

Legal, Regulatory and
Procedural
Framework for Sustainable
Management of
Forest Service Lands

IFWG

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Overview

Team Approach

- Background on California's National Forests
- Legal Framework for Management
- Procedural Framework-Public Involvement, Oversight and Quality Assurance
 - Land Management Planning -Ron Pugh
 - NEPA – Craig Snider
 - El Dorado National Forest-A Case Study- Laura Hierholzer
- Conclusions

What is Sustainable Management?

- “Meeting the needs of the present without compromising the ability of future generations to meet their own needs”
 - Brundtland Commission, Our Common Future, 1987

Lake Tahoe Basin Draft LMP

Sustainable Resource Management

Ecological

Biological Diversity

Aquatic Habitat

Terrestrial Habitat

T&E Species

Species of Concern

Air Quality

Water Quality

Soil Quality

Forest Structure and
Composition

Social

Scenic Quality

Recreation Values

Heritage Resources

Tribal Lands

Partnerships

Economic

Employment

Earnings

Recreation outputs

Commercial forest products

Renewable Energy

LTBMU Contributions to Sustainability

- Restore, sustain and enhance
 - Ecosystem and species diversity
 - Forests and vegetation
 - Physical resources
 - Community well being
 - Delivery of goods and services
- National Forest Systems
 - “Land of Many Uses”
 - Held and managed in public trust

Bottom line

Public Lands held in Public Trust

- National Forests are managed for the sustainable use and enjoyment of the public; protection of resource values
- Rigorous legal and regulatory framework for sustainable management of forest resources
- Management plans are developed in an open, public process that accommodates diversity of opinion, resolution of conflicts
- Resource management is complex, differences of opinion exist between scientists, managers, business and environmental leaders, interest groups
- Robust regulatory and judicial oversight

Framework for Environmental Compliance

Congressional Designation as National Forest Land



Laws, Regulations, Manuals, Handbooks

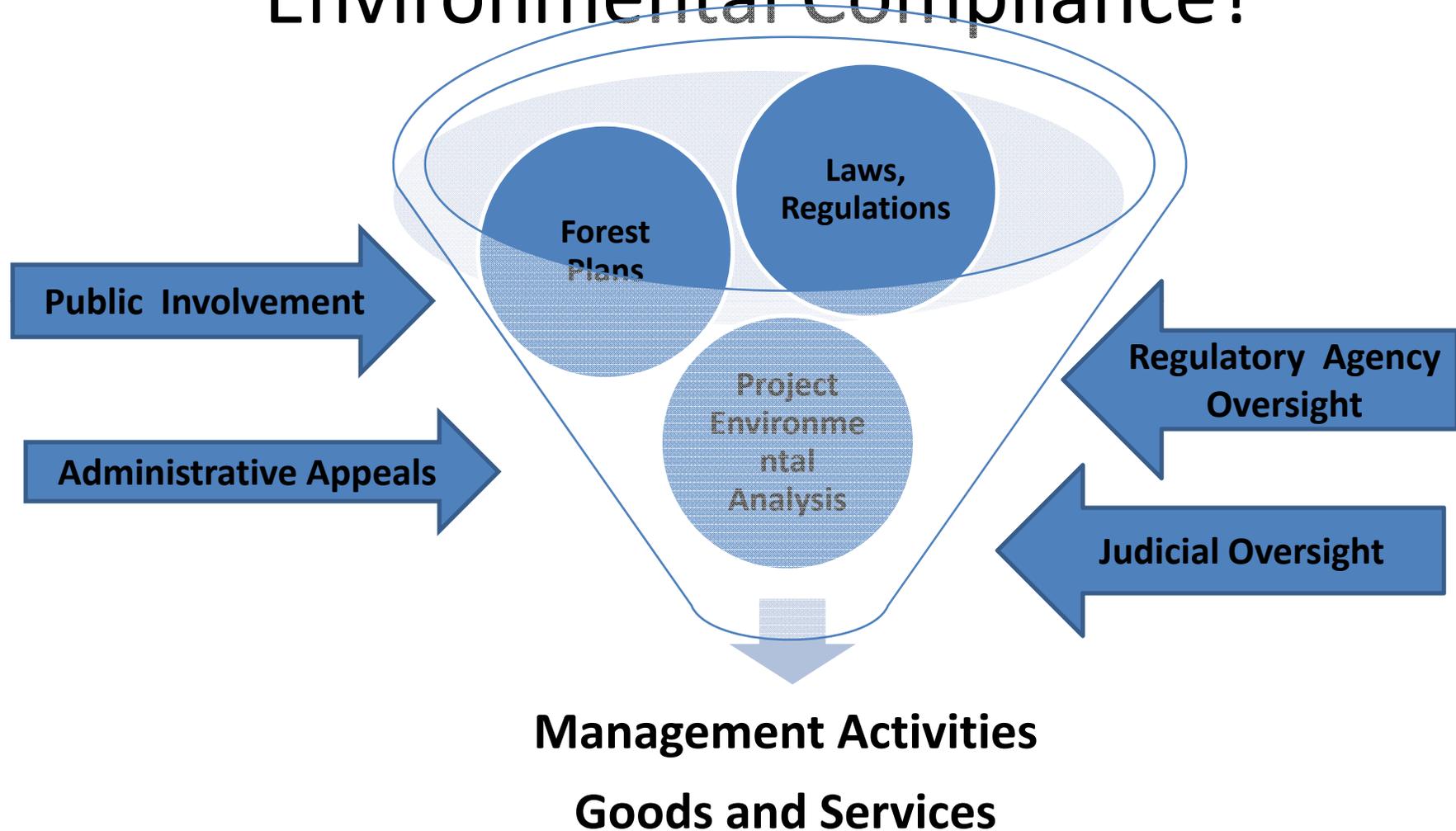


Forest Management Plans, Project Environmental Assessments



Public, Regulatory Agency and Judicial Oversight

How does the Forest Service assure Environmental Compliance?



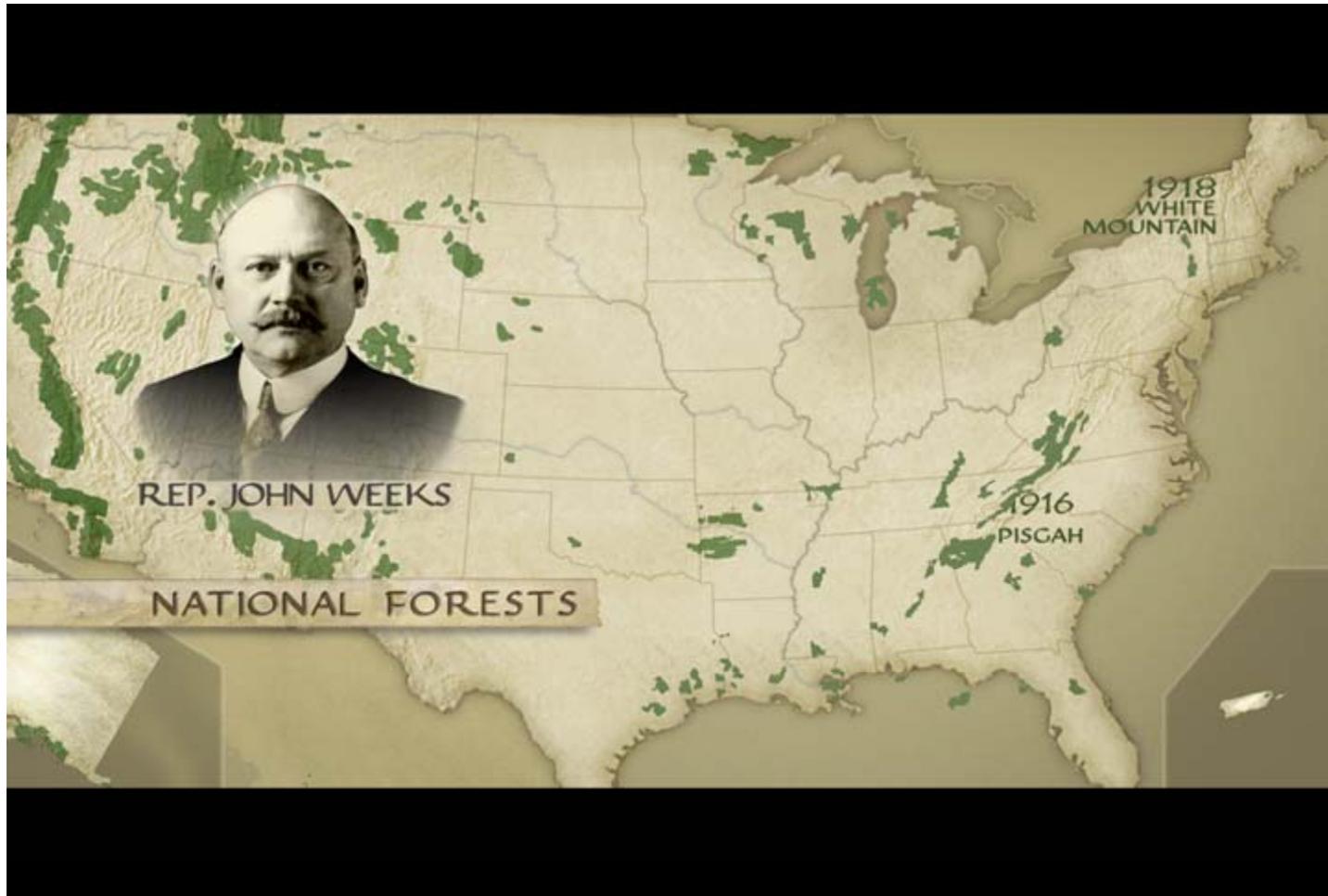
Legal Framework for National Forests Resource Management

- Organic Act of 1897
 - Formation of National Forests to “improve and protect favorable conditions of water flows and a continuous supply of timber for US Citizens”
 - Authority to permit use of timber and stone
 - Establishment of Western National Forests
- Weeks Act of 1911
 - Authorized FS to purchase and restore deforested lands
 - Establishment of Eastern, Southern and Lake States National Forests

National Forest Lands in the US



National Forests Lands in the US



National Forest Lands in California



20 Million Acres

18 National Forests

**1/2 of California's
Forest Lands**

Brief Overview of Laws Framing Forest Management Activities

- Establish the **framework for stewardship** of terrestrial and aquatic resources integral to National Forests
- Establish the **mandatory considerations** for resource management
- **Woven into all** planning, environmental analysis and **project design**
- **Agency is accountable** to regulatory agencies, public, judiciary in redeeming responsibility for sustainable stewardship consistent with laws

Top 12 Laws Framing NF Management

- **Organic Administration Act of 1897**
 - Authorized establishment of National Forests
- **Multiple Use Sustained Yield Act of 1960**
 - NF's established for recreation, range, timber, watershed, wildlife and fisheries
 - Sustained yield of products services
- **National Environmental Policy Act of 1970**
 - Consider and report environmental impacts

Top 12 Laws Framing NF Management

- Endangered Species Act of 1973
 - Listing, management of threatened and endangered species
- National Forest Management Act of 1976
 - Preparation on forest land management plans
- Federal Land Policy Management Act of 1976
 - Protect quality of full range of resource values

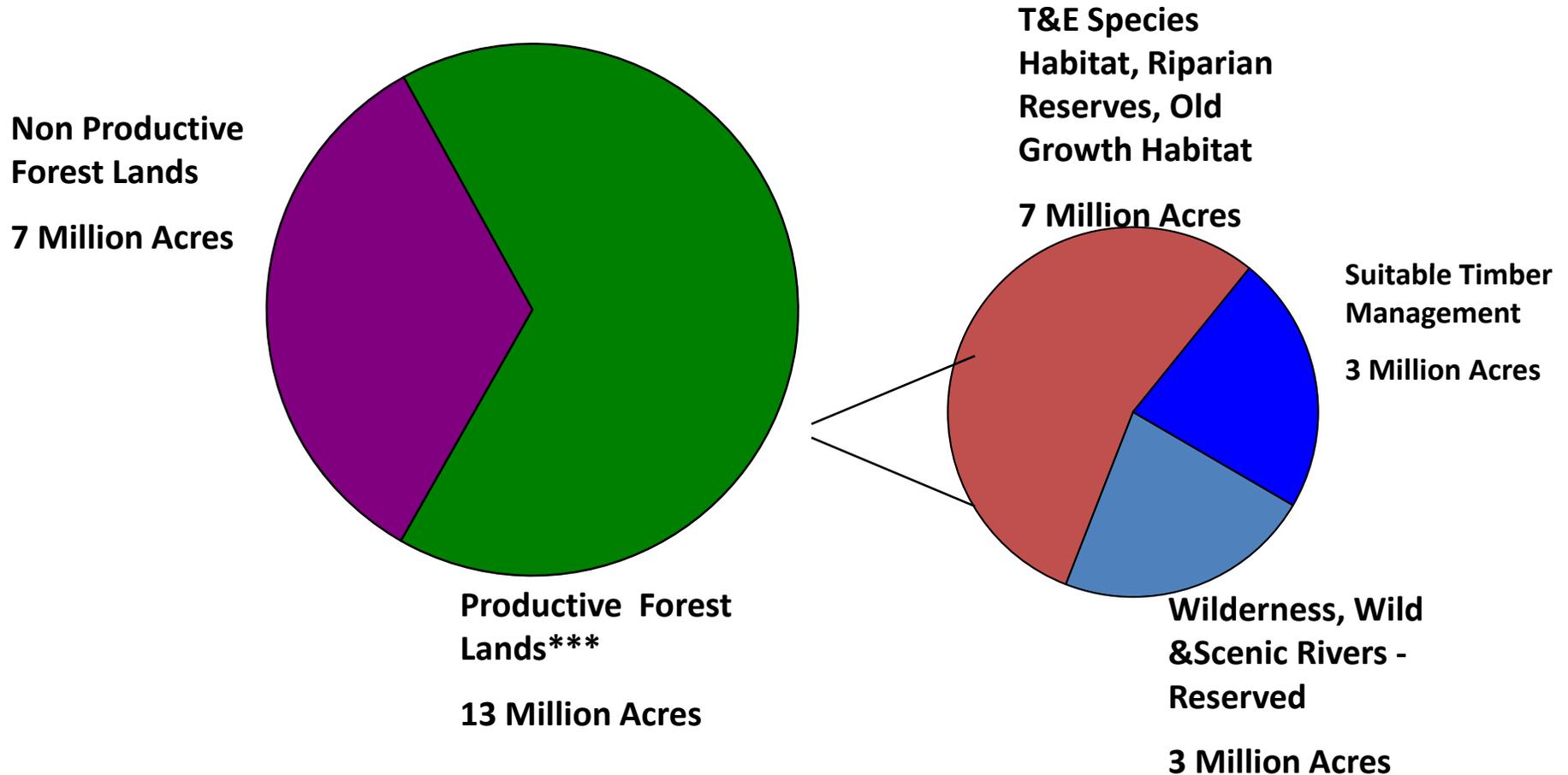
Top 12 Laws Framing NF Management

- Clean Water Act of 1948, 1972, 1987
 - Comply with state and federal pollution control standards
- Clean Air Act of 1977
 - Maintain, restore water quality
- Wilderness Act of 1964
 - Established National Wilderness Preservation System

Top 12 Laws Framing NF Management

- Wild and Scenic Rivers Act of 1968
- National Historic Preservation Act of 1966
- Public Rangelands Improvement Act 1978

R5 National Forest Land Allocations 20 Million Acres



***Productive Forest Land=Capable of 20 cubic feet of timber production/year

Putting It All Together

- How are Congressional intent, federal laws and regulations put into action on the 18 National Forests in CA?
- Two Tiers:
 - National Forest Management Act-Forest Land Management Plans
 - Ron Pugh-Deputy Director, Ecosystem Planning
 - National Environmental Planning Act-Project Level Environmental Analyses
 - Craig Snider-Regional NEPA Coordinator
 - Project Case Study-El Dorado National Forest
 - Laura Hierholtzer-EDNF Environmental Coordinator

Forest Land Management

Ron Pugh-Regional Planning Officer

- Purpose
- Process
- Timelines
- Outcomes
- Relationship to Sustainability

Project Level NEPA –

Craig Snider Regional NEPA Coordinator

- Purpose
- Relationship to Sustainability
- Process
- Appeals
- Decision Notice

Bounds of the NEPA Analysis

GHG Implications

Integration of Climate Change considerations

Project level Case Study

Summary

- Presented Legal Framework for Establishment of National Forests
 - Organic Act
 - Multiple Use Sustained Yield Act
- Outlined Principal Laws Framing NF Management and Protection of Resource Values
- Land Management Planning
- Environmental Analyses
- Case Study-How the process works

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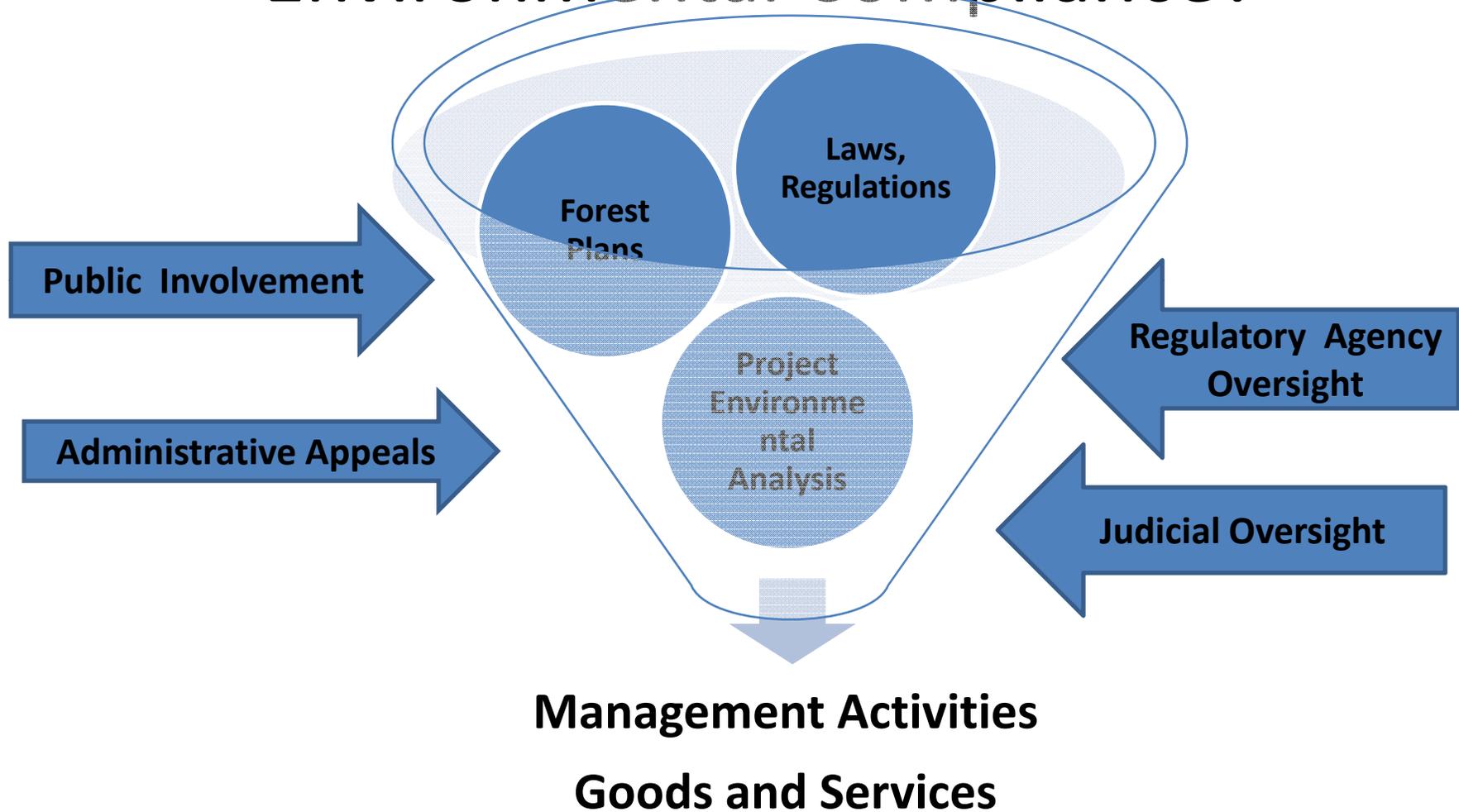
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How does the Forest Service assure Environmental Compliance?



Closing Thoughts

- Why are we doing this?
 - Concern that changed markets, might affect sustainability of National Forests resources
- Is it possible that biomass might drive NF management?
 - Virtually impossible to deplete
 - Laws, regulations, processes, procedures to assure sustainability
- FS sustainability issues re fire risk-need to manage, dispose of waste
- FS is interested in contributing to CA Renewable Energy Future
- ARB/LCFS incentives are important – WIN-WIN Opportunity

Existing Framework for National Forest System Management

- Fosters dialog
- Accommodates differences of opinion
- Accommodates introduction of emerging science, concepts in resource management
- Provides for resolution of differences in an open, public, responsible fashion
- Assures public resources managed sustainably and responsibly

Suggested Sustainability Test for National Forests

- Products derived from National Forest Lands under an approved National Environmental Planning Act (NEPA) project environmental analysis.

Thanks

Questions?

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