Public Forest Protection 101

• Public land protections
• Federal governance
• Law and policy
• On the ground
• Weighing in
• Public advocacy
• 201 follow-up

Your voice matters!
Protecting our Natural Treasures
Staving off ongoing threats and setbacks to public lands
What Percent of Oregon is Protected?

Protected
4%

Not Protected
96%
The Legacy of Past Logging
Threats to Public Lands

- Management plan revisions dismantle Northwest Forest Plan
- Timber sales that target some of our last older forests and impact threatened wildlife
- Efforts in Congress to weaken environmental laws
- Legislation in Congress to increase logging at the expense of water quality, fish & wildlife habitat, restoration, and public participation.
- Resource extraction and anti-wildlife advocates generating fear and misinformation in the public
“Resilient Federal Forests Act” (HR 2936):

A major threat to public lands across the nation

- Threatens bedrock environmental laws.
- Reduces public input and environmental analysis
- Mandates huge logging increases at the expense of healthy forests, wildlife habitat, real fuel reductions
- Makes forests less resilient to fires

- Rescinds protections for O&C forest lands, including existing Wilderness and the Cascade Siskiyou National Monument
- Elevates logging above all other uses of O&C lands
THIS LAND IS OUR LAND

#PROTECT PUBLIC LANDS
Direct your efforts to the right place

<table>
<thead>
<tr>
<th>What are you trying to influence?</th>
<th>Who is the best target?</th>
<th>What are your avenues for influence?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rules &amp; policy</td>
<td>Boards, agencies, commissions</td>
<td>Public hearings and meetings, written comments, oral testimony, join local boards or commissions</td>
</tr>
<tr>
<td>Laws &amp; regulations</td>
<td>Legislators</td>
<td>Town hall meetings, lobby visits, petitions, phone calls, ballot initiatives, run for office</td>
</tr>
<tr>
<td>Public opinion</td>
<td>Media, friends, general public</td>
<td>LTEs, opeds, social media, peer network, public forums, rallies</td>
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</table>
# Federal Government

<table>
<thead>
<tr>
<th>What entity?</th>
<th>Jurisdiction?</th>
<th>Additional Influence?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislators (elected)</td>
<td>Making laws that apply to federal public lands</td>
<td>State and county elected officials, local agencies</td>
</tr>
<tr>
<td>Congressional Committees</td>
<td>Decide which bills get hearings and how they get lumped together or amended</td>
<td></td>
</tr>
<tr>
<td>The President (POTUS)</td>
<td>Veto legislation, executive orders, use of Antiquities Act, recommendations to agencies</td>
<td>International agreements</td>
</tr>
<tr>
<td>Federal Courts</td>
<td>Deciding on matters of contested law, settling lawsuits</td>
<td>Agency direction</td>
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</tbody>
</table>
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<tr>
<td>Administration/Agency heads</td>
<td>Setting internal direction, creating high-level plans, implementing laws, setting policy.</td>
<td>President, experts for legislators</td>
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<tr>
<td>(appointed by POTUS)</td>
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<tr>
<td>- US Dept. of Agriculture</td>
<td>Forest Service</td>
<td></td>
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<tr>
<td>- US Dept. of the Interior</td>
<td>BLM, National Park Service, Fish &amp; Wildlife</td>
<td></td>
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<tr>
<td>Local agency offices</td>
<td>Implementing policies and plans. Site-specific analysis, planning, and decisions for on-the-ground activities like logging.</td>
<td></td>
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<tr>
<td>- National Forests</td>
<td></td>
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<tr>
<td>- BLM Districts</td>
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</tbody>
</table>
Not so simple..

The lines of command and influence are not always direct, and these different levels and entities can interact with each other in very complicated ways. A few examples:

- City or county elected officials weighing in on a proposed National Monument or Wilderness area sends a message to Congress about local support or opposition. Industry lobbyists and environmental groups often solicit these endorsements.

- Congressional Rep. DeFazio has weighed in on state law (HB4040) and local agency decisions (controversial timber sales).

- Federal courts can force agencies to follow the law, which can result in the President or Congress getting involved to change the law or direction, and the agency to do a big planning process and policy change (as in the case of the Northwest Forest Plan).
Federal Laws that Apply to Public Lands

• Protective laws like the **Wilderness Act** or **Wild & Scenic Rivers Act, Clean Water Act**
• **Endangered Species Act (ESA)** – requires plan for recovery of species, protection of habitat, mitigation of harm
• **National Forest Management Act (NFMA)** – applies to USFS
• **Federal Land Policy & Management Act (FLPMA)** – applies to BLM which require comprehensive management plans;
• **National Environmental Policy Act (NEPA)** - requires disclosure of environmental impacts, consideration of alternatives to a proposed action, and public input
Policy Highlight: Northwest Forest Plan

- Policies must integrate and comply with federal laws.
- Northwest Forest Plan is a policy for management of certain public lands in Oregon, Washington, and northern California.
  - Consists of 4 land allocations, which dictate what management actions can be taken in each type of area:
    - Late Successional Reserves (LSRs)
    - Matrix
    - Adaptive Management Areas (AMAs)
    - Riparian Reserves
  - And 3 mitigation measures/processes:
    - Watershed Analysis
    - Aquatic Conservation Strategy
    - Survey and Manage mitigation measures
Northwest Forest Plan Allocations
BLM's Resource Management Plans for Western Oregon

Laws that apply: FLPMA, ESA, NEPA, O&C Act

- Process begun 2012 with scoping, public input sessions.
- DEIS released in April 2015, with 90 day comment period.
- FEIS and Proposed RMP released April 2016, with 30 day protest period.
- Decision summer 2016.
- Appeals and litigation ungoing.

New management plan:
- shrinks streamside buffers,
- increases clear-cut style logging,
- reduces protections for wildlife.
NEPA Demystified (?)

• Requires all federal agencies to complete an analysis of the significant impacts of activities and weigh and consider alternatives to proposed plans.*
• Public agencies are legally required to consider public opinion in the development of plans and projects that impact the environment.*
• Project analyses must state a “purpose and need” for the project, and any alternatives developed must meet that purpose and need.
• Most analyzes must compare the effects of the proposed action and all reasonable alternatives, including the “no action” alternative.*
• The analysis must include direct, indirect, and cumulative effects of the proposed action as well as any “connected actions” that are closely related.*

*Agencies don’t always do a good job of this.
The NEPA Process

Initiate the planning process
- Develop a proposal
- Determine appropriate level of environmental review

Categorical Exclusion (CATEX)
- Is the Action outside the bounds of the possible CATEX?
- Are there Extraordinary Circumstances that merit further review?

Environmental Assessment (EA)
- Involve the public to the extent possible
- Will the Action have significant environmental effects?

Environmental Impact Statement (EIS)
- Issue Notice of Intent (NOI)
- Conduct public scoping and engage the public
- Publish Draft EIS for public review and comment
- Sign Record of Decision (ROD)
Levels of Analysis

- Environmental review under NEPA can follow one of three alternate pathways, which involve increasing levels of analysis and public involvement depending on how much impact they are likely to have:
  - **Categorical Exclusions (CE or CX):** A very rudimentary analysis that is used when the agency finds there are no “extraordinary circumstances” and if the proposed action falls under defined categories of activities.
  - **Environmental Assessments (EA):** A mid-level of analysis for proposals that are unlikely to cause “significant impact.” Most projects follow this path. One of the purposes of an EA is to determine whether effects might be “significant” thereby triggering an EIS.
  - **Environmental Impact Statements (EIS):** The highest level of analysis for proposals expected to cause significant environmental impacts.
What type of "projects"?

- Thinning
- Regeneration harvest
- Variable retention harvest
- Ecological forestry
- Pre-commercial thinning
- Fuels reduction
- Fire salvage
- Pipelines
- Hazard reduction
A clearcut by any other name...

• New style of clearcutting known as “variable retention harvest” piloted on BLM lands.

• Increasing across landscape under new BLM plan.

Buck Rising “VRH” sale logged in 2013
What type of “projects”?

- Stream restoration
- Road decommissioning
- Riparian thinning or restoration
- Invasive species treatments
- Prescribed fire
- Grazing
- Recreation trails & facilities
Common Sense Vision for Forest Management

- Protect all the remaining mature and old-growth forests.
- Focus efforts on ecological restoration of dense young forests, crumbling roads, degraded streams, weeds, and native fire regimes.
- Consider importance of intact forests on climate change, and ramifications of management.
- Reduce fuels where needed near homes and communities.
Weighing in matters!

Oregon Wild participation in 2016-2017:

• Commented on 224 projects (half of what we saw)
• Unquantifiable number of changes made through process to address our concerns
• Filed 35 objections, protests, or appeals
• 18 positive outcomes of challenges where changes were made to address our concerns
• Asked supporters to weigh in on a mere dozen proposals
Public Process Demystified

It’s about knowing when to plug in... And Oregon Wild does this on behalf of our supporters.

- Collaboration
- Scoping comments
- Public meetings/field trips
- Comments on draft proposal
- Objection to draft decision (USFS)
- Protest & appeal of decision (BLM)
- Resolution, litigation, or live with it
Your voice matters!

Our federal public lands are managed on our behalf by federal agencies that are required to make informed decisions and involve the public in the process.

Help us out!
Groups like Oregon Wild track and comment on projects across Oregon on a daily basis, and are happy to help people who care about their public lands get involved.
What else can you do?

• Alerts to organizational networks – raise awareness!
• Earned media – connect with reporters!
• Letters to the editor – people read them!
• Congressional action – doesn’t hurt to ask!
• Visit the place of concern – with friends!
Lost Creek Environmental Assessment
John’s Last Stand Timber Sale
What did folks do to save John’s Last Stand?

- Used the legal and public comment process.
- Did alerts to organizational networks and supporters to raise awareness.
- Got a story in local media outlet.
- Submitted letters to the editor.
- Asked Congressional representatives to weigh in.
- Led hikes for the public to visit.
- Protested at the timber sale auction.

Ultimately... it worked!
Thank you!

• How do you want to be more involved?
  – Public Forest Protection 201?
• Contact Chandra LeGue, Western Oregon Field Coordinator
  – cl@oregonwild.org
  – 541-915-2363
• Feedback appreciated!