

CRIA Certification

This is to certify that the undersigned:

Major Responsibilities

- Worked with subject matter experts, including Agency civil rights officials, during the planning and development of the **Proposed Planning Rule**.
- Identified and analyzed the civil rights implications and impacts of eligibility criteria, methods of administration, and other requirements associated with this proposal.
- Instituted civil rights strategies to eliminate, alleviate, or mitigate adverse and disproportionate civil rights impacts identified in the CRIA.

Monitoring and Evaluation

- The undersigned agrees to work with the WO EMC Staff to monitor implementation on all civil rights strategies that were instituted in connection with this proposal, evaluate their effectiveness, and take follow-up action where adverse civil rights impacts persist.

Signatory

DEBRA A. MUSE
Director of Civil Rights
USDA Forest Service

Date: _____

**Civil Rights Impact Analysis and Environmental Justice Analysis
Proposed Planning Rule (36 CFR Part 219)
National Forest System Land Management Planning**

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Civil Rights Impact Analysis and Environmental Justice Analysis Proposed Planning Rule (36 CFR Part 219) National Forest System Land Management Planning

Introduction

This civil rights and environmental justice analysis (CRIA/EJ analysis) was prepared for the proposed planning rule. The analysis incorporates: (1) the proposed planning rule and (2) demographic data from the 2000 Census (U.S. Census Bureau 2000) and U.S. Census 2008 American Communities Survey (U.S. Census Bureau 2008). This CRIA/EJ analysis evaluates whether there are potential adverse or disproportionate impacts from the planning rule for National Forest System (NFS) land management planning on those specific populations identified in civil rights legislation and Executive Order 12898, Environmental Justice. This analysis has been undertaken to evaluate how the American public could be affected by this proposed planning rule, particularly whether populations including (but not limited to) ethnic and racial minorities, people with disabilities, low-income populations, and women could receive potential adverse or disproportionate impacts.

Purpose of a Civil Rights Impact Analysis (CRIA)

The CRIA describes the civil rights implications of policies, actions, or decisions that will affect the public from federally conducted or assisted programs and activities. The CRIA provides information about the potential adverse effects of a decision, program, or activity; how and to what degree the effects would be demonstrated; and whether the originally planned policy, action, decision, program, or activity should be modified or otherwise changed, if possible, to ensure increased benefits or more effective outcomes.

The CRIA helps to advise U.S. Department of Agriculture (USDA) policy makers, managers, and administrators about whether the action or decision will have the effect of unintentionally or otherwise illegally discriminating against USDA customers based on race, sex, national origin, age, and disabilities. Also, the CRIA serves to advise USDA policy makers, managers, and administrators of the effectiveness of decisions as related to ensuring efficient, appropriate allocation or distribution of goods and services in a manner that ensures compliance with all the laws, rules, and regulations under which USDA must operate.

USDA Civil Rights Policy

The Civil Rights Policy for the USDA, Departmental Regulation 4300-4 dated May 30, 2003 (USDA 2003), states that the following are among the civil rights strategic goals: (1) managers,

supervisors, and other employees are held accountable for ensuring that USDA customers are treated fairly and equitably, with dignity and respect; and (2) equal access is assured and equal treatment is provided in the delivery of USDA programs and services for all customers. This is the standard for service to all customers regardless of race, sex, national origin, age, or disabilities.

Civil Rights are the legal rights of all U.S. citizens to guaranteed equal protection under the law.

Civil Rights ensure that no person is denied access to, the benefits of, or participation in any program or activity of the Forest Service solely on the basis of the person's race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital or familial status, or due to retaliation, in accordance with the policy of the USDA.

Civil Rights impacts are effects on or alternatives in a person's civil rights or status that occur in conjunction with or as a result of a new policy, program, or project that are not attributable to any external factors and are perceived as significant by those affected.

Civil Rights can be violated in four specific ways:

1. By disparate treatment of individuals based on the 10 categories listed in the previous paragraph, i.e., conscious discrimination.
2. By causing a disproportionate adverse impact on employees in sub-categories of one or more of the 10 classes, such as single employees, women, minorities, or others, whatever the motive.
3. By failing to provide accessibility for special needs of persons with disabilities and employees requiring accommodation for religious practices. The employee must identify and communicate the need to the Agency, and the Agency is required to accommodate unless it can show that to do so would create an "undue hardship" in its conduct of business. [Undue hardship is based on the Department's funding level or budget, not the Agency or regional level of funding]
4. By reprisal or retaliation against an individual for filing or participating in a discrimination complaint.

USDA Environmental Justice Policy

Executive Order (EO) 12898 directs Federal agencies to focus attention on the human health and environmental conditions in minority and low-income communities. The purpose of EO 12898 is to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Environmental justice (EJ) is the fair treatment and meaningful involvement of people of all races, cultures, and incomes, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The goal of EJ is for Federal agency decision makers to identify impacts that are disproportionately high and adverse with respect to minority and low-income populations and to identify alternatives that will avoid or

mitigate those impacts. According to USDA Departmental Regulation (DR) 5600-002 (USDA 1997), EJ, minority, minority population, low-income, and human health and environmental effects, are defined as follows:

Environmental justice means that, to the greatest extent practicable and permitted by law, all populations are provided the opportunity to comment before decisions are rendered, are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by, Government programs and activities affecting human health or the environment.

Minority means a person who is a member of the following population groups: American Indian or Alaska Native; Asian or Pacific Islander; Black, not of Hispanic origin; or Hispanic.

Minority population means any readily identifiable group of minority persons who live in geographic proximity, and, if circumstances warrant, migrant farm workers and other geographically dispersed/transient persons who will be similarly affected by USDA programs or activities.

Low-income population means any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, migrant farm workers and other geographically dispersed/transient persons who will be similarly affected by USDA programs or activities. Low-income populations may be identified using data collected, maintained, and analyzed by an agency or from analytical tools such as the annual statistical poverty thresholds from the Bureau of the Census' Current Population Reports, Series P-60 on Income and Poverty.

Human health and/or environmental effects as used in the Departmental Regulation includes interrelated social and economic effects.

The emphasis of EJ is on health effects and/or the benefits of a healthy environment. The Council on Environmental Quality (CEQ) has interpreted health effects with a broad definition:

”Such effects may include ecological, cultural, human health, economic or social impacts on minority communities, low-income communities or Indian Tribes ... when those impacts are interrelated to impacts on the natural or physical environment” (CEQ 1997).

Pre-Decisional Proposed Planning Rule CRIA/EJ Assessment

Potential impacts by the proposed rule to **civil rights and environmental justice** are addressed in this document. Environmental justice overlaps and is complementary to constitutional rights (equal protection, due process), civil rights, and tribal laws and regulations. This analysis finds that no adverse civil rights or EJ impacts are anticipated in the delivery of benefits or other program outcomes on a national level for any under-represented population or to other U.S. populations or communities. In regards to potential impacts on minority or under-represented communities, the proposed rule is similar to the 2008 rule and therefore continues to support the previous (May 2007) finding of no adverse or disproportionate impact. The proposed

planning rule differs from the 2008 rule in that it increases the requirements for outreach, public engagement, and collaboration; including requiring that responsible officials:

- *Take into account the discrete and diverse roles, jurisdictions, responsibilities, and skills of interested and affected parties; the accessibility of the process, opportunities, and information; and the cost, time, and available staffing.*
- *Be proactive and use contemporary tools, such as the internet, to engage the public, and should share information in an open way with interested parties.*
- *Involve the public in all phases of the planning framework (assessment, revising and amending plans, and monitoring).*
- *Provide additional opportunities for private landowners, youth, low-income populations, and minority populations, federally recognized Indian Tribes and Alaska Native Corporations to participate in the planning process.*
- *Request the participation of federally recognized Indian Tribes and Alaska Native Corporations to contribute information about native knowledge, land ethics, cultural items, and sacred sites during the planning process.*
- *Provide participation opportunities for State, counties, and other local governments and Federal agencies*

Description of the Proposed Action

Consistent with the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528–531) (MUSYA), the Forest Service manages the National Forest System (NFS) to sustain the multiple uses of its renewable resources in perpetuity while maintaining the long-term productivity of the land. Land management plans guide coordinated resource management of the resources within the plan area on a multiple-use and sustained-yield basis, giving due consideration to the relative values of the various resources in particular areas.

The objective of this proposed planning rule is to guide the collaborative development, amendment, and revision of land management plans that promote healthy, resilient, diverse, and productive national forests and grasslands. This rule sets out the planning requirements for developing, amending, and revising land management plans (also referred to as plans) for the NFS, as required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.) (NFMA). The proposed rule also sets out the requirements of plan content and is applicable to all units of the NFS as defined by 16 U.S.C. 1609 or subsequent statute. The Civil Rights and EJ Policy and USDA DR 5600-002 are integral to the planning process. A plan under this rule provides broad guidance to the Forest Service for project and activity decisionmaking in a national forest, grassland, prairie, or other administrative unit. A plan reflects the unit's expected distinctive roles and contributions to the local area, region, and Nation, and the roles for which the unit is best suited, considering the Agency mission, the unit's unique capabilities, and the resources and management of other lands in the vicinity. A plan does not authorize projects or activities, and does not commit the Forest Service to take action.

Review of the Proposed Planning Rule

Background: Planning Under the National Forest Management Act

Planning rules under the National Forest Management Act (NFMA) do not direct any ground-disturbing activities and they do not require regulation of eligibility, benefits, or services that might affect or exclude, limit, or disadvantage any group or class of persons on one or more prohibited bases. Planning rules do not intrinsically, positively, or negatively affect any groups

The Forest Service first prepared land use plans in response to NFMA of 1976. The Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 476 et seq.), as amended by the NFMA (90 Stat. 2949 et seq.; 16 U.S.C. 1601-1614), requires the Secretary to promulgate regulations under the principles of the Multiple-Use Sustained-Yield Act of 1960 that establish the process for the development and revision of land management plans (16 U.S.C. 1604(g)).

The first planning rule, adopted in 1979, was substantially amended on September 30, 1982. The 1982 rule, as amended, has guided the development, amendment, and revision of the plans on all national forests and grasslands. New rules were promulgated in 2000, 2005, and 2008. The 2000 rule was deemed, by the Agency, to be too difficult to implement, and new planning rules were promulgated in 2005 and 2008. Both the 2005 and the 2008 rules were enjoined by the courts. However, those enjoinders were not based on civil rights or EJ issues. The 2000 rule remains in effect but includes a transition provision for optional use of the 1982 planning procedures until a new rule is promulgated.

Under the NFMA, plans must be revised at least every 15 years but may be revised at any time to reflect changing conditions. Plan revisions and amendments evaluate the existing plans to determine if they are still relevant or if adjustments need to be made (i.e., a need for change). The proposed rule provides newly developed guidance on the process to be used in revision and amendment of the existing plans, as well as any new plans developed in the future. Practical results from the first generation plans for the NFS revealed the need to reduce the technical and administrative burdens of costly procedural requirements; improve coordination and collaboration with the public and other government entities; and improve the application of the best available scientific understanding of sustainable ecological, social, and economic environments.

The Proposed Planning Rule

The proposed rule addresses the programmatic foundation of land management planning rather than providing for specific outcomes or products. Instead of viewing planning as an activity with a fixed beginning and ending, with rigid procedural steps and specified analytical requirements, the proposed rule recognizes planning as a continuous, dynamic process that is driven by the involvement and dialogue of diverse public interests and concerns about the NFS, natural resources management, the results of monitoring and evaluation, or other new information. The proposed rule also takes into account those lands beyond the national forest

boundaries in an “all lands” approach meant to include consideration of connected and interdependent ecological, social, and economic systems. The intended program benefits of the proposed rule might best be conceptualized as a collaboratively developed (1) vision, (2) strategy for achieving the vision, and (3) criteria to guide the process, all (4) within an all-lands context. Under this approach, opportunities for participation in the planning process are provided, but not limited to, individual members of the public, private landowners, youth, low-income populations, minority populations, federally recognized Indian Tribes and Alaska Native corporations (with inclusion of native knowledge), and persons with disabilities, as well as the public at large and planning efforts by State, county, and other local and Federal agencies.

The proposed rule provides for linkage of various planning processes and levels. A land management plan developed under this rule provides broad guidance to the Forest Service for project and activity decisionmaking in an NFS unit. A plan reflects the unit’s expected distinctive roles and contributions to the local area, region, and Nation; and the roles for which the unit is best suited, considering the Agency mission, unique capabilities, and the resources and management of other lands in the vicinity. This nested analysis provides for examination of issues at the national, regional, forest, and project levels, with public participation at each level. This process constitutes a degree of surety that local, regional, and national concerns can be addressed and that minorities, Tribes, and low-income communities will have multiple opportunities to express their concerns. In the proposed rule, specific points of entry into the public participation process have been specified and expands the definition of a formal comment to include written or oral comments submitted or recorded during an opportunity for public participation provided during the planning process.

This approach (i.e., planning as an ongoing process) is consistent with the land planning approaches and land ethics of some ethnic populations whose relationship with natural resources and their land ethic provide a historical basis for, and continuance of, culture and traditional activities (Lim et al. 2009; Marsinko and Dwyer 2003, 2005; Magill and Chavez 1993). This is evident in American Indian cultures (Guyette 1996, Jojola 1998, Smith 2006). Additionally, numerous American Indian representatives expressed the ongoing, multigenerational (e.g., seven generations) nature of land and resource planning during the 2010 Tribal Round Table held as part of the collaborative activities for development of the proposed rule. This approach, as well as historical land tenure and multigenerational planning concerns, were also expressed by Hispanic communities in New Mexico during the 2010 Tribal Round Table collaboration meetings, and are documented by Raish and McSweeney 2008 (see also Chavez et al. 2008, Johnson et al. 2005).

While we might conclude that long-term, multigenerational planning is a characteristic of a number of ethnic minorities, overgeneralization also should be avoided. The variation within each minority group should be examined, rather than comparing minority groups as culturally monolithic. This avoids the implication that minority groups behave like a single, homogeneous population (Marsinko and Dwyer 2003). The same conclusion could be made for the category of low-income communities. As society becomes more diverse, natural resource planners, managers, and policy makers need a more expansive and inclusive understanding of the

perspectives of ethnic and racial communities (Bengston and Sanchez 2004). Although legally we need to consider potential civil rights and EJ impacts of Forest Service activities on both minorities and low-income communities, these groupings should not be considered homogeneous categories. The vast diversity of beliefs among American Indian groups, Hispanic land grant communities, and the great variety of those characterized as low-income, for example, are beyond the scope of this proposed planning rule. Concerns such as land ethic differences and natural resource beliefs and values of specific minority groups, Tribes, and low-income groups will be better addressed at the level of local unit planning efforts, which include developing, amending, or revising a plan; the proposed planning rule provides opportunities for input from, and collaboration with, such groups. At this point in the collaborative process, USDA DR 4300-4, Civil Rights Impacts Analysis, and Environmental Justice, EO 12898, would be integrated with land management planning actions and collaborative efforts.

Demographics Assessment

Area and Scope

The proposed rule would direct planning for the 192-million-acre NFS, which includes 155 national forests, 20 grasslands, 1 prairie, and other lands located in 44 states. Appendix A, Figure 1, displays the distribution of NFS lands across the United States. The greatest proportion of these lands is west of the Mississippi River.

The proposed rule does not, in itself, create, authorize, execute, or prohibit any ground-disturbing activity. Thus, despite the extensive geographic application of the proposed rule, (i.e., nationwide), the largely administrative nature of this proposed rule limits direct impacts on this large potential population. Instead, the proposed rule provides for broader participation by a broad range of interested entities rather than any ground-disturbing activity with direct impacts.

Demographics

For this CRIA/EJ analysis, demographic data from the 2000 U.S. Census (U.S. Census Bureau 2000) were used to provide information on minorities, low-income populations, Tribes, and other groups. National Forest System lands are available for use by all U.S. populations; however, in an effort to better focus the analysis, U.S. counties containing NFS lands were used to help further define the area of potential CRIA/EJ impacts. Table 1 contains summary statistics for specific U.S. Census-defined groups. Appendix B contains maps of the NFS lands and associated counties, with individual overlays for each group identified in Table 1.

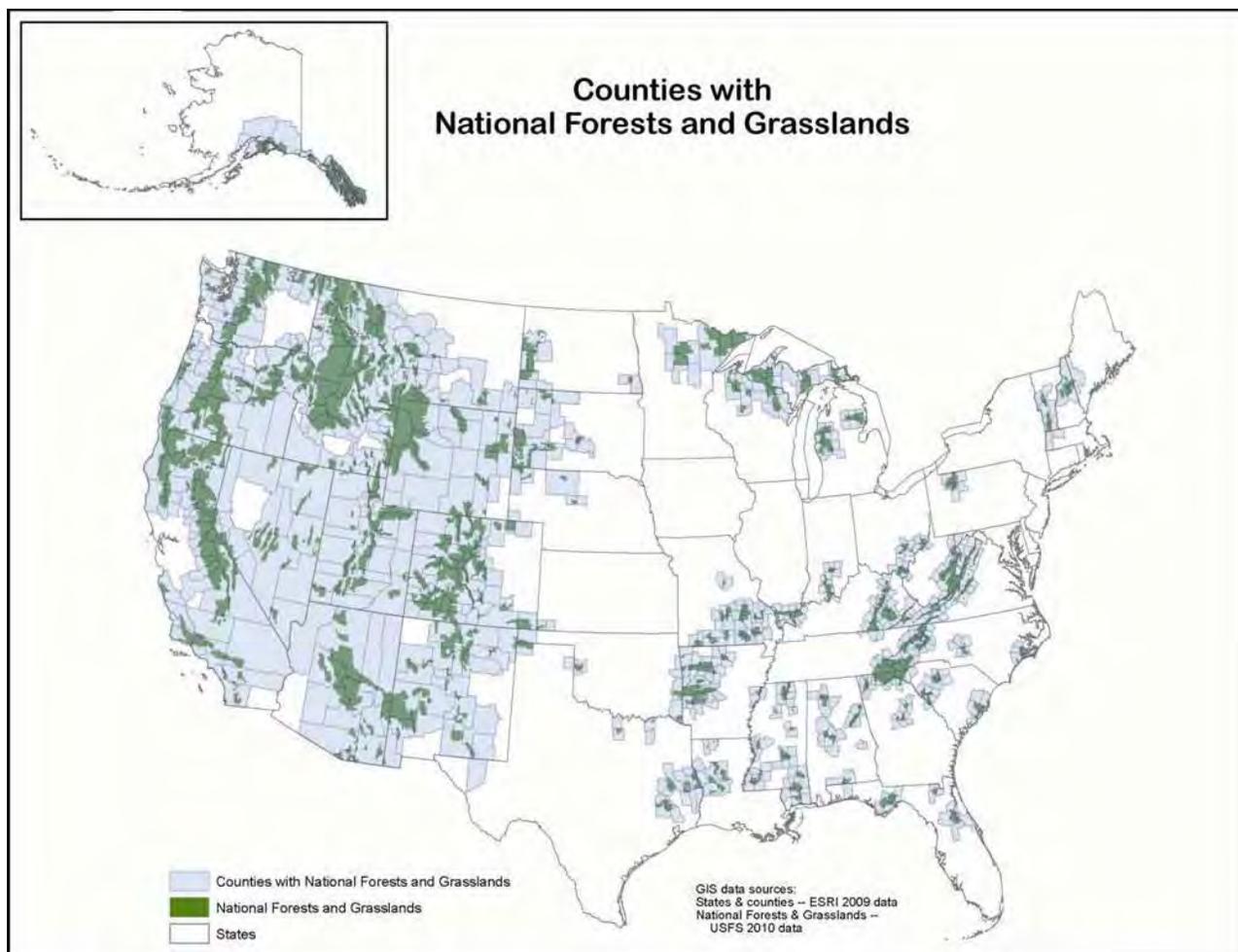


Figure 1. U.S. counties with National Forest System lands.

Table 1. Summary Statistics for Groups in Counties Associated with NFS Lands

| 2000 Census NFS Counties | Total Number in NFS Counties | % of Popn 2000 in NFS Counties | Mean % in NFS Counties |
|---------------------------------|-------------------------------------|---------------------------------------|-------------------------------|
| Total population | 64,585,568 | | |
| Poverty | 9,811,857 | 15.19% | 16.33% |
| Minorities | 29,152,662 | 45.14% | 20.87% |
| Hispanic | 12,660,662 | 19.60% | 6.56% |
| Black/African American | 3,983,875 | 6.17% | 5.66% |
| Asian/Hawaiian/PI | 3,082,814 | 4.77% | 0.77% |
| American Indian | 1,110,765 | 1.72% | 3.01% |
| Other Race | 6,292,523 | 9.74% | 2.87% |
| Multiracial | 2,022,023 | 3.13% | 1.68% |
| Female | 32,464,964 | 50.27% | 50.50% |
| Youth to age 21 | 20,989,919 | 32.50% | 30.91% |

Table 2, in Appendix A, contains summary percentages, by State, for all U.S. counties associated with NFS lands. Within those counties associated with NFS lands, more than 45 percent of the

population identify themselves as minorities (see Tables 1 and 2). Although this percentage is an aggregate of persons in all minority categories, it shows the broad diversity of local, potential NFS users. Within the minority categories, Hispanic is the highest percentage at almost 20 percent (Appendix B Figure 6)¹. The Office of Management and Budget (OMB) defines Hispanic or Latino as “a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.” In data collection and presentation, Federal agencies are required to use a minimum of two ethnicities: “Hispanic or Latino” and “Not Hispanic or Latino.”

When examined within the context of the entire U.S. population, in the 2000 U.S. Census (U.S. Census Bureau 2000), nearly 98 percent of all respondents reported only one race. The largest group, reporting White alone, accounts for 75 percent of all people living in the United States. The Black or African American alone population represented 12 percent of the total. Just less than 1 percent of all respondents indicated only American Indian and Alaska Native. Approximately 4 percent of all respondents indicated only Asian. The smallest race group was the Native Hawaiian and Other Pacific Islander alone population, representing 0.1 percent of the total population. The remainder of the “one race” respondents—5.5 percent of all respondents—indicated only some “other” race. As stated below, the ethnic category of Hispanic may include persons of any race, and those of Hispanic origin often classify themselves as “other” when selecting a racial category in the U.S. Census (U.S. Census 2000).

¹ All maps for U.S. Census racial categories are located in Appendix B.

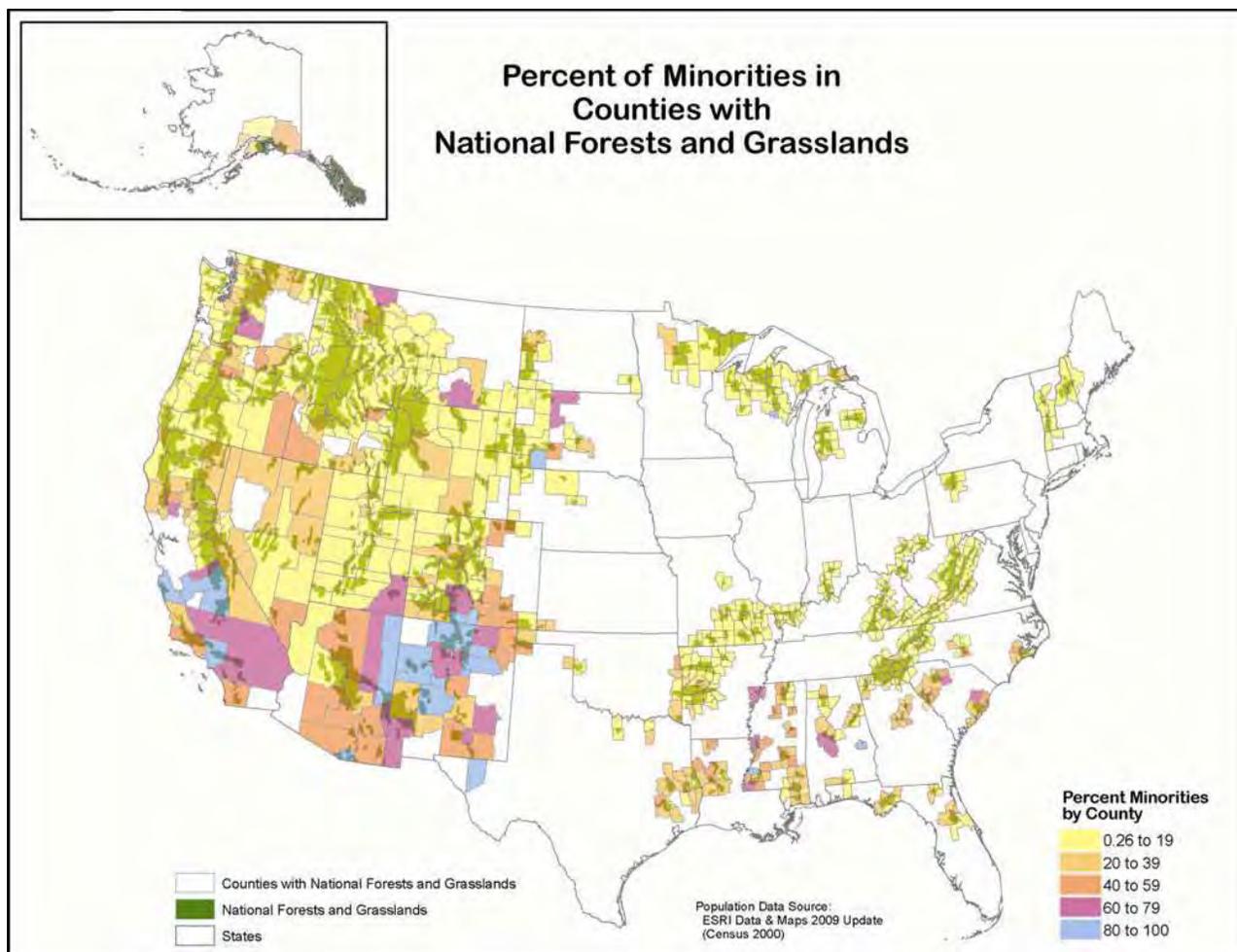


Figure 2. Percentage of minorities in U.S. counties with National Forest System lands.

Hispanics were followed by Black/African American (Figure 7) at 6.17 percent; Asian/Hawaiian/Pacific Islanders (Figure 8) at 4.77 percent; and American Indians at 1.72 percent (Figure 9 and 10). The categories of “other” (those persons identifying themselves as a race other than those choices listed on the U.S. Census forms), at 9.74 percent (Figure 11), and Multiracial at 3.60 percent (Figure 12), represent U.S. Census categories with growing numbers. Of those identifying themselves as multiracial in the 2000 Census, most of the population listing two or more races lived in the American West, where most of the counties associated with NFS lands are located.

Poverty

Following the OMB Statistical Policy Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family’s total income is less than the family’s threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically but they are updated for inflation using the Consumer Price Index. The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).

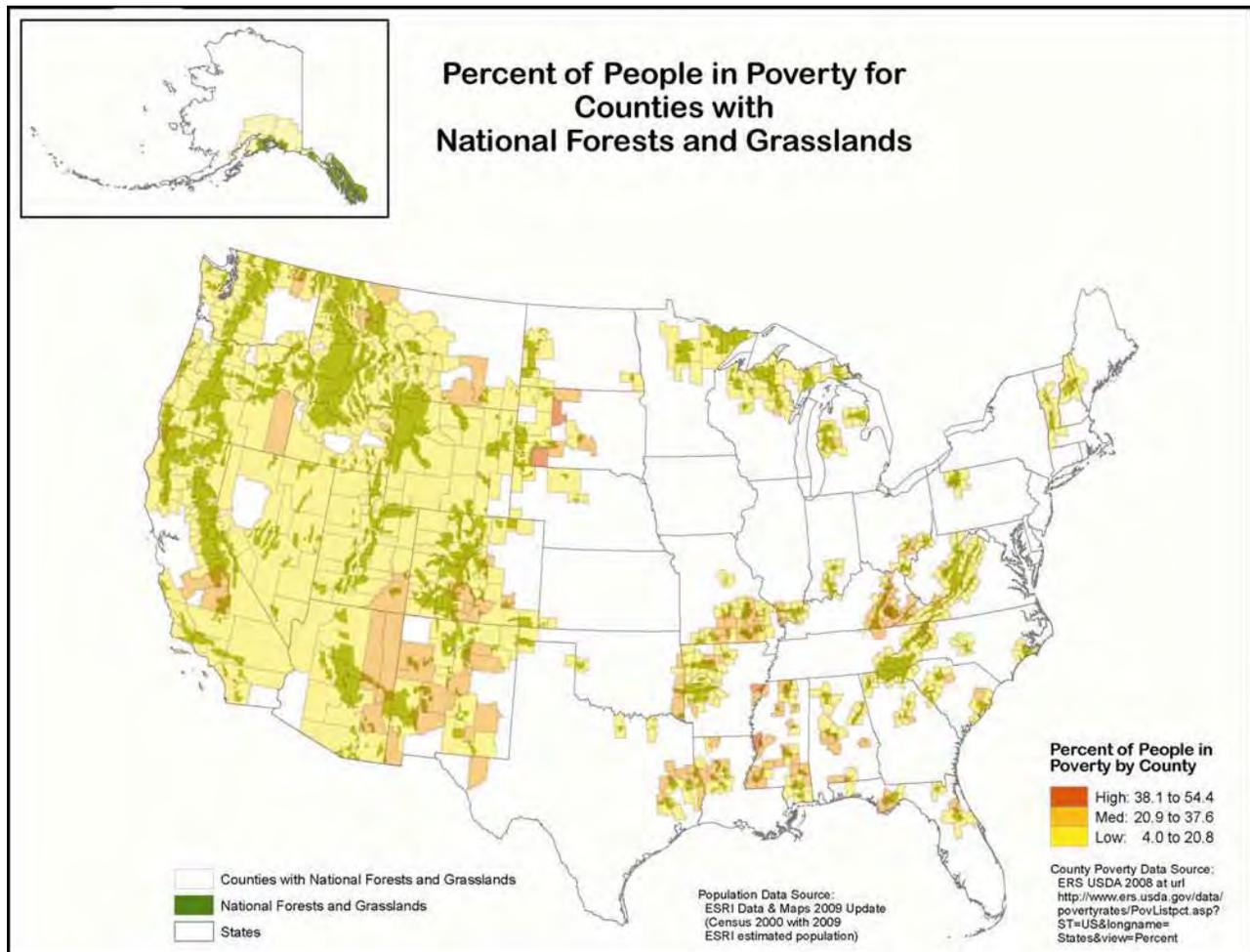


Figure 3. Percentage of people in poverty within U.S. counties associated with NFS lands.

While the Census 2000 poverty rate for the total population of the United States was 31.6 million and 11.3 percent (U.S. Census Bureau 2000), those U.S. counties associated with NFS lands had populations of 9.8 million and 15.19 percent at the poverty level. Poverty is often associated with rural economies, and most NFS lands also are located in rural areas. Natural resource-related jobs are often low paying and seasonal, which may in turn contribute to these percentages to a small degree.

Women and Youth

Not surprisingly, 50 percent of the U.S. population and the NFS counties populations are female. The age category of 0 to 21 years is approximately 30 percent of the population for both the U.S. in general and for NFS counties (Figure 4).

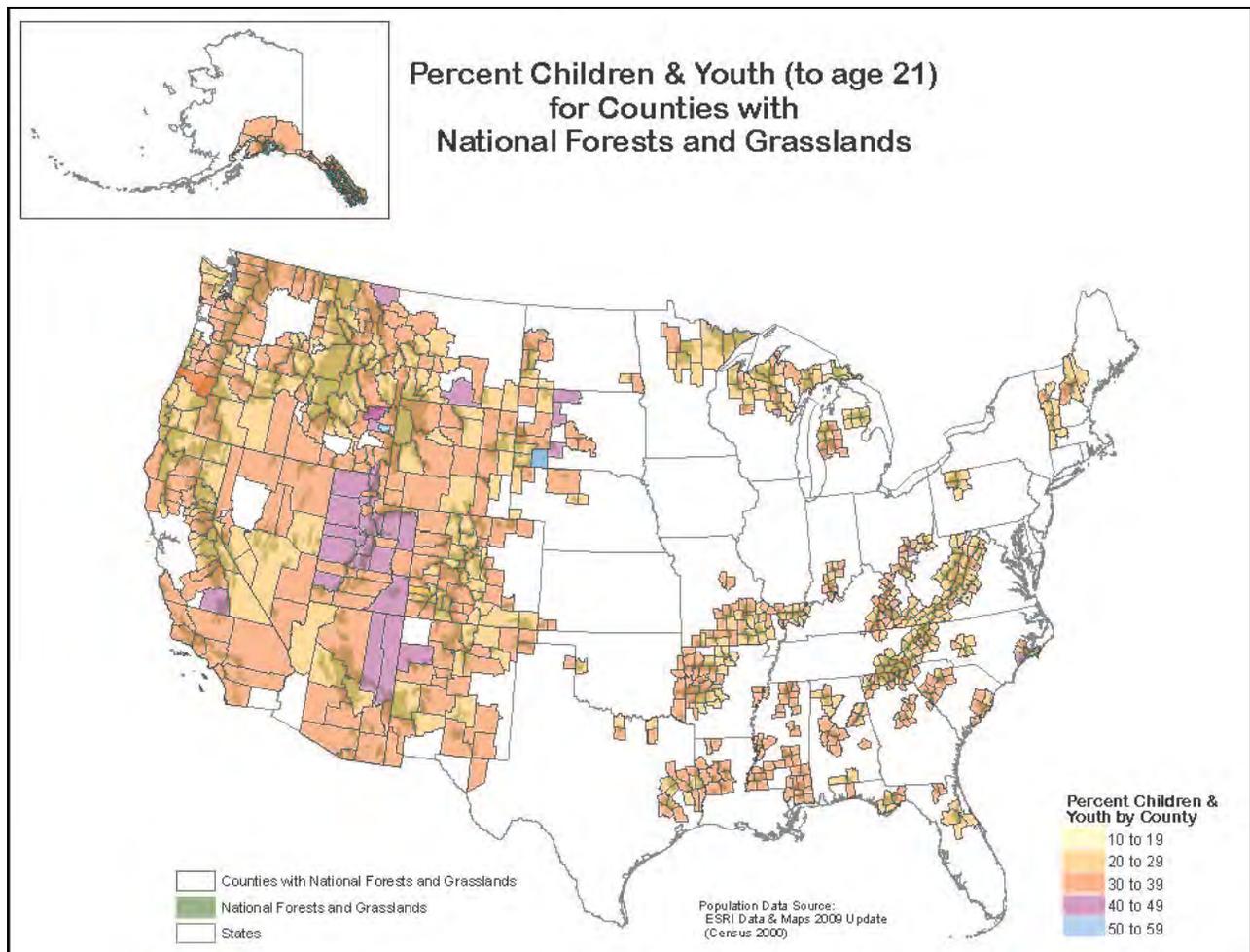


Figure 4. Percentage of youth population within U.S. counties associated with NFS lands.

Persons With Disabilities

The category summarizing the statistics for persons with disabilities is discussed separately. The U.S. Census has redefined its categories of disabilities; therefore, 2000 U.S. Census data and maps are used here. Overall, about 19 percent of the U.S. population is considered to be living with a disability. Disability data from the U.S. Census, by NFS counties, are unavailable. Therefore, this study shows U.S. Census disability data summarized for the United States as a whole (Figure 5). People were defined as having a disability within the 2000 Census, if one or more of the following conditions were true:

- They were aged 5 or older and responded “yes” to a sensory, physical, mental, or self-care disability.
- They were aged 16 years or older and responded “yes” to a disability affecting going outside the home.
- They were between the ages of 16 and 64 and responded “yes” to an employment disability.

accessibility (such as some remote, rural locations), take action necessary to ensure equal participation for individuals with disabilities. Ensure that accessible transportation is available to the specific meeting (for example, transportation for employees in wheel chairs is available from the airport).

“All Forest Service announcements and flyers of meetings and activities shall include the name, telephone number, teletypewriter/telecommunications device for the deaf (TTY/TDD), and electronic mail address of a contact person who can assist attendees with providing accommodations for their special needs. For pre-registered meetings, all attendees must be given the opportunity to notify a contact about their special needs prior to the event.”

Collaboration for forest planning under this proposed rule would be conducted in compliance with FSM 1361.22, and the Americans with Disabilities Act requirements.

American Indian Tribes

Unlike other groups, the unique relationship between American Indian Tribes and the Federal Government is based on the U.S. Constitution, Articles I and VI. The Federal Government has a “government-to-government” relationship with Tribes as it does with other sovereigns. The potentially affected population in any area would be those who live within or near NFS lands, those who depend upon NFS lands for their livelihood regardless of location, and those who have other interests in or are otherwise potentially affected by the management and use of NFS lands throughout the nation. Many American Indian Tribes who maintain treaty rights on national forests may also be potentially affected by this rule (Pevar 2002) although their reservation or tribal lands may be distantly located from treaty lands managed by the NFS (see Appendix B, Figure 9).

American Indian population estimates are shown in relation to NFS lands in Figure 10, in Appendix B, illustrating a close, geographical relationship of NFS lands and tribal communities. In contrast, the map in Figure 11, National Forests and Grasslands and Tribal Lands, shows numerous tribal lands and reservations located at a distance from NFS lands. Many Tribes have ancestral ties, and more significantly, maintain treaty rights on such NFS lands, although they may be distantly located from one another (Pevar 2002). While some of these civil rights and EJ considerations need to be addressed at a local level, some tribal issues may be better addressed by such a regional or multi-regional approach. Treaty rights to NFS lands often include but are not limited to fishing, hunting, and collection of plants and other materials at “usual and accustomed” places. These rights and subsequent management of any species involved might be best addressed at the regional or multi-regional, all-lands perspective since rights or habitat boundaries may transcend national forest, grasslands, or prairie administrative boundaries (Pevar 2002, Wilkinson 2004).

Demographic Changes

The maps in Appendix B display relevant demographic features of the counties located directly within or adjacent to NFS lands, based on data from the 2000 Census and 2006-2008 American Communities Survey estimates. However, the proposed rule recognizes that people not living in proximity to national forests, grasslands, or prairie may also have an interest in or concerns about the national forests, grasslands, or prairie. Considering that 10 years have passed since the 2000 Census, the demographic summary from the 2006-2008 American Communities Survey is provided below as a supplement. This demographic description illustrates the diversity of the U.S. population in total but does not reflect national forest use or visitation.

Population: In 2006-2008, the United States had a total population of 301.2 million—152.8 million (51 percent) females and 148.4 million (49 percent) males. The median age was 36.7 years. Twenty-five percent of the population was under 18 years, and 13 percent was 65 years and older.

Race and Ethnicity: For people reporting one race alone, 74 percent were White; 12 percent were Black or African American; 1 percent were American Indian and Alaska Native; 4 percent were Asian; less than 0.5 percent were Native Hawaiian and Other Pacific Islander; and 6 percent were some other race. Two percent reported two or more races. Fifteen percent of the people in United States were Hispanic. Sixty-six percent of the people in United States were White non-Hispanic. People of Hispanic origin may be of any race.

Language: Among people at least 5 years old living in United States in 2006-2008, 20 percent spoke a language other than English at home. Of those speaking a language other than English at home, 62 percent spoke Spanish and 38 percent spoke some other language; 44 percent reported that they did not speak English "very well."

Mobility: In 2006-2008, 84 percent of the people at least 1 year old living in the United States were living in the same residence 1 year earlier; 10 percent had moved during the previous year from another residence in the same county, 3 percent from another county in the same state, 3 percent from another state, and 1 percent from abroad.

Poverty Levels: In 2006-2008, 13 percent of people were in poverty. Eighteen percent of related children under 18 were below the poverty level, compared with 10 percent of people 65 years old and over. Ten percent of all families and 29 percent of families with a female householder and no husband present had incomes below the poverty level (2006-2008 American Communities Survey).

The maps in Figures 2 and 3 illustrate that minorities and poverty levels are not evenly distributed throughout the United States or with respect to NFS lands. This uneven distribution indicates that uniform national impacts (either beneficial or adverse) are not anticipated. Rather, effects may vary with locality. This local variation is better accommodated in local level participation and analysis of local conditions, rather than on a national level. The proposed rule

requires that draft and final environmental impact statements are prepared for the revision of all plans, and that plan amendments are analyzed consistently with Agency National Environmental Policy Act (NEPA) procedures. Potential civil rights and EJ impacts will be assessed as part of that NEPA process. If potential civil rights or EJ impacts are identified during the NEPA or public participation process, a CRIA/EJ analysis will be completed. Under this proposed planning rule, the responsible official for a plan revision or amendment is the forest supervisor. A CRIA/EJ assessment resulting from a plan or plan amendment analysis is subject to one higher level of administrative review. Therefore, a CRIA/EJ assessment conducted for a plan revision or amendment would be reviewed by either the regional forester

Demographic Conclusions

Considering the socially, culturally, and economically diverse population of the United States, generalizations about the impacts to specific ethnic minorities, low-income, tribal, or disabled populations are difficult at this national scale. Research does exist for NFS land use by Hispanics in the American Southwest (Raish and McSweeney 2008) and their recreation usage in Southern California (Chavez et al. 2008); for African Americans' NFS land use in the American South (Fraser and Gyawali 2005) and the northern Midwest (Johnson et al. 2007); and for outdoor recreation by Asian Americans (Winter 2004). However, while the results from such studies suggest that use patterns and expectations may be different from those of the traditionally served publics, intra-group variation is likely even greater (Marsinko and Dwyer 2003). Within any single group, (e.g., people with disabilities), not all individuals would prefer the same circumstances (Wilhelm et al. 2009). Current national-level information is not adequate to characterize *all* current uses of NFS lands nationwide by groups of people identified in the environmental justice executive order or civil rights legislation. However, this review of demographic patterns associated with NFS lands shows that while difficult to characterize specific uses, these groups do enjoy proximity and use of the national forests, grasslands, and prairie.

Potential Civil Rights or Environmental Justice Impacts

The proposed planning rule is national in scope and provides multiple opportunities to provide input throughout the planning process to all interested or affected parties or groups. The planning process is intended to provide a wider range of communication opportunities and styles, attitudes, and beliefs, for a pluralistic and diverse public, within a collaborative process. By broadening the potential input and opportunities for collaboration and input, this proposed planning rule will likely have an overall beneficial impact on civil rights and EJ concerns.

The most direct impact of this proposed rule concerns communication and opportunities for collaboration and input by specified groups, such as federally recognized Tribes and Alaska Native corporations and all members of the general public including women, minorities, persons with disabilities, youth, and low-income populations. The main point of potential civil rights and EJ impacts is that of providing opportunities for input and collaboration, because this proposed planning rule provides guidance for planning under NFMA and is not meant to

authorize any ground-disturbing activity. Therefore, the following section describes the wide range of interaction, public input, and collaboration, beginning with the notice of intent (NOI) and extending to proposed rule direction for collaboration and input.

Public Outreach and Collaboration

What Do We Mean By Collaboration?

As described in the CEQ publication, “Collaboration in NEPA: A Handbook for NEPA Practitioners,” public involvement can span a spectrum that includes informing, involving, consulting, and collaborating with the public. Many aspects of this rulemaking effort will align more closely with the categories of “inform, consult, and involve.” Although there will be opportunities to collaboratively develop options within the rule, this rulemaking effort does not involve shared decisionmaking. Rather, the collaborative effort will bring diverse interests together to explore critical issues and provide meaningful input to the Agency’s decision process.

Planning Rule Notice of Intent

The Forest Service began its public outreach and collaboration at the earliest stage of rule development. A notice of intent (NOI) to prepare an environmental impact statement (EIS) for the new planning rule was published in the *Federal Register* on December 18, 2009 (74 FR 67165). The NOI solicited public comments on the proposal until February 16, 2010. The NOI presented a series of substantive and procedural principles to guide development of a new planning rule. Under each principle, the NOI posed several questions to stimulate thoughts and encourage responses. The Forest Service received more than 26,000 comments in response to the NOI. Additionally, public meeting “roundtables” were conducted nationally and regionally throughout the Nation to begin this collaboration process. Planning for a national forest, grassland, prairie, or other comparable administrative unit of the NFS—including developing, amending, or revising a plan—will include assessment and analysis at the local level, where the preferences of subsets of the American population can be better identified and participation is more localized.

Public Input and Direct Participation In the Proposed Rule

The proposed rule guides forest planning efforts, and provides direction for analysis of local issues originating from inventories, assessments, native knowledge, analyses, monitoring and evaluation results, and collaborative activities and discussions with those interested in NFS management, as well as proposals made by individuals, organizations, Tribes, or government entities. Under the proposed rule, the responsible official is expected to actively seek and encourage citizens, organizations, and governments to participate in the local plan development process.

During public comment, some members of the public and representatives of American Indian Tribes expressed concern about consultation and the degree of participation in the planning process. The proposed rule provides multiple opportunities for tribal collaboration and input

throughout the planning process. The planning process in the proposed rule explicitly provides for recognition of the government-to-government relationship between federally recognized Tribes and Alaska Native corporations and the Federal Government. Additionally, the proposed rule provides for the consideration of native knowledge of federally recognized tribes and Alaska Native corporations, or traditional ecological knowledge, gathered over countless generations. That information may be helpful for evaluating ecological conditions during the planning process (Cajete 2000).

The proposed rule provides for expanded collaboration in resolving issues of mutual concern in a manner that best fits the needs of people, the location, and the issues at hand. The proposed rule specifies opportunities for the participation of the following (but not limited to):

- a. *Participation opportunities for individual members of the public and entities.* The responsible official shall encourage participation by interested individuals and entities, including those interested at the local, regional, and national levels.
- b. *Participation opportunities for youth, low-income populations, and minority populations.* The responsible official shall encourage participation by youth, low-income populations, and minority populations.
- c. *Participation opportunities for private landowners.* The responsible official shall encourage participation by private landowners whose lands are in, adjacent to, or otherwise affected by, or whose actions may impact, future management actions in the plan area.
- d. *Consultation with federally recognized Indian Tribes and Alaska Native corporations.* The Department recognizes the Federal Government's trust responsibility for federally recognized Indian Tribes. The responsible official shall honor the government-to-government relationship between federally recognized Indian Tribes, and the Federal Government. The responsible official shall undertake consultation with federally recognized Indian Tribes and Alaska Native corporations in accordance with Executive Order 13175 of November 6, 2000.
- e. *Participation opportunities for federally recognized Indian Tribes and Alaska Native corporations.* The responsible official shall encourage participation in the planning process by interested or affected federally recognized Indian Tribes or Alaska Native corporations. The responsible official may participate in planning efforts of federally recognized Indian Tribes and Alaska Native corporations, where practicable and appropriate.
- f. *Native knowledge, indigenous ecological knowledge, and land ethics.* As part of tribal participation and consultation, the responsible official shall request information about native knowledge, land ethics, cultural issues, and sacred sites.
- g. *Participation opportunities for other Federal agencies, States, counties, and local governments.* The responsible official shall provide opportunities for other government agencies to participate in planning for NFS lands and shall encourage State, county, and other local governments to seek cooperating agency status, where appropriate. The responsible official may participate in planning efforts of States, counties, local governments, and other Federal agencies, where practicable and appropriate.

- h. *Coordination with other public planning efforts.* The responsible line officer shall coordinate regional and forest planning with the equivalent and related planning efforts of other Federal agencies, State and local governments, and Indian Tribes.

The anticipated increase in participation under the proposed rule is indirectly supported by numerous researchers, (for example: Bengston 2004, Chavez et al. 2008, Donaghue and Sturtevant 2007, Fraser and Gyawali 2005, Johnson et al. 2007, Leatherberry 2000, Raish and McSweeney 2008). A flexible collaboration process, with the goal of accommodating a wide variety of communication styles may increase involvement and input from many minority and underserved groups (as per Brennan 2009). The enhanced level of collaboration and continuous learning outlined in this proposed rule would accommodate a wide range of communication methods including, but not limited to, personal exchange in face-to-face meetings (Johnson et al. 2007, Li 2003). This proposed rule will provide better flexibility for accommodating cultural differences, differences in communication style and local variations in population composition and NFS uses. Although there is an anticipated increase in participation as described above, the extent and content of participation based on changing or emerging demographic trends cannot be projected using existing information (Schelhas 2002).

The proposed rule more explicitly provides for public notification during multiple stages throughout the planning process. In addition to public comment, the proposed rule contains provisions for allowing any person or non-Federal entity to submit an objection to a new plan, a plan amendment, or plan revision. Individuals and organizations who have submitted comments related to a plan, plan amendment, or plan revision during the opportunities for public comment provided during the planning process for that decision may file an objection. All objections must be open to public inspection during the objection process.

Public Involvement and Collaboration Round Tables

The proposed rule provides for linkage of various planning processes and levels. Under the rule, land management plans would be related to the long-term goals and objectives of the Forest Service, within an all-lands approach that may transcend national forest, grassland, or prairie administrative boundaries, which will ensure progress toward goals and objectives. Collaboration, in the context of this rule, falls within the full spectrum of public engagement described in the CEQ publication: “Collaboration in NEPA—A Handbook for NEPA Practitioners.” The Forest Service retains decisionmaking authority and responsibility for all decisions throughout the process.

An NOI to prepare an EIS for a new planning rule was published in the *Federal Register* on December 18, 2009 (74 FR 67165). The NOI solicited public comments on the proposal until February 16, 2010. The NOI presented a series of substantive and procedural principles to guide development of a new planning rule. Under each principle, the notice posed several questions to stimulate thoughts and encourage responses. The Forest Service received more than 26,000 comments in response to the notice. Comments by Indian Tribes, Alaska Native corporations, or tribal members (where identified) are distinctly identified and reported on.

The Agency held a science forum on March 29 and 30, 2010, in Washington, DC, to ground development of a new planning rule in science and to foster a collaborative dialogue among the scientific community. Booz Allen Hamilton, an independent technology and consulting firm, was retained to design, organize and facilitate the forum in order to maintain objectivity and transparency in the proceedings and the compilation of the forum report. Panels made up of 21 scientists drawn from academia, research organizations, non-government organizations, industry, and the Federal Government presented the latest science on topics relevant to the development of a new rule for developing national forest plans. The format was designed to allow scientists and practitioners to share the current state of knowledge in key areas and to encourage open dialogue with interested stakeholders. Use of Webcasting and internet technology for outreach and public input is a new approach for the Forest Service and demonstrates an increased level of collaboration and inclusion in the planning process. More than 130 people attended the forum in person while approximately 300 others attended by Webcast.

A series of four national roundtables were convened by the Forest Service with support from the U.S. Institute for Environmental Conflict Resolution and the Meridian Institute. These national roundtables, held in Washington, DC, at various stages throughout the planning process, aimed to create collaboration and dialogue around the revision of the Forest Service planning rule.

The *Federal Register* announcement included specific instructions concerning special needs or to request American Sign Language interpretation for individuals who use telecommunication devices for the deaf. All roundtable meeting facilities were prescreened to ensure that they were fully wheelchair accessible. Additionally, all the Webcasts were open-captioned (live), and meeting facilitators had computers set up on site so people with hearing impairments could watch the captioning.

The first roundtable, held on April 1 and 2, 2010, focused on substantive topics including restoration, watershed health, plant and animal diversity, use and enjoyment of Federal lands, contributions to vibrant economies, and climate change. Approximately 120 people attended the roundtable in person while 313 others attended by Webcast.

The second roundtable, held on April 20 and 21, 2010, focused on process topics including social, economic, and cultural contributions of Forest Service lands to vibrant economies; providing for effective collaboration; the relationship between national forests and surrounding lands; plan revisions and NEPA; and adaptive management. Approximately 75 people attended the second roundtable in person while 60 others attended by webcast.

The third roundtable, held on May 11 and 12, 2010, built on the results of the science forum and preceding national roundtables to address six topics identified as needing additional input. The six topics consisted of: providing for plant and animal diversity; restoration/resiliency; the contribution of recreation and other goods and services from national forests to vibrant economies; the role of science; managing Forest Service lands in the face of changing

conditions; and monitoring. The third roundtable was attended in person by 111 people, while 50 others attended by Webcast.

A Youth Caucus was held on July 28, 2010, which provided an opportunity to foster youth involvement in the planning rule and in the overall work of the FS. The members of the caucus were students of diverse cultures and socio-economic backgrounds ranging in age from 18 to 22. Some were first-generation Americans. The caucus spent 2 days in Washington, DC, and met with Forest Service leadership from NFS, State and Private Forestry (S&PF), and Ecosystem Management Coordination (EMC), as well as staff from the Office of Tribal Relations, Civil Rights, and planning rule team members. Students presented essays on how public lands contribute to their social and economic well-being now and in the future. Many of the planning rule team members commented that the Youth Caucus and their thoughtful presentations were a highlight among the many collaborative activities conducted to date.

The fourth national roundtable was held on July 29 and 30, 2010, with 150 people attending, and 70 comments submitted on the blog.

The Forest Service held an additional 33 regional roundtables during April and May 2010 in the following locations: Missoula and Billings, MT; Boise, Coeur D'Alene, Idaho Falls, McCall, Salmon, and Twin Falls ID; Cheyenne, Cody, Jackson, Laramie, and Sheridan WY; Cedar City, Price, Richfield, Salt Lake City, and Vernal UT; Elko, Las Vegas, and Sparks, NV; Bishop, Redding, Sacramento, and San Bernardino CA; Rapid City, SD; Lakewood, CO; Phoenix AZ; Albuquerque NM; Portland, OR; Atlanta, GA; Chicago, IL; and Juneau, AK.

More than 1,500 people attended the regional roundtables in person while others joined the Portland, Atlanta, Chicago, and Juneau roundtables by Webcast.

Because the California roundtable meetings were held on a Tuesday, many county supervisors were unable to participate because many boards of supervisors hold their meetings on Tuesdays. To provide an additional opportunity for interested county elected officials and staff to hear the Forest Service presentation and to provide input, Forest Service staff worked with both the Regional Council of Rural Counties (RCRC) and the California State Association of Counties (CSAC) to attend the RCRC's board meeting on April 21, 2010, and to host a conference call/Webinar on April 22, 2010.

To ensure tribal voices were heard, collaborative efforts also included three national tribal roundtables conducted via conference call. Six tribal roundtables were also held in the following locations: Bishop, Redding, San Bernardino, and Sacramento, CA; Phoenix and Flagstaff, AZ; and Pojoaque and Albuquerque, NM. The tribal roundtables were held in addition to formal government-to-government consultations with Tribes.

Twenty-two individuals received monetary travel assistance to attend the national roundtable. The National Forest Foundation administered the funds and selected recipients based on need

and ability to communicate what they heard at the roundtables to their local communities and peers.

The Forest Service is currently conducting government-to-government consultation on the proposed planning rule with 564 federally recognized Tribes and 29 Alaska Native corporations prior to the release of the proposed rule. The Agency will hold 10 to 15 meetings across the country with designated tribal officials in November 2010. These consultation sessions are strengthening the government-to-government relationship with the Tribes as well as improving the proposed rule. Consultation with tribes will continue after release of the proposed rule to the public.

On December 17, 2009, the Forest Service began maintaining a planning rule weblog to provide an additional opportunity for dialogue with the community interested in the new planning rule. During June and July 2010, the Forest Service posted various draft rule provisions on the Weblog for comment. Weblog posts, for example, have responded to draft rule language addressing the full range of public concerns, including the point that tribal and treaty rights on National Forest System lands are sovereign rights, stipulated by treaty, and are not the same as “multiple-use” activities. Additional outreach is anticipated in the coming months.

Summaries of the national, regional, and tribal roundtable meetings, along with a summary of comments on the NOI and the planning rule Weblog may be viewed at <http://www.fs.usda.gov/planningrule>.

A second series of outreach and public engagement opportunities will be scheduled between the publication of the proposed rule and draft EIS and the publication of the final rule and EIS in late 2011.

Just as development of the rule included extensive outreach, the proposed rule describes the requirements for the Agency to follow an interdisciplinary, public participatory approach to planning, including collaboration, cooperation, and consultation. The responsible officials are expected to engage the skills and interests of appropriate combinations of Forest Service staff, consultants, contractors, other Federal agencies, federally recognized Tribes, State or local governments, or other interested or affected groups or persons in the planning process.

Net Civil Rights and Environmental Justice Impacts

The U.S. Department of Agriculture, Forest Service, considered impacts of the proposed planning rule to civil rights and/or EJ. No adverse civil rights or EJ impacts are anticipated on a national level for any under-represented population or to other U.S. populations or communities as a result of the adoption of the proposed planning rule.

While national-level impacts are not expected to be disproportionate, yet-to-be-identified adverse impacts may be possible on a regional or local planning level. Differences in national-

level effects and regional/local-level effects are the result of uneven distribution of minorities and low-income populations geographically; variations in regional, cultural, or traditional use; and differences in local access to resources. National-forest-level impacts will be further examined at the local level, including NEPA analysis for plan creation, revision, or amendment, and site-specific projects.

The collaboration required by the proposed rule has significant potential to reach out and involve diverse segments of the population that historically have not played a large role in NFS planning and management. As detailed above, the Forest Service collaboration efforts for this proposed planning rule included initial roundtable discussions and conference calls at the national and regional levels, tribal face-to-face roundtables and conference calls, and outreach efforts to multiple agencies and Federal, State, and local governments in an effort to facilitate inclusive participation in Forest Service planning processes.

Monitoring

The Forest Service has considered the potential impact of the proposed rule in relation to the factors discussed above. If implemented as predicted, there are no anticipated adverse or disproportionate impacts to underserved, protected groups, low-income or socially disadvantaged communities. The proposed rule would specifically require the responsible official to encourage participation by the public, Tribes, governments, scientists, and other individuals by sharing knowledge, ideas, and resources and would require the responsible official to engage a diverse array of people and communities throughout the planning process. The proposed rule, including requirements for outreach and collaboration, and NEPA analysis is designed to avoid adverse or disproportionate effects; therefore, mitigating measures are not necessary or appropriate for adopting or implementing the planning rule. Local site-specific mitigation may occur as NFS planning actions and activities are planned and executed consistent with Forest Service and USDA policy. Washington Office Ecosystem Management Coordination (EMC) staff and regional planning staff will monitor implementation of the proposed rule, develop national guidance to ensure consistency in interpretation and implementation and make adjustments in the rule as new information is discovered.

References

Bengston, D.N. 2004. Listening to neglected voices—American Indian perspectives on natural resource management. *Journal of Forestry*. January/February: 48-52.

Bengston, D.N.; Sanchez, J.J. 2004. Hispanic American views on the stewardship of federal land management agencies: an exploratory analysis of the ethnic newswatch database. Proceedings of the Fourth Social Aspects and Recreation Research Symposium, February 4-6, 2004, San Francisco, CA. San Francisco: Department Of Recreation and Leisure Studies, San Francisco State University: 5-9.

Brennan, M.A.; Flint, C.G.; Luloff, A.E. 2009. Bringing together local culture and rural development: findings from Ireland, Pennsylvania and Alaska. *Sociologia Ruralis*. 49(1): 97-112.

Cajete, G. 2000. Native science: natural laws of interdependence. Santa Fe, NM: Clear Light Publishers.

Chavez, D.J.; Winter, P.L.; Absher, J.D. 2008. Recreation visitor research: studies of diversity. Gen. Tech. Rep. PSW-GTR-210. Albany, CA: U.S. Department Of Agriculture, Forest Service, Pacific Southwest Research Station.

Committee of Scientists. 1999. Sustaining the peoples' lands, recommendations for stewardship of the national forests and grasslands into the next century. Washington, DC: U.S. Department of Agriculture.

Council on Environmental Quality [CEQ]. 1997. Environmental justice, guidance under the National Environmental Policy Act. Washington, DC: Executive Office of the President, Old Executive Office Building.

Donaghue, E.M.; Sturtevant, V.E. 2007. Social science constructs in ecosystem assessments: revisiting community capacity and community resiliency. In: Laforteza, R.; Sanesi, G.; eds. Patterns and processes in forest landscapes: consequences of human management: proceedings of the 4th meeting of IUFRO working party 8.01.03 Locorotondo, Bari, Italy. *Society and Natural Resources*. 20: 899-912.

Fraser, R.F.; Gyawali, B.R. 2005. Blacks in space: land tenure and well-being in Perry County, Alabama: small-scale forest economics. *Management and Policy*. 4(1): 21-33.

Guyette, S. 1996. Planning for balanced development: a guide for Native American and rural communities. Santa Fe, NM: Clear Light Publishers.

- Johnson, C.Y.; Bowker, J.M.; Cordell, H.K. 2005. Acculturation via nature-based outdoor recreation: a comparison of Mexican and Chinese ethnic groups in the United States. *Environmental Practice*. 7: 257-272.
- Johnson, C.Y.; Bowker, J.M.; Green, G.; Cordell, H.K. 2007. "Provide it... but will they come?" a look at African American and Hispanic visits to federal recreation areas. *Journal of Forestry*. 257-265.
- Jojola, T.S. 1998. Indigenous planning: clans, intertribal confederations, and the history of the All Indian Pueblo Council. In: L. Sandercock. *Making the invisible visible: a multicultural planning history*. Berkeley and Los Angeles, CA: University of California Press: 100-119.
- Leatherberry, E.C. 2000. An overview of African Americans' historical, religious, and spiritual ties to forests. In: *Proceedings of the Society of American Foresters 1999 national convention; 1999 September 11-15; Portland, OR. SAF Publication 00-1*. Bethesda, MD: Society of American Foresters. 452-457.
- Li, C. 2003. A multi-ethnic comparison of service quality and satisfaction in national forest recreation. Unpublished Ph.D. thesis. PSW-00-CR-11272137-061. State College, PA: Pennsylvania State University. 140 p.
- Lim, S.H.; Bowker, J.M.; Johnson, C.Y.; Cordell, H.K. 2009. Perspectives on prescribed fire in the South: does ethnicity matter? *South. J. Appl.* 33(1): 17-24.
- Magill, A.W.; Chavez, D.J. 1993. Difficulties with multicultural communication. In: Ewert, A.W.; Chavez, D.J.; Magill, A.W. *Culture, conflict, and communication in the wildland-urban interface*. Westview Press.
- Marsinko, A.; Dwyer, J. 2003. African American and Hispanic American sportsmen in the north central region. In: Schuster, R., comp. ed. *Proceedings of the 2002 northeastern recreation research symposium*. Gen. Tech. Rep. NE-302. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, Northeastern Research Station: 28-32.
- Marsinko, A.; Dwyer, J. 2005. Trends in participation rates for wildlife-associated recreation by race/ethnicity and gender: 1980-2001. In: Bricker, K., comp. ed. 2005. *Proceedings of the 2004 northeastern recreation research symposium*. Gen. Tech. Rep. NE-326. Newtown Square, PA: U.S. Department Of Agriculture, Forest Service, Northeastern Research Station: 251-255.
- Murdock, S.H. 1998. The implications of future population change for natural resources in the United States: seminar on demographics and water for the USDA Forest Service.
- Pevar, S.L. 2002. *The rights of Indians and Tribes: the ACLU guide to Indian and tribal rights*. Third edition. Carbondale, IL: Southern Illinois University Press.

- Raish, C. 2000a. Environmentalism, the Forest Service, and the Hispano communities of northern New Mexico. *Society and Natural Resources*. 13(5): 489-508(20).
- Raish, C. 2000b. Lessons for restoration in traditions of stewardship and sustainable land management in northern New Mexico. In: Gobster, P.H.; Hull, R.B. *Restoring nature; perspectives from the social sciences and humanities*. Washington, DC: Island Press. 322 p.
- Raish, C.; Mcsweeney, A.M. 2008. Traditional ranching heritage and cultural continuity in the southwestern United States. In: *Multifunctional grasslands in a changing world, volume II; XXI international grassland congress; VIII international rangeland congress*. Beijing, China: Guangdong Peoples' Publishing House. 857 p.
- Salazar, D.J. 1996. Environmental justice and a people's forestry. *Journal of Forestry*. 94(11): 32-36.
- Schelhas, J. 2002. Race, ethnicity, and natural resources in the United States: a review. *Natural Resources Journal*. 42(4): 723-763.
- Smith, H. 2006. *A seat at the table: Huston Smith in conversation with Native Americans on religious freedom*. Berkeley and Los Angeles, CA: University of California Press.
- U.S. Department of Agriculture [USDA], Forest Service. 1990. *Critique of land management planning, vols 1-11*. FS-452. Washington, DC.
- U.S. Department of Agriculture [USDA], Forest Service. 2000. *USDA Forest Service interim strategic public outreach plan, reaching out to America*. FS-665. Washington, DC.
- U.S. Department of Agriculture [USDA]. 2003. *Civil rights impact analysis*. Departmental Regulation 4300-004. Washington, DC.
- U.S. Department of Agriculture [USDA]. 1997. *Environmental justice*. Departmental Regulation 5600-002.
- U.S. Census Bureau. 2000. *Census 2000*. Census 2000 gateway. <http://www.census.gov/main/www/cen2000.html>.
- U.S. Census Bureau. 2008. *2006-2008. American Community Survey*. <http://www.census.gov/acs/www/>.
- Wilhelm Stanis, S.A.; Schneider, I.E.; Chavez, D.J; Shinew, K.J. 2009. Visitor constraints to physical activity in park and recreation areas: differences by race and ethnicity. *Journal of Park and Recreation Administration*. 27(3): 78-95.

Wilkinson, C. 2004. Indian Tribes as sovereign governments. The American Indian Resources Institute Oakland, CA: American Indian Lawyer Training Program, Inc.

Winter, P.L.; Jeong, W.C.; Godbey, G.C. 2004. Outdoor recreation among Asian Americans: a case study of San Francisco Bay Area residents. *Journal of Park and Recreation Administration*. 22(3): 114-136.

Appendix A: Table 2, Statistical Summary for CRIA /EJ

See maps in Appendix B.

CRIA Statistics Summary by States with NFS Counties (Percent)
Compiled 09/14/2010

| STATE NAME | 2000 population | Percent Hispanic | Percent Black or African American | Percent Asian, Native Hawaiian, other Pacific Islander | Percent American Indian, Alaska Native | Percent some other race | Percent two or more races | Percent Female | Percent Children & Youth to age 21 | Percent below poverty level |
|--------------------|-----------------|------------------|-----------------------------------|--|--|-------------------------|---------------------------|----------------|------------------------------------|-----------------------------|
| Alabama | 860893 | 1.54% | 23.43% | 0.41% | 0.61% | 0.63% | 0.91% | 51.59% | 31.18% | 18.50% |
| Alaska | 452573 | 4.36% | 3.59% | 4.65% | 8.79% | 1.63% | 5.66% | 48.89% | 34.57% | 8.66% |
| Arizona | 4950891 | 24.45% | 3.13% | 1.96% | 5.07% | 11.25% | 2.84% | 50.11% | 32.43% | 17.97% |
| Arkansas | 1082256 | 4.71% | 5.13% | 1.14% | 1.04% | 2.28% | 1.66% | 50.73% | 30.71% | 17.26% |
| California | 23814992 | 36.66% | 6.51% | 9.24% | 1.05% | 19.17% | 4.59% | 50.17% | 34.07% | 15.14% |
| Colorado | 2758456 | 13.65% | 1.94% | 1.83% | 1.02% | 5.37% | 2.56% | 49.58% | 31.65% | 11.35% |
| Florida | 1526205 | 5.22% | 13.53% | 1.20% | 0.40% | 1.53% | 1.56% | 51.06% | 27.82% | 16.31% |
| Georgia | 910002 | 4.83% | 10.93% | 0.96% | 0.31% | 2.40% | 1.11% | 50.39% | 31.04% | 15.62% |
| Idaho | 1039737 | 5.57% | 0.46% | 1.09% | 1.24% | 2.63% | 1.86% | 49.83% | 34.44% | 13.67% |
| Illinois | 226569 | 1.69% | 8.44% | 1.10% | 0.30% | 0.64% | 1.19% | 50.18% | 30.16% | 18.79% |
| Indiana | 393203 | 1.77% | 1.49% | 1.58% | 0.22% | 0.83% | 1.01% | 50.64% | 32.36% | 14.05% |
| Kansas | 8959 | 18.75% | 0.65% | 0.57% | 1.02% | 11.02% | 1.64% | 51.29% | 35.67% | 8.29% |
| Kentucky | 745390 | 0.79% | 1.84% | 0.33% | 0.23% | 0.18% | 0.77% | 50.87% | 30.88% | 25.24% |
| Louisiana | 361175 | 2.03% | 29.48% | 0.71% | 1.24% | 0.72% | 1.40% | 51.13% | 33.67% | 19.16% |
| Maine | 54755 | 0.53% | 0.17% | 0.39% | 0.28% | 0.11% | 0.80% | 51.18% | 28.09% | 14.34% |
| Maryland | 29846 | 0.44% | 0.43% | 0.21% | 0.07% | 0.09% | 0.37% | 50.72% | 29.96% | 14.53% |
| Massachusetts | 206488 | 1.80% | 1.61% | 1.04% | 0.19% | 0.64% | 1.37% | 51.97% | 27.98% | 11.58% |
| Michigan | 829937 | 2.20% | 4.22% | 0.46% | 1.89% | 0.80% | 1.74% | 49.55% | 30.37% | 16.14% |
| Minnesota | 361223 | 0.77% | 0.57% | 0.54% | 4.97% | 0.20% | 1.35% | 50.49% | 30.14% | 13.69% |
| Mississippi | 1212509 | 1.71% | 30.55% | 0.85% | 0.34% | 0.60% | 0.83% | 51.25% | 33.50% | 19.77% |
| Missouri | 863055 | 1.54% | 2.87% | 0.93% | 0.65% | 0.57% | 1.49% | 50.63% | 31.64% | 17.81% |
| Montana | 672582 | 1.80% | 0.30% | 0.61% | 5.70% | 0.50% | 1.75% | 49.96% | 31.26% | 15.31% |
| Nebraska | 22084 | 2.06% | 0.39% | 0.31% | 2.24% | 0.71% | 1.46% | 50.57% | 32.68% | 13.48% |
| Nevada | 1964183 | 19.88% | 6.86% | 4.98% | 1.27% | 8.04% | 3.84% | 49.08% | 30.60% | 14.49% |
| New Hampshire | 158520 | 0.84% | 0.35% | 1.09% | 0.30% | 0.28% | 1.07% | 50.90% | 28.94% | 10.57% |
| New Mexico | 1369899 | 41.83% | 1.82% | 1.28% | 9.29% | 16.60% | 3.77% | 50.91% | 32.72% | 17.24% |
| North Carolina | 1646409 | 3.71% | 8.98% | 0.97% | 0.86% | 1.75% | 1.23% | 50.33% | 29.21% | 15.20% |
| North Dakota | 42639 | 0.72% | 0.22% | 0.19% | 4.71% | 0.16% | 0.82% | 49.10% | 32.46% | 9.40% |
| Ohio | 449958 | 0.60% | 1.87% | 0.47% | 0.34% | 0.16% | 1.09% | 50.93% | 31.73% | 18.89% |
| Oklahoma | 149105 | 3.31% | 3.39% | 0.22% | 17.87% | 1.37% | 6.38% | 50.78% | 32.82% | 21.87% |
| Oregon | 2894952 | 7.70% | 1.74% | 2.68% | 1.43% | 4.07% | 3.06% | 50.45% | 30.10% | 15.23% |
| Pennsylvania | 175789 | 0.58% | 0.67% | 0.30% | 0.20% | 0.19% | 0.48% | 50.53% | 28.17% | 12.14% |
| South Carolina | 1061856 | 2.23% | 30.23% | 0.88% | 0.26% | 0.91% | 0.97% | 51.18% | 31.61% | 17.38% |
| South Dakota | 184020 | 2.10% | 0.67% | 0.63% | 15.13% | 0.51% | 2.18% | 50.08% | 34.45% | 17.03% |
| Tennessee | 724403 | 1.08% | 2.25% | 0.46% | 0.26% | 0.38% | 0.86% | 51.32% | 27.39% | 16.95% |
| Texas | 975364 | 10.86% | 10.77% | 0.68% | 0.49% | 4.84% | 1.51% | 49.71% | 32.75% | 16.77% |
| Utah | 2233169 | 9.03% | 0.79% | 2.34% | 1.33% | 4.18% | 2.11% | 49.89% | 40.32% | 11.71% |
| Vermont | 296041 | 0.97% | 0.42% | 0.62% | 0.24% | 0.22% | 1.06% | 51.26% | 28.90% | 9.96% |
| Virginia | 1052268 | 1.20% | 3.68% | 0.74% | 0.18% | 0.43% | 0.81% | 50.71% | 28.26% | 13.18% |
| Washington | 4767295 | 7.07% | 3.59% | 6.59% | 1.66% | 3.65% | 3.72% | 50.25% | 30.81% | 11.87% |
| West Virginia | 388602 | 0.57% | 2.81% | 0.39% | 0.20% | 0.13% | 0.81% | 51.47% | 27.50% | 18.03% |
| Wisconsin | 267679 | 0.79% | 0.23% | 0.27% | 5.16% | 0.22% | 0.89% | 50.08% | 28.57% | 12.09% |
| Wyoming | 399637 | 5.42% | 0.39% | 0.54% | 2.59% | 2.15% | 1.66% | 49.67% | 32.68% | 9.77% |
| Grand Total | 64585568 | 19.60% | 6.17% | 4.77% | 1.72% | 9.74% | 3.13% | 50.27% | 32.50% | 15.19% |

Appendix B: Demographic Maps

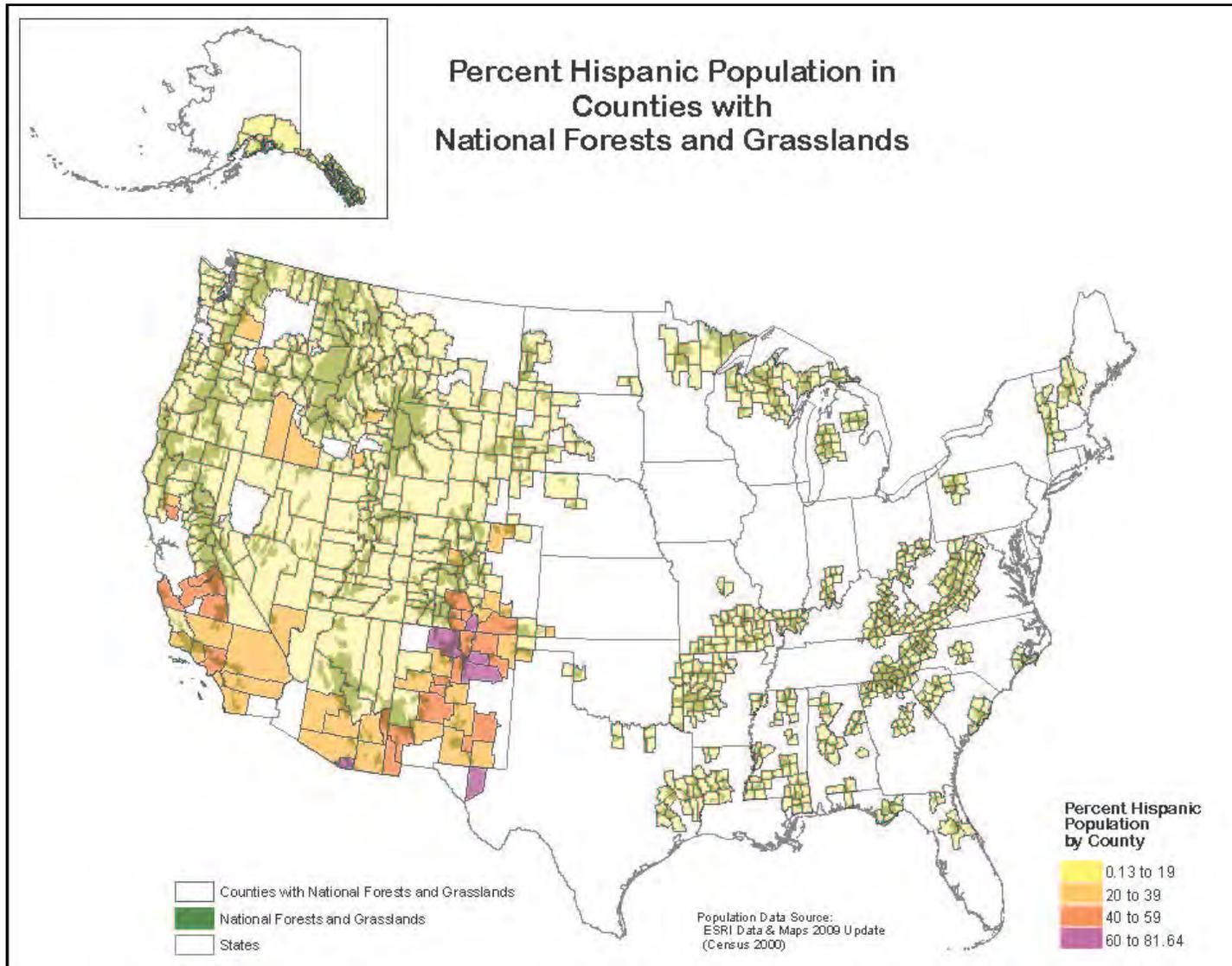


Figure 6. Percentage Hispanic population in U.S. counties associated with NFS lands.

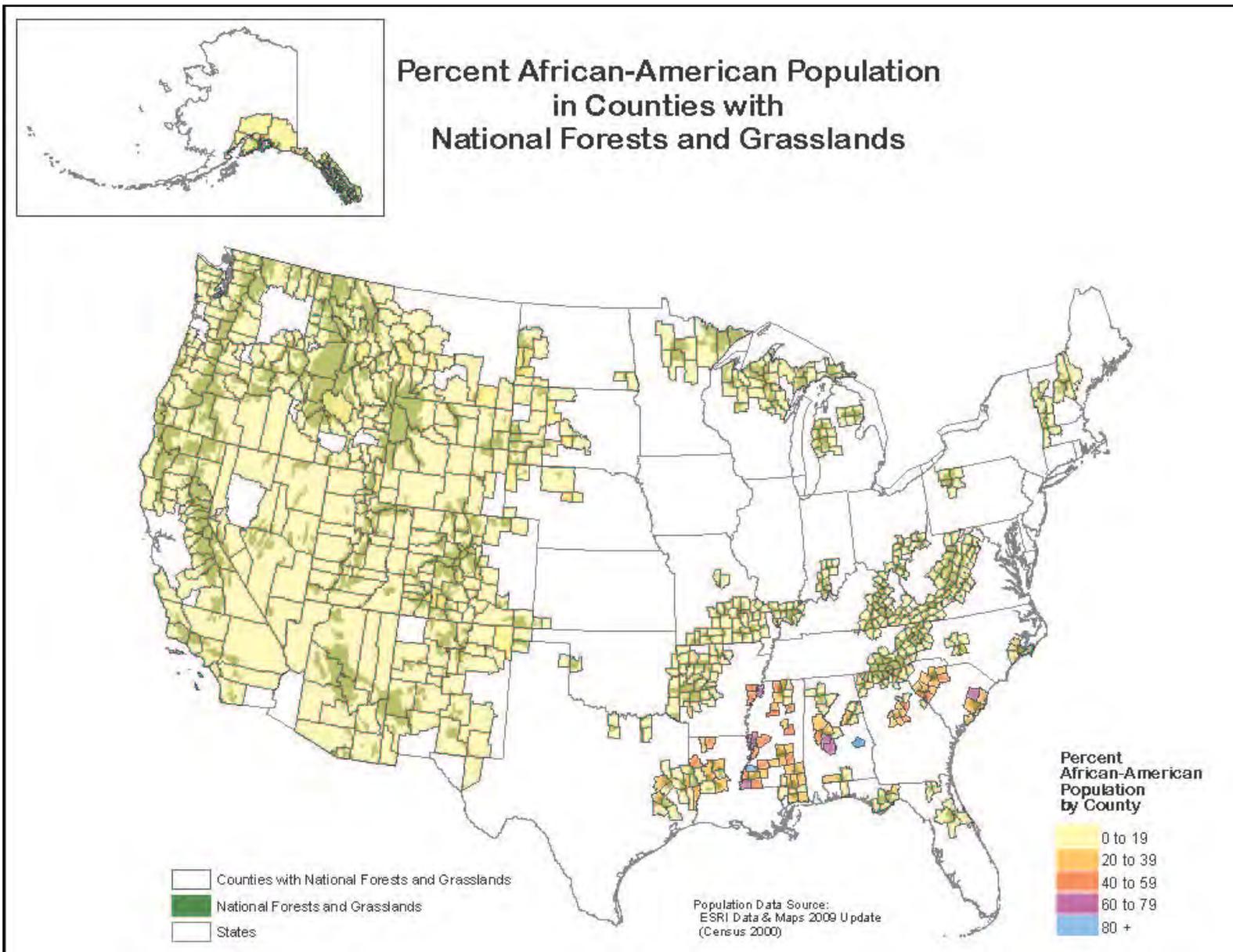


Figure 7. Percentage Black/African American in U.S. counties associated with NFS lands.

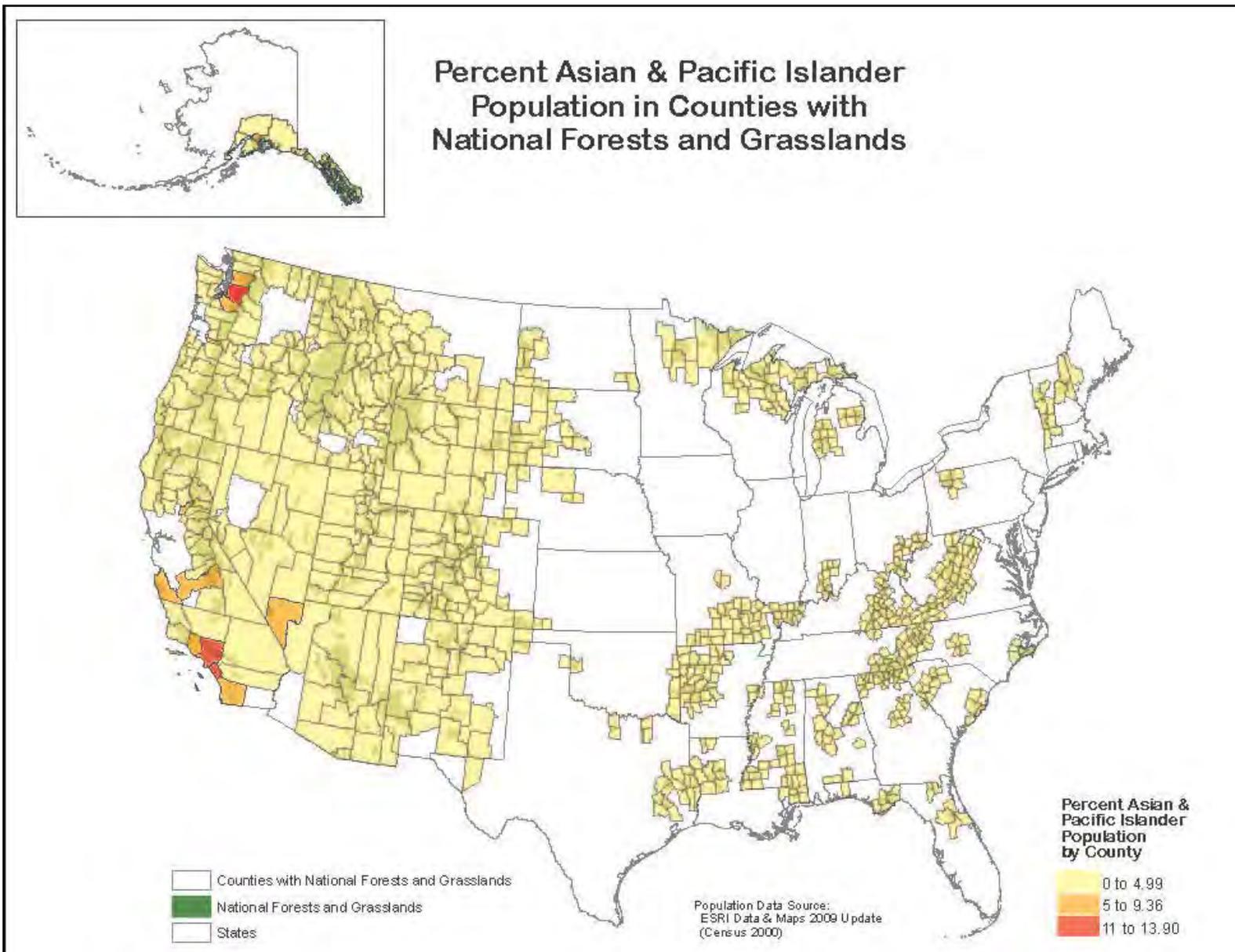


Figure 8. Percentage Asian and Pacific Islander in U.S. counties associated with NFS lands.

National Forests & Grasslands and Tribal Lands



AK Tribal Lands include:
Metlakatla Indian Reserve
Native Patent or IC
Native Selected
BIA
Data Source:
SDMS BLM AK 2010

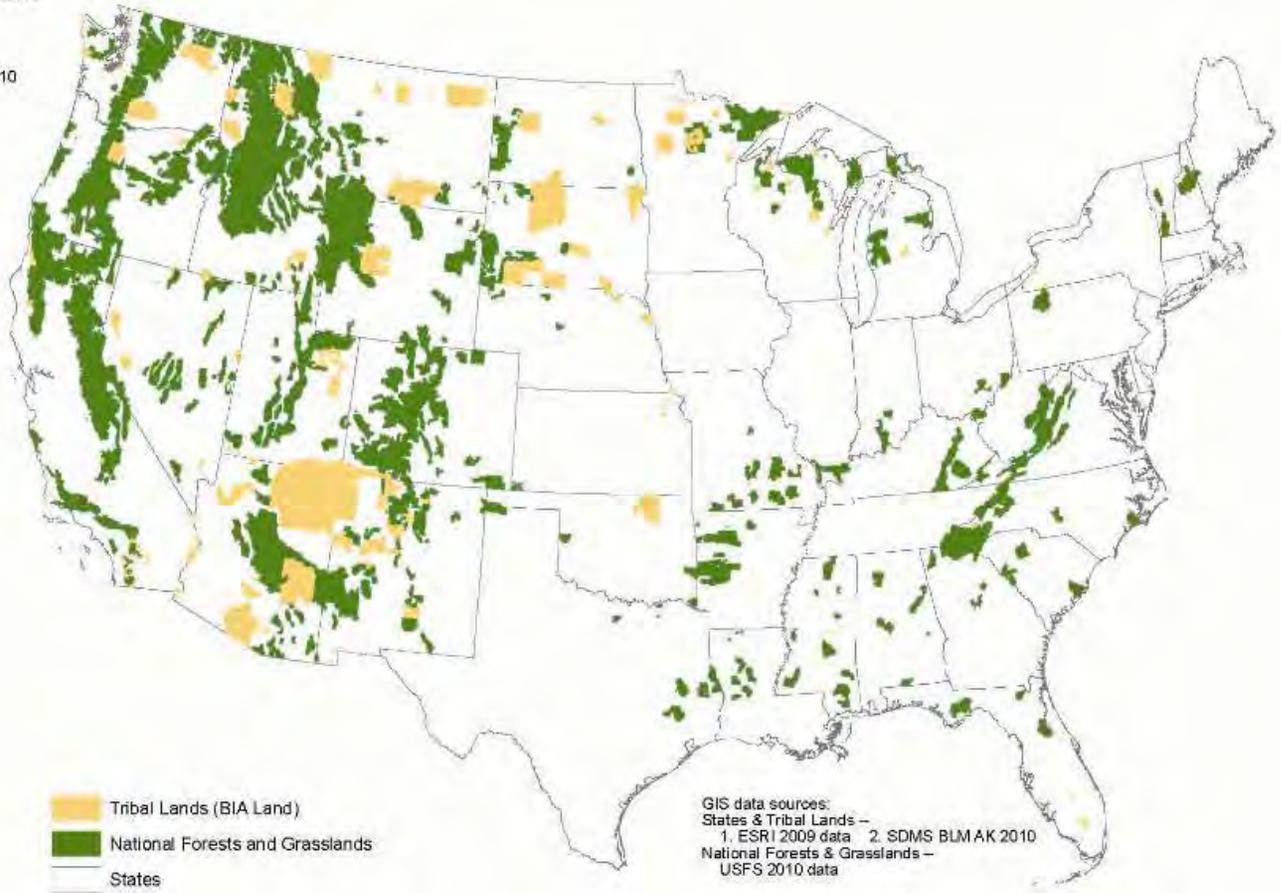


Figure 9. National Forest System lands and tribal Lands in the United States.

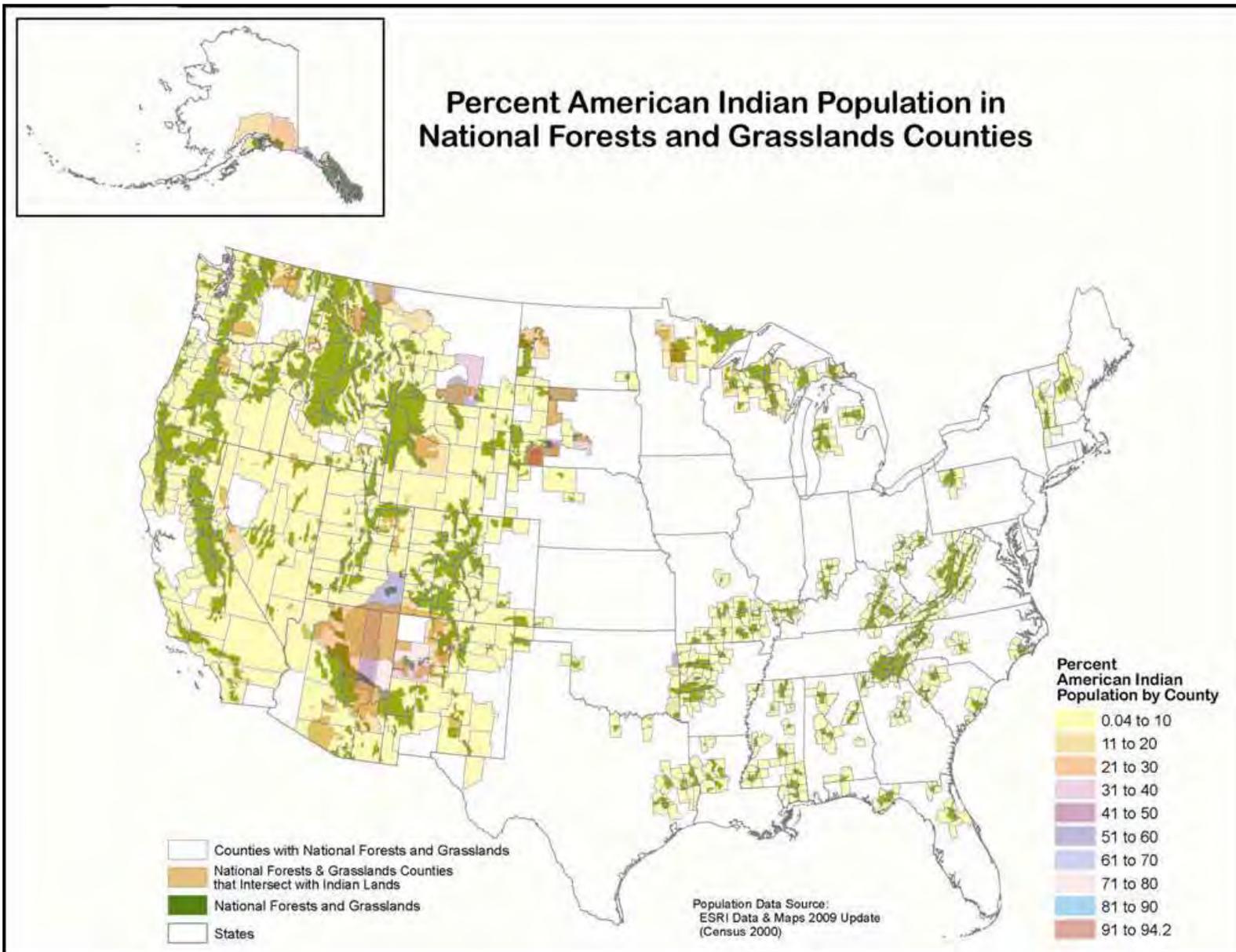


Figure 10. Percentage American Indian population within U.S. counties associated with NFS lands.

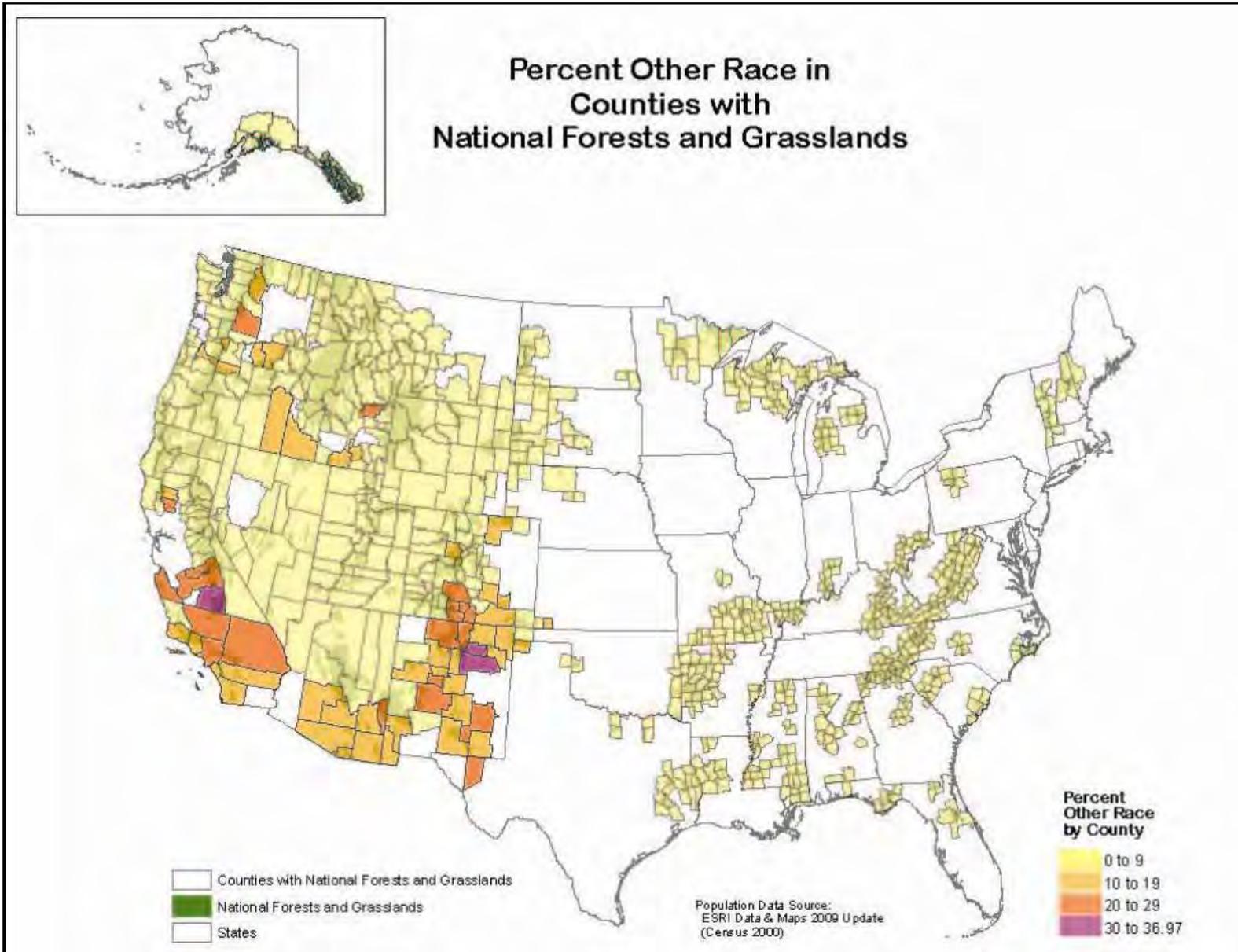


Figure 11. Percentage of population identifying themselves as a race other than those listed in the U.S. Census in U.S. counties associated with NFS lands.

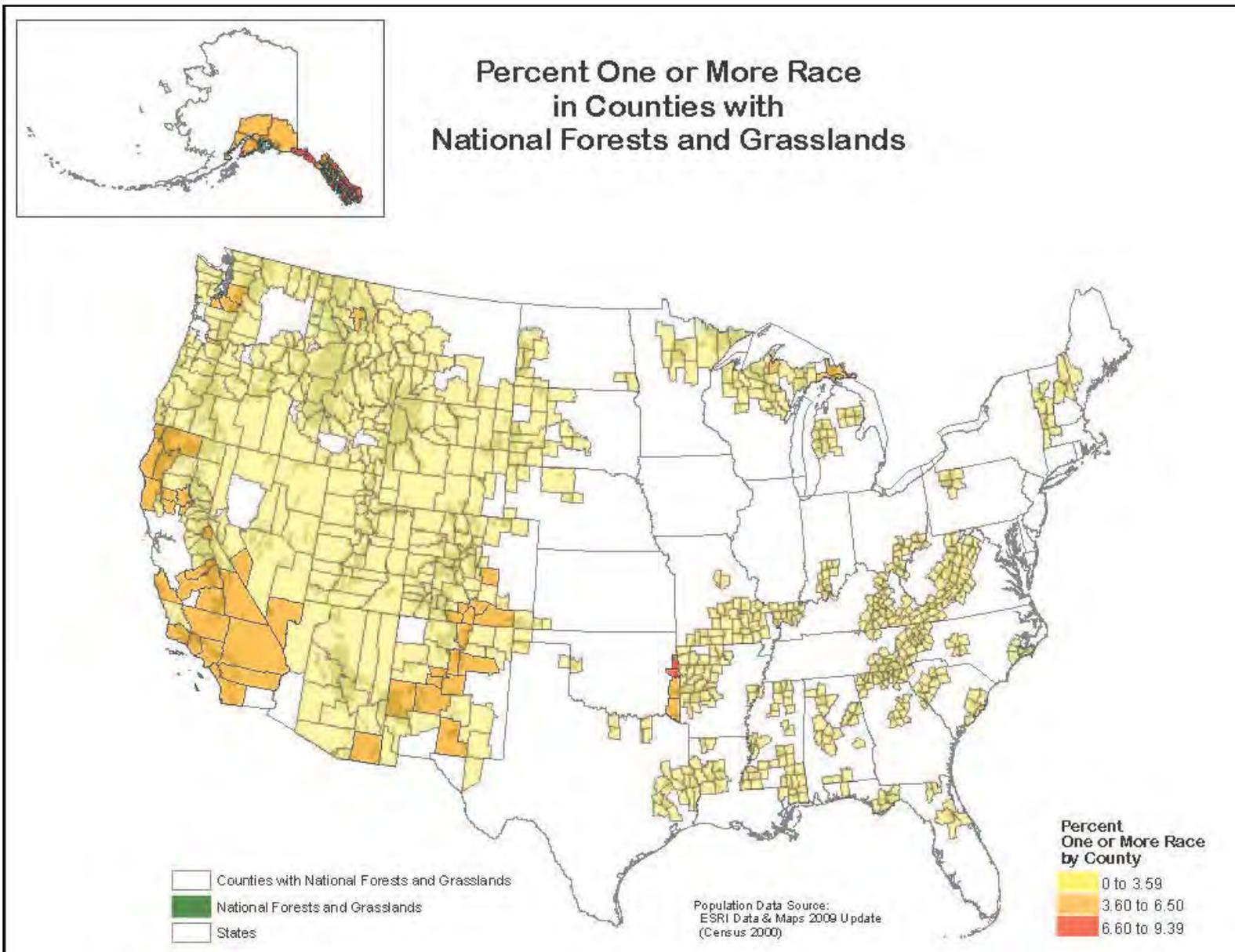


Figure 12. Percentage of individuals identifying themselves as more than one race in the U.S. Census categories in U.S. counties associated with NFS lands.