charter. Meryl Harrell thanked the Committee for their work and willingness to take on vital issues that the agency faces. The Committee deliberations and products directly benefit the National Forest System.

Committee member introductions and updates-key observations from 2012 Rule Implementation

Committee members shared personal observations on implementation. Several noted that the agency is at a key juncture, with the release of several draft plans. This is an important time for the Committee and agency to work together. A few members updated the group on their involvement in large-scale collaborative efforts on national forests.

Standing Business

- Wilderness – After reviewing and commenting on a draft, the Committee agreed to final recommendations on an info-graphic for USFS planners that explains the methods/opportunities for public participation at each stage of the wilderness evaluation process. The recommendations, with cover letter, will be conveyed to agency leadership.
- Outreach – After reviewing and commenting on a second draft, the Committee agreed to final recommendations on ‘observations’ on public engagement. The observations will be shared with the DFO via memo.
- Citizens’ and Government Guides – The Committee and USFS acknowledged that the Citizens’ and Government Guides are now available on-line. The USFS is currently working with the graphic designer to develop printer-friendly (8.5x11) versions of the guides and a photo-rich email with links to the guides that can be used by revision forests. The Committee agreed to a proposed communications strategy for the guides as presented by the outreach workgroup. The Committee and agency leadership will have a signing ceremony at the August 2016 meeting; signed copies will be sent to Lorenzo Valdez’ family. In the next charter, the agency will work with the Committee to develop a process for updating the guides.

Work Group Updates

The FACA committee reviewed and discussed the current work plan identifying: 1) What are the priority recommendations to complete by Sept 2016? 2) What is needed between July and Sept to complete priorities? 3) What deliberations can be pursued with the next membership? The work plan will be updated to reflect the Committee’s discussions. Work group updates on recent/current activities include:

- Adaptive Management - Reviewed the draft Flathead Nation Forest plan using the Plan Component rubric and held one learning call with the forest. The group will review the draft Region 5 plans prior to the September meeting.
- Species of Conservation Concern – The group will review and comment on draft USFS SCC white papers as they are developed.
- Wilderness – Developed an info-graphic that describes public engagement throughout the wilderness process. The group will develop a list of ‘promising practices’ prior to the September meeting.
- Objections – Conducted phone conversations with stakeholders that have participated in objections. The group will develop observations/recommendations on the objections process prior to the September meeting.
- Outreach – Developed observations on public engagement. The group also worked with USFS on the communications strategy for the guides prior to the September meeting.
- Fire – Currently developing a checklist for forests to ensure integration of the National Cohesive Wildland Fire Management Strategy and forest planning. For the September meeting, the group will develop recommendations 1) for better coordinated strategies across agencies/counties during planning and 2) that the National Cohesive Wildland Fire Management Strategy be incorporated into desired conditions and plan components.

The DFO updated the group on several items related to the wilderness process. There continue to be instances where forests are incorrectly applying Chapter 70 requirements at a project level. Also, the agency is considering renaming the 'inventory' step in the wilderness process because, in some areas, the term is creating confusion and contention within the public. The Committee will work with the agency on these issues.

Explore key planning challenges with USFS Region 6

Norm Johnson, College of Forestry, Oregon State University; Borys Tkacz, Assistant Director for Research, Pacific Northwest Research Station (PNRS); Jim Peña, R6 Regional Forester; and Julia Riber, R6 Regional Planning Director participated in a panel discussion on the role of research and current opportunities and challenges to land management plan revisions in Region 6. Mr. Johnson offered a history of the Northwest Forest Plan (NWFP), explaining that it provides long-term management direction for late-successional forest habitat across the entire Pacific Northwest. When it was completed, it amended all existing National Forest Land Management Plans. Similar to the 2012 Rule, the NWFP provides an ecosystem approach to planning and management. Mr. Tkacz shared that the PNRS works with the USFS on many issues, including the development and implementation of the NWFP's monitoring program. The PNRS is also producing a science synthesis for the nineteen national forests covered under the NWFP which will help inform future plan revisions. Mr. Tkacz expressed the need for close cooperation between scientists and land managers and shared that the PNRS adheres to the Department of Agriculture's Science Integrity Policy that states scientists should support the USFS by reporting findings without advocacy.

Jim Peña explained that R6 revision forests will have the added benefit and challenge of adhering to multiple regional management plans including the NWFP and the Sierra Nevada Framework. The region is optimistic that up-coming revisions will help bring clarity to these existing landscape-scale conservation objectives. Because of the need for a regional approach, R6 will likely stage revisions of multiple forests together to capture social, economic and ecological issues at a broad scale, informing the need for change. The challenge will be to identify the thresholds that warrant change. The public has high expectations for involvement in these plan revisions. The agency is concerned with how they will meet this and is working to improve connections with counties, tribes, local governments and interest groups by hosting listening sessions in big cities and small towns across the region. The challenge will be to meld a high level of engagement with the real time demands of the planning process. In addition, both rural and urban populations are growing, increasing recreation demands. R6 has initiated discussions with several federal agencies to begin work on a regional SCC list. The BLM has a model relationship with the US Fish and Wildlife Agency which the USFS would like to follow. The USFS is exploring how to best manage species on the fringe of their range (i.e. is all habitat equal?). The USFS is also coordinating with the BLM on the Cohesive Wildlife Strategy.

Julia Riber highlighted the complexities of revising forest plans that are covered by existing largescale conservation strategies like the NWFP. If you get it wrong, unintended consequences can have huge implications on management and ecosystem health, particularly with future uncertainties like climate change. The agency is also exploring the balance of addressing social and economic issues at a broad scale while also embracing local needs within the larger footprint.

The Role of Science in Forest Planning

Mark Bethke, R4 Regional Planning Director, shared that R4 is working closing with the Rocky Mountain Research Station (RMRS) in preparation of plan revisions. The goal is to get the research community involved early in the process to help assess current conditions, identify the need for change, and design monitoring plans. The region has developed an effort called 'My Science Partner' that pares scientists and specialists together. The partners talk quarterly, building relationships and a shared understanding of the issues. The region is also completing a climate change vulnerability assessment.

Tom Troxel, Joan May and Pete Nelson shared observations from their recent field trip on the Rio Grande National Forest. The forest falls within the Southern Rockies Lynx Amendment area. This amendment requires forests to reconsider lynx management as a part of their plan revision. The forest is experiencing a beetle infestation that will result in 100% mortality of all mature spruce in the next several years. The RMRS is currently conducting research on the effects of beetle kill on lynx which will have significant effects on future management direction. The plan revision is underway and it is unclear how this new science will be incorporated. The forest is challenged with determining NRV and ecological integrity in light of the beetle kill while also addressing social and economic considerations. The forest provides a real world example of many of the threads that the Committee is currently discussing including: the role of research and science, adaptive management and monitoring, future uncertainty, at risk species, and the balance between consistency and flexibility. Several in the group agreed that the role of science is to help define what has changed from the current plan, laying out the context for managers to make decisions in an informed, open and transparent manner. It doesn't work for scientists to speak once and then go home, or to tell managers what to do. Instead, researchers should actively participate in the entire revision process.

Public Comment

Ann Forest Burns, Vice President American Forest Resource Council, explained that a steady supply of raw materials from national forests are needed to sustain the timber industry in the region and stated, "As the region initiates plan revisions, it is important for the agency to balance economic, social and ecological needs and acknowledge the symbiotic relationship between the timber industry and forest health". Marla Nelson, Wild Earth Guardians, emphasized the important environmental protections that the NWFP provides and stated, "The USFS wants to retain flexibility for local issues but it will be important to ensure that the region doesn't move backward by losing current environmental protections". Nick Smith, Healthy Forests, Healthy Communities, expressed the importance of engaging local communities in the revision process and stated, "When done right, the revision process can build relationships. It is the agency's responsibility to explain to the public how to provide substantive comments". Travis Joseph, American Forest Resources Council, stated that forest plans have significant impacts on local communities; "The NWFP failed to provide the promised balance of ecological, economic and social needs. As a result, timber infrastructure is going away. These changes can be devastating to local economies".

Update on R5 Draft Forest Plans

Deb Whitall, USFS Region 5, joined the conversation via telephone to provide an update on the rollout of the R5 draft forest plans. The 90-day public comment period started on May 27 and closes on August 25. The agency is hosting public meetings, tribal forums and webinars during this time to provide information and answer questions. Major topics of interest include: SCCs, water, recreation opportunities, tree mortality, wildfire and fire management. The public want to understand the planning process including the timeline and how to provide a comment. The USFS is revisiting how tree mortality is addressed in the DEIS and will go back and ensure that conditions have not changed to the point where they are outside of the scope of the draft. The agency anticipates releasing the final plans in Spring 2017. Deb requested that the Committee explore and develop advice for the agency on forest restoration during the next charter.

Amendment Update and Discussion

This past spring, the Committee brought to the agency's attention the current ambiguity within the 2012 rule with respect to amending 1982 era plans. Since this time, the agency has been working with the amendment work group to develop a solution (exploring options including: no action, a technical correction, moving the deadline back, and several variations of amendments to the rule). This is a pressing issue for the agency. The current lack of clarity may lead to unintended consequences and ultimately destabilize the 2012 rule if not addressed. As an example, R6 currently has 31 amendments needed to continue their program of work. The agency would prefer not to extend the deadline but rather move toward the 2012 rule; continuing to operate under the 1982 rule perpetuates the status quo.

Several Committee members also emphasized the importance of addressing this issue including a high potential for litigation and a fear that forests will not undertake needed amendments because of the complexity. Not addressing the issue may disrupt on-the-ground activities such as CFLR, fuels mitigation, and forest health projects, creating a disadvantage for those communities living with 1982 plans for the next 20+ years. Committee views varied on what level of effects analysis should be required for an amendment. Although everyone agreed that amendments should be based on BASI and should move a forest towards a revision by incorporating new science and changed conditions.

After several breakout sessions, the agency and amendment work group presented a proposed amendment to the rule that aims to clarify: 1) that the Responsible official has the discretion to determine the scope and scale of an amendment; 2) an amendment is not expected to address every substantive requirement in the 2012 Rule, or bring the underlying plan into full compliance with the 2012 Rule; 3) amendments should be available to support adaptive management – the process must preserve the ability of the agency to iteratively change underlying plans prior to revision; 4) an amendment needs to move the plan in the direction of the 2012 Rule; 5) BASI and other procedural requirements are still in effect. The corrections also aim to prevent: 1) a void in which neither the 1982 or 2012 rule requirements apply; 2) an unintended increase in the regulatory burden of amendments; 3) cherry picking parts of the rule for avoidance purposes; and 4) an unintended domino effect.

The Committee agreed to the proposed final draft text. The facilitation team will circulate the final draft to the Committee members not present for a 24-hour review and comment. The agency will then submit the amendment to the Federal Register for formal public comment. The Committee will review the public comment with the agency and assist with drafting the final language. The Committee and USFS will develop a joint media release on this amendment to the rule.

Engage with USFS Leadership on Key Issues Pertaining to Implementation of the 2012 Rule

Billy Barquin, Pete Nelson and Joan May shared reflections on the USFS' Lessons Learned Workshop held in April 2016. They thanked the USFS for inviting the Committee to participate and shared that it was encouraging and productive to realize that the Committee and agency are discussing the same issues. At the workshop, USFS staff expressed a need for guidance on public engagement within the wilderness process, the objections process, and how to develop a suite of effective plan components. Committee attendees identified a need for stronger partnerships and greater incorporation of wildfire management and Traditional Ecological Knowledge in the planning process and that it was great to include college students in the event. Everyone agreed that additional workshops would be beneficial.

The group explored '*What shifts are most important to make to align USFS culture, policy, practice and leadership with the rule's aspirations?*' The agency used a deliberative approach to develop the rule; there is now a need to ensure that forests are prepared to implement the aspirations of the rule (i.e. the agency wrote new music but is still learning the dance steps). The rule emphasizes working at a landscape scale but the current planning structure is at a forest-level. The agency is concerned about managing expectations around collaboration and public engagement, ensuring that assessments are well designed and help line officers identify the need for change, implementing an efficient process, and developing plans that allow for adaptive management and are easily amended based on changing conditions. It is important to capture this moment, take what we have learned from the early adopters, and make the necessary shifts to meet the aspirations of the rule.

Many forests and regions are being innovative and successful but the stories are not being shared. There is a need for more information sharing and better messaging to partners. Many forests are willing to operate in new and transparent ways; the Natchala-Pisgah NF has opened their ID Team meetings up to the public. There is a tension between the need to learn and innovate while simultaneously 'get it right'. Capacity is an issue that

daylights the current challenges with the agency's overall structure and budget system. Fire suppression costs will continue to exacerbate funding short falls. The rule requires complex analysis; the challenge is to do this effectively, efficiently and collaboratively.

Regional Planning Directors' insights included the need to: emphasize outcomes rather than outputs; develop plans that move forests toward desired conditions; create a learning culture; address capacity issues; implement a regional approach to planning where appropriate; improve communication between the WO, RO and forests; maintain institutional knowledge in light of retirements; make plans relevant to communities; balance local needs with national consistency; and address the fact that the agency's current budget and legal processes are not set up to deal with adaptive management.

Committee views differed on the appropriate balance between discretion and meaningful guidance within a forest plan. On one hand, several members stated that plans should be decision documents that provide accountability and direct management implementation. Analysis should be done at the plan level, not the project level. Conversely, others emphasized that plans need to be flexible to deal with future uncertainty and new knowledge. One member noted that agency turnover erodes the public's trust and creates the need for more accountability in plans; many will not accept discretionary plans without trust and relationships. Everyone recognized the need to move beyond a binary conversation and that a balance of consistency, accountability and flexibility is needed. Many public see forest plans as constraints; the agency is missing the opportunity to build action plans that work towards desired conditions. Ideally a plan should be revised because the forest has accomplished its objectives, not because it is out of date. Several Committee members highlighted the need to foster greater engagement from local communities, counties, tribes, and universities. There is also a need to address how forests can maintain public engagement during the NEPA process.

Committee Transition

The Committee's current charter ends on September 7, 2016. The USFS may not have received enough applicants for the next charter. If this is the case, the agency will need to extend the application deadline. This extension may create a lapse between the two charters. The USFS will ask the Committee to help with outreach if more applicants are needed.

Memo to the Chief

The co-chairs will draft a memo highlighting the key themes discussed in this meeting. Topics will include the: proposed amendment to the rule, completion of the on-line versions of the Citizens' and Government guides, recognition of Leslie Weldon's and the RPD's participation in the meeting, and highlights from the leadership conversation on the need for cultural shifts.

Next Meeting

The next Committee meeting will be held in Washington, DC on August 30 – September 1, 2016.