



Washington, DC Update

On January 20, with over 25,000 National Guard troops posted in Washington, D.C., Joseph R. Biden, Jr. was inaugurated as the 46th President of the United States. It capped a tumultuous year in U.S. politics with two impeachments of President Donald Trump, unrest and protests about racial equity, a contested Presidential election and an insurrection at the U.S. Capitol, and of course a global pandemic that has profoundly impacted all Americans. President Biden's desire to restore greater unity and civility will be challenging in a deeply divided nation and with a Senate impeachment trial set to begin on February 8.

Both the House and Senate continue organizing for the 117th Congress, with Democrats holding a narrow majority in the U.S. House and functional control of the U.S. Senate through the tie breaking vote of Vice President Kamala Harris. Senate Majority Leader Chuck Schumer (D-NY) and Minority Leader Mitch McConnell (R-KY) recently reached agreement on a power sharing agreement based on what occurred when the Senate was last tied 50-50 in 2001. This should pave the way for final decisions on committee assignments and subcommittee chairmanships, including a new chair of the Interior Appropriations Subcommittee.

House Democrats and Republicans are also in the process of finalizing their respective committee rosters. Eight Republican freshmen will join the House Natural Resources Committee, including Reps. Cliff Bentz (R-OR) and Matt Rosendale (R-MT). They will join other pro-forestry Republicans on the Committee like Ranking Member Bruce Westerman (R-AR), Rep. Russ Fulcher (R-ID), and Rep. Tom McClintock (R-CA). Bentz was also appointed to the Judiciary Committee and Rosendale will serve on the Veterans Affairs Committee. Democrats have yet to announce their assignments for the Natural Resources Committee, where Rep. Jared Huffman (D-CA) has been the only Democrat from the Northwest serving on the Committee.

Democrats in the House and Senate are eager to begin moving President Biden's legislative agenda, beginning with a \$1.9 trillion COVID relief measure. Republicans remain cool to aspects of the plan and it is unclear if Democrats can muster the 60 votes currently needed in the Senate. Democrats are likely to use the Budget Reconciliation process to overcome the filibuster since it allows for a simple majority vote. However, Democrats are limited in what can be moved through the Budget Reconciliation process. Key Democratic legislative priorities like a \$15 minimum wage, climate change, racial justice, and immigration reform likely fall outside the rules. The liberal Democratic base is likely to increase calls to scrap the 60-vote threshold for legislation, although Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) have both signaled their opposition to such a move.

Biden Administration. After just a week in office President Biden has signed more than three dozen executive orders, ranging from a mask requirement on federal property to a 60-day moratorium on new oil and gas leases on federal lands and water. The State of Texas recently challenged and scored a federal

court injunction of a Biden executive order suspending immigration deportations. The Western Energy Alliance recently announced it would challenge the oil and gas moratorium in federal court.

On January 20, the Biden Administration released a list of over 110 regulations and acts by the Trump Administration being reviewed “to address federal regulations and other executive actions taken during the last four years that were harmful to public health, damaging to the environment.” Included on the list were the National Environmental Policy Act (NEPA) reforms adopted by the White House Council on Environmental Quality last summer, as well as recent decisions by the Department of the Interior to reduce the Northern Spotted Owl Critical Habitat designation by 3.5 million acres (see next article) and reform the Bureau of Land Management’s broken timber sale protest process. A brief overview of key provisions in the final BLM timber sale and protest regulations [can be found here](#). We expect these and other decisions will draw litigation from anti-forestry groups.

While the “review list” isn’t exclusive, we are encouraged that the Forest Service’s modest NEPA reform package wasn’t included. The rule was the result of a nearly three-year process by career agency staff to expedite environmental analysis and decision making in support of the agency’s efforts to treat over 80 million acres of at-risk Forest Service lands. A legal challenge to the rule was filed on January 8, by the Southern Environmental Law Center and other groups (see related article in this newsletter).

The Forest Service worked with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to develop a proposed rule to address the Ninth Circuit’s 2014 *Cottonwood* decision, which threatens the ability of the Forest Service to implement forest management and restoration projects across the West and is spreading to other regions. The [proposed rule](#) was published in the Federal Register on January 11, 2021 and is open for public comment through February 11.

The *Cottonwood* decision remains a potent and effective litigation tool for anti-forestry groups to block critical forest health projects on federal forests, despite Congress’ bipartisan passage of a partial, legislative fix in the 2018 Omnibus. The proposed rule is narrowly tailored to complete the Omnibus fix and address the most problematic remaining factor – and is supported by a broad coalition of industry, wildlife and sportsmen’s groups, and local communities.

AFRC is working with the Federal Forest Resource Coalition to submit joint comments on the rule. Healthy Forests, Healthy Communities is also organizing a grassroots and coalition effort to generate comments urging the adoption of the proposal. You can submit a pre-drafted comment letter by visiting HFHC’s [action center](#). We’re hopeful that the Biden Administration will maintain the position of the Obama Department of Justice, which sought Supreme Court review of the *Cottonwood* decision, and finalize the proposed regulation. /Heath Heikkila

New NSO Rule Is a Step to Restoring the Promise of the Northwest Forest Plan

On January 15, the U.S. Fish & Wildlife Service published a [new designation](#) of critical habitat for the northern spotted owl. Under [section 4\(b\)\(2\)](#) of the Endangered Species Act, the Secretary of the Interior “may exclude any area from critical habitat if he determines that the benefits of such exclusion outweigh the benefits of specifying such area as part of the critical habitat.”

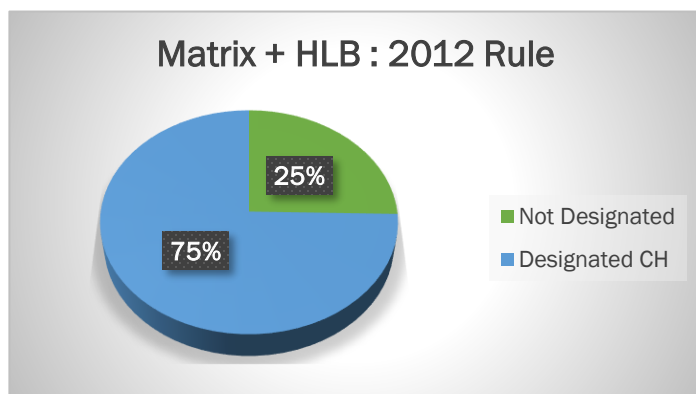
The new rule excludes approximately 3,472,064 acres, for a final designation of 6,105,279 acres. This is notably larger than the 2008 designation of about 5.3 million acres. It is also very similar to the 1992 designation and in fact designates *more* Forest Service acres than in 1992 (about 5.9 million acres vs. 5.67 million in 1992).

The new rule focuses on excluding lands designated for timber production under the O&C Act or Northwest Forest Plan (NWFP), in addition to Tribal lands in Oregon and the White Pass Ski Area. At least 1.1 million of the excluded acres are not habitat and are not occupiable by the owl.

2021 NSO Critical Habitat Exclusions	3,472,064 ac
<i>Unoccupiable Non-Habitat:</i>	<i>1,137,188</i>
O&C lands and Harvest Land Base	1,403,760
<i>Non-Habitat:</i>	<i>212,153</i>
USFS Matrix Lands	2,047,929
<i>Non-Habitat:</i>	<i>925,035</i>
Tribal Lands Subject to Western Oregon Tribal Fairness Act	20,177
White Pass Ski Area	211

(Source: FWS. Non-habitat numbers are AFRC estimates.)

A key component of the NWFP was the idea that Matrix acres would be available to support sustainable timber management, rural communities, and forest health. Of the roughly 24.5 million acres of federal land under the NWFP, 3.9 million acres were designated as Matrix. Despite the clear disparity in how the NWFP designated federal land, this designation of 16 percent of the land base to timber management was called a “[truce](#)” in the old “Timber Wars.” In 2012, the Service’s critical habitat designation broke the truce, by designating over 70 percent of the Matrix as critical habitat.



The Forest Service acknowledged that the Service basically rewrote the plan, [stating](#) “timber production is no longer emphasized on much of the NWFP matrix land because large areas of matrix have been designated as critical habitat for the northern spotted owl.” The Service has repeatedly conceded that the designation included substantial areas that are not owl habitat. It called these “areas anticipated to develop into suitable habitat in the future.” But they are not areas that the owl can use even if habitat were a constraint

on the species.

Just for the non-habitat in Matrix, AFRC consultants determined that the costs of these designations to the Pacific Northwest’s economy are up to \$1.2 billion. Benefits of exclusion include \$55 million in additional timber harvest in Oregon, which would generate \$70 million in state GDP and \$46 million in worker earnings. Across California, Oregon, and Washington, increased timber harvest results in benefits from exclusion of \$100 million in GDP, \$66 million in worker earnings, and 1,286 jobs annually.

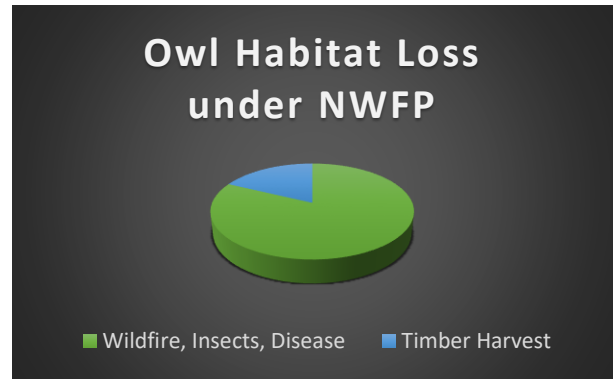
The disproportionate costs of the 2012 rule can’t be justified by the needs of the owl. In fact, the 2012 Rule, by frustrating active forest management, is directly contrary to the 2011 Revised Recovery Plan’s direction that managers need to actively manage forests to prevent destruction of habitat by wildfire.

Opponents of active management have made dubious claims that these exclusions would have negative consequences for the owl, citing a recent [status review](#) of the NSO which recommended “uplifting” from

threatened to endangered. These claims are not consistent with the best available science for several reasons.

Habitat subject to active management is not the limiting factor for the owl. The most significant factor is competition from the invasive barred owl.

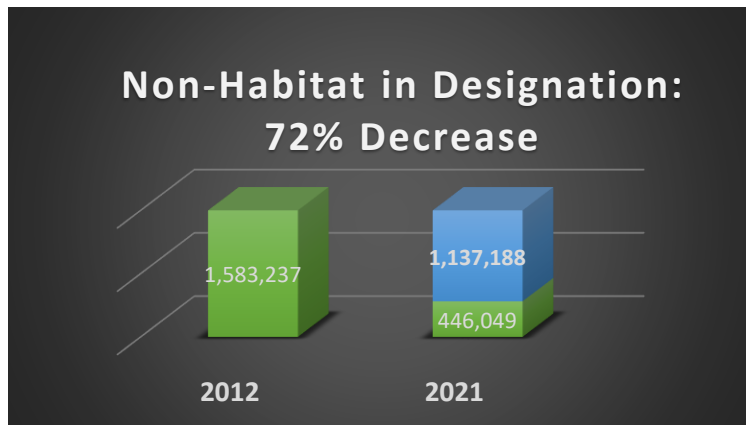
According to the NFWP [20-Year Monitoring Report](#), timber harvest has less than *one-tenth* the impact on habitat as insects, fire, and disease. That same report indicated that habitat gain from forest growth is *five times* habitat loss from timber harvest. Critical habitat designations and other restrictions are impeding needed management to implement the Recovery Plan for the owl.



Anywhere owls or their habitat are actually present is still subject to ESA consultation. Millions of acres are set aside in National Parks, wilderness areas, and public and private habitat conservation plans (HCPs) that are not included in critical habitat.

Moreover, it has been clear since 2018 that the previous rule was illegal. The unanimous Supreme Court *Weyerhaeuser* [decision](#) clarified, “Only the ‘habitat’ of the endangered species is eligible for designation as critical habitat.”

As the Court reasoned: “According to the ordinary understanding of how adjectives work, ‘critical habitat’ must also be ‘habitat.’ Adjectives modify nouns — they pick out a subset of a category that possesses a certain quality. It follows that ‘critical habitat’ is the subset of ‘habitat’ that is ‘critical’ to the conservation of an endangered species.”



The new rule also excludes O&C lands from the critical habitat designation. The O&C Act requires the subject lands to be devoted to “permanent forest production,” specifically mandating “the timber thereon shall be sold, cut, and removed in conformity with the princip[le] of sustained yield.” In 2019, the D.C. District Court confirmed that the O&C mandate is one to which ESA duties “simply do not attach.” The court overturned BLM’s 2016 resource management plan for unlawfully placing O&C lands into reserves

where the land is not managed for permanent forest production. The Service recognized here that the critical habitat overlay would essentially impose unlawful reserves on the O&C lands through the back door.

The 2021 rule is the culmination of over eight years of litigation. Unfortunately, it appears certain that litigation will continue. AFRC and our partners will continue to support rational measures to sustain the future of Northwest forests and rural communities. */Lawson Fite*

Forest Service Signs Final Decision on Eastside Screens Amendment

This month the Under Secretary for Natural Resources and Environment signed a [final Decision](#) authorizing a revision to the land management plans of six eastern Oregon and Washington National Forests (Deschutes, Fremont-Winema, Malheur, Ochoco, Umatilla, and Wallowa Whitman) pertaining to a standard known as the 21-inch rule.

This standard was one component of a unique section of those land management plans commonly referred to as the “Eastside Screens” that directs the Forest Service to maintain and enhance late and old forest structure where it is determined to be deficient on the landscape.

However, since its inception, the requirement to retain all trees over 21-inches in diameter has often conflicted with the intent of the standard to maintain and enhance late and old forest structure. Over the past quarter century, this has compelled the eastside Forests to repeatedly pursue project-specific amendments to the rule to attain the forest conditions the Screens directs them to attain. This conflict, along with 25 years of new science, prompted the Forest Service to pursue a replacement for the 21-inch rule that could be adaptable to the diverse forest conditions in eastern Oregon and Washington.

An Environmental Assessment (EA) published in August 2020 considered several alternatives to the 21-inch standard. This document included a “proposed” alternative that would replace the old standard with a guideline imposing new diameter limits and new age limits on tree removal. Labeled as the “Old Tree and Large Tree Guideline,” it includes diameter limits for tree removal ranging from 21-inches to 30-inches, depending on tree species, and an overarching age limit on tree removal of 150 years.

In a [news release](#) accompanying the decision, the Forest Service stated that “This decision will help us to better manage forests for wildfires and other disturbances, and to protect old trees that are hard to replace once lost.” An [Executive Summary](#) attached to the final Decision highlighted a monitoring component to the selected alternative that includes a provision to “snap back” to the old 21-inch standard: “The adaptive management framework consists of required monitoring of large trees, a measurable threshold for action, and a provision to return to a standard if the landscape is not moving in the right direction.”

In AFRC’s comments in response to the EA, we urged the Forest Service to adopt a different alternative labeled the “Adaptive Management” alternative. Selecting this alternative would allow the local Forests to adapt their silvicultural prescriptions to the unique forest conditions present on the forest stand proposed for treatment. The goal of enhancing and developing late and old structure would remain, but foresters would have more flexibility in designing treatments to get there.

Accordingly, the analysis completed in the EA, guided by the findings and conclusions from 186 scientific documents, concluded the following regarding the Adaptive Management alternative: “Management adaptability to project and site-specific conditions in order to maintain and develop more open Late and Old Structure will be *greater than all other alternatives* because tree selection would be based on project and site-specific desired conditions.” The signed Decision by the Under Secretary adopting a guideline that attains the overall intent of the Eastside Screens to a lesser degree than the Adaptive Management alternative is disappointing.

Despite the selected alternative’s shortcomings, the transition from a standard to a guideline could provide foresters with more flexibility in managing outside of the set parameters, yet still sends mixed messages to managers who may feel compelled to adhere to them as though they are firm rules. Most practicing

foresters will attest to the fact that effective management of diverse forest conditions guided by rigid parameters, whether they are diameter limits or age limits, is ultimately flawed.

Regardless of this outcome, AFRC is committed to assisting forest managers in eastern Oregon and Washington with using this new guideline as effectively as possible. In accordance with the regulation at 36 CFR 219.51(b), this Decision is not subject to formal objection because it was signed by the Under Secretary. /*Andy Geissler*

Environmental Groups Challenge Forest Service NEPA Regulations

On January 8, nine environmental groups filed a lawsuit in the Western District of Virginia challenging the Forest Service's [new NEPA regulations](#). Specifically, they challenged three Categorical Exclusions (CEs) as inconsistent with the Administrative Procedure Act and NEPA. These include CE 3 (allowing continued special uses), CE 24 (allowing construction and maintenance of up to 2 miles of National Forest System roads), and CE 25 (allowing restoration projects smaller than 2,800 acres, including timber harvesting). Generally, their claims assert that the Forest Service's newly developed CEs do not comply with NEPA because the agency failed to consider "important aspects of the problem;" reached conclusions contrary to the evidence; and otherwise failed to provide a satisfactory explanation for its conclusions.

Because the new rule relies on CEQ's updated NEPA regulations, the groups bring an as-applied challenge to those regulations as well. The Forest Service initially published an advanced notice of a proposed rulemaking in January 2019, setting forth several potential CEs designed to streamline NEPA compliance while carrying out the agency's missions. After CEQ's intervening NEPA regulations were published in July 2020, the Forest Service published the final version of its NEPA regulations in compliance with CEQ's new CE standards. CEQ's previous regulations required federal agencies to show, in developing a new CE, that the exclusion would not "individually or cumulatively" cause significant impacts. The 2020 revisions replace the former language, instead allowing new CEs for actions where significant impacts do not "normally" occur.

The groups' standing to challenge the Forest Service's new NEPA regulations is questionable, as a shift in the agency's review process under NEPA is procedural and does not create substantive rights. Much of their injuries appear too speculative for judicial review. The government's response to the complaint, due March 12, could shed more light on how the case will proceed. AFRC and our partners are considering legal options. /*Heidi Logan*

National Forestry and Wildlife Coalition Supports Forest Restoration in Indiana

On behalf of a coalition of 12 wildlife and forestry groups, AFRC submitted a proposed Amicus brief to the Southern District of Indiana in support of the Houston South Project on the Hoosier National Forest.

The project includes about 3,400 acres of hardwood harvest (6-8 MMBF) and significant work to clear out non-native pine plantations and regenerate white oak stands. Plaintiffs challenge the project's NEPA compliance and argue the consultation on the Indiana Bat was insufficient, thus requiring re-initiation of ESA consultation. This case could create positive precedent on



the issue of Forest Plan re-initiation of consultation as in *Cottonwood*. Since Indiana is in the [Seventh Circuit](#), a positive decision could create a “circuit split.”

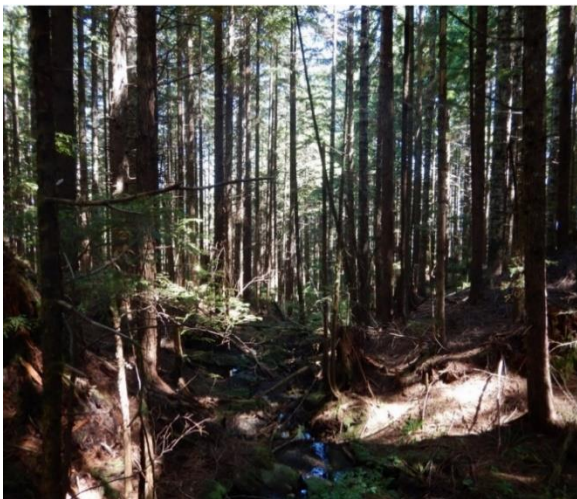
“This filing is critical for supporting a keystone project located in the heart of Indiana’s remaining ruffed grouse habitat range,” said Brent Rudolph, Ruffed Grouse Society & American Woodcock Society Chief Conservation & Legislative Officer, in a [joint press release](#). “The Houston South project is an important first step, but we have a long way to go in restoring ruffed grouse habitat. Young forest habitats on Indiana federal lands have declined 90% since 1986. Lawsuits and misunderstanding of the ecological importance of young forest habitat are the greatest barriers to the advancement of much-needed active forest management to sustain wildlife populations.”

“Through our extensive work on deer and habitat management across North America, we know that the Houston South Project would enhance ecosystem health and the habitat components critical for the region’s white-tailed deer,” added Torin Miller, the National Deer Association’s Director of Policy.

“Active forest management is critical to creating and maintaining healthy forests and quality habitat for wildlife, and we are pleased to join the amicus brief to support Indiana’s wildlife and hunting traditions that benefit from sustainable timber management,” said Jeff Crane, President of the Congressional Sportsmen’s Foundation. “We as hunters and anglers choose to be participants in the natural world that surrounds us. We take fulfillment, recreation, and food from the landscape and in turn we have to give back,” said Sam Shoaf, Indiana Backcountry Hunters and Anglers Board Member.

Other signatories to the brief included Federal Forest Resource Coalition, Indiana Forestry and Woodland Owners Association, Indiana Hardwood Lumbermen’s Association, Indiana Sportsmen’s Roundtable, the National Wild Turkey Federation, and the Porter County (IN) Chapter of the Izaak Walton League. The coalition is represented by AFRC and by Clark Johnson of Kaplan Johnson Abate & Bird LLP of Louisville, Kentucky. /*Lawson Fite*

AFRC Seeks to Defend the South Fork Stillaguamish Vegetation Project on the Mount Baker-Snoqualmie National Forest



In September 2020, North Cascades Conservation Council (NCCC) and Kathy Johnson, a member of NCCC, brought a [challenge](#) against the South Fork Stillaguamish Vegetation Project (SF Stillaguamish Project). This project is a large component of the Mount Baker-Snoqualmie’s timber program and will produce a total of 19.5 MMBF which was the Forest’s entire timber volume for Fiscal Year 2020, and the most amount of volume the Forest has offered in recent past.

The SF Stillaguamish Project encompasses 2,000 to 3,300 acres of commercial thinning, 1,060 acres of noncommercial thinning, and approximately 30 miles of road construction. There are three contracts associated with this project: The Bonanza Thin Timber Sale and the Mallardy Thin DXP Stewardship, which were awarded to Hampton Tree Farms, LLC; and the Green Grouse Stewardship awarded to Skagit Log and Construction, Inc.

The Darrington Collaborative is in strong support of the project because of the proposed restoration work. The thinning activities will enhance forest stand structure that will serve as habitat for old-growth dependent species, enhance vegetation diversity in riparian reserve area, and promote stand resiliency on the landscape. Thinning treatments would be applied on approximately 30 to 50 percent of the second-growth stands identified as a high priority for treatment to enhance development of late successional forest habitat. Project benefits also include road treatments, trailheads enhancements, aquatic organism passage upgrades, and invasive plants treatments.

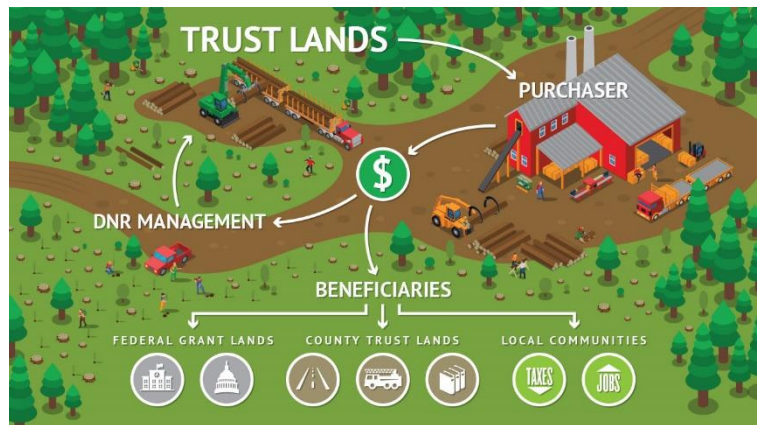
In response to the litigation, the Collaborative [issued a letter of support](#), noting the project provides “a balance between several important values on the Forest” and that the collaborative believes that “these treatments, over time, will increase the diversity, habitat value, and resilience of these stands and the landscape.”

The plaintiffs asserted five claims under NEPA and the National Forest Management Act. In particular, their National Forest Management Act claim has broad implications throughout Region 6 because they assert that the Forest Service failed to provide “monitoring information or analysis” of the effects on Management Indicator Species and failed to conduct project-level surveys for sensitive species and Survey and Manage Species.

On January 22, AFRC filed a motion to intervene on behalf of Hampton Lumber Mills-Washington, Inc., Hampton Tree Farms, LLC, and Skagit Log and Construction, Inc., explaining how the litigation would impact proposed intervenors’ economic and silvicultural interests in the project. If the court grants the motion to intervene, AFRC will file a cross-motion for summary judgment on March 1. /Sara Ghafouri

WCSN Launches New Website - DNRtrustlands.org

The Washington Communities and Schools Network (WCSN), in partnership with AFRC and Healthy Forests, Healthy Communities, has launched [a new website](#) related to DNR-managed state trust lands. WCSN advocates for ensuring the vitality and health of Washington’s State Trust Lands through active forest management benefiting the environment, communities, and the public. In particular, the goal of the new website is to serve as an awareness, educational, and resource platform for trust land beneficiaries such as school districts, fire districts, library systems and others.



A few of the key features of the website include a Trust Lands 101 page, a Sustainable Forestry page, and a Communities and Schools page. Additionally, there are resources for contacting elected officials and finding various reports related to the management of trust lands in Washington.

The [Trust Lands 101](#) page provides an overview of the trust lands and how they were acquired, the Board of Natural Resources, and the major guiding policy documents. The [Communities and Schools](#) page is intended to an overview of the economic benefits the beneficiaries and local communities receive from the management of these lands. The [Sustainable Forest Management](#) page is aimed at providing a high-

level introduction on sustainable forest management and trust lands. This page can also help define some of the forestry terms a website visitor may find in some of the management and policy documents linked from the website.

The Action Center page provides two means for beneficiaries and those who support active forest management to help advocate for active management of trust lands. The first is a “contact your elected officials' page” which provides easy links to contact the Commissioner of Public Lands, the Board of Natural Resources, and the legislature, who is the trustee of the trust. There is also an action alert page where in partnership with Healthy Forests, Healthy Communities, you can find key issues requiring engagement from the beneficiaries and the public in support of DNR’s fiduciary obligations.

We hope this website will provide a means for promoting beneficiary engagement in trust land management into the future. It can also be a tool to help inform new beneficiary representatives. Turnover on school boards, fire district boards, County Commissioners, etc. can often mean a new cohort of beneficiary representatives to inform and make aware of the benefits their organizations receive from these lands. /*Matt Comisky*

Washington Legislative Update

The Washington Legislature convened on January 11 for a 105-day session that is expected to run through April 25. This session looks very different due to COVID with the capitol campus closed to the public and most legislators participating virtually from their districts. So far, the transition to a virtual session has largely been smooth and has made it easier for the public to virtually provide testimony during committee hearings.

Legislative leaders have urged members to reduce the number of bills introduced due to the unique nature of this session and placed a priority on legislative responses to COVID, economic recovery, climate change, and racial equity. As usual, the primary objective of this 105-day “long session” will be passing operating and capital budgets for the 2021-2023 biennium. While the number of bills is down significantly, AFRC is actively engaged and tracking several legislative matters.

Wildfire/Forest Health Legislation. Commissioner of Public Lands (CPL) Hilary Franz is again championing legislation to create a dedicated account to provide additional funding for wildfire preparedness and forest health activities. The legislation, [House Bill 1168](#), received [a January 22 hearing](#) in the House Rural Development, Agriculture, and Natural Resources committee. AFRC is working closely with CPL Franz and prime sponsors Reps. Larry Springer (D-Kirkland) and Joel Kretz (R-Wauconda) to focus the legislation on increasing and prioritizing active forest management and promoting aggressive wildfire suppression policies during the peak wildfire season.

DNR is hoping to see a dedicated fund of about \$125 million a biennium to drastically increase wildfire preparedness and forest thinning and restoration efforts. In a departure from past years when a surcharge on all property insurance policies in Washington was proposed, the legislation does not currently propose a revenue source. CPL Franz and the sponsors did include several recommendations from AFRC in the legislation. We view the legislation as a key opportunity to highlight the need to significantly increase active forest management on federal lands through increased efficiencies and more cost-effective treatments. AFRC President Travis Joseph provided a supportive quote in the [DNR’s press release](#) on the proposal.

AFRC is also engaged in several other legislative initiatives:

- Proposed Cap and Trade legislation ([Senate Bill 5126](#)) and any potential application to the management of state trust lands and/or timber supply through forest offsets.
- DNR request legislation ([Senate Bill 5201](#)) to modernize advertising requirements for DNR timber sales. The bill will likely be amended to include a pilot for increasing cedar and hardwood timber sale volume from DNR lands.
- Pending legislation to provide DNR greater flexibility in the lease of commercial real estate holdings, property sales, and address technical issues related to road right of way agreements with the U.S. Forest Service.
- Ensuring DNR receives the funding needed to continue growing its Good Neighbor Authority program and the associated timber outputs from federal lands. /Heath Heikkila

OK-Wen National Forest Testing Condition Based Management



The Okanogan-Wenatchee National Forest is planning two large scale projects using Condition Based Management (CBM) in an attempt to address severe wildfire and forest health conditions more quickly and efficiently.

The Upper Wenatchee Pilot Project (UWPP) on the Wenatchee Ranger District and the Twisp Project on the Methow Valley Ranger District have a combined land base of nearly 150,000 acres, and both are employing the CBM method of NEPA analysis. While these projects are on two separate Ranger Districts, they are in close

proximity geographically and both Districts have been ravaged by wildfire and insects and disease over the past decade.

The Forest Service Handbook defines CBM as: *“A system of management practices based on implementation of specific design elements from a broader proposed action, where the design elements vary according to a range of on-the-ground conditions in order to meet intended outcomes. Condition-based management stems from the recognition that the environment is dynamic, changing as ecosystems respond to changing natural and human-caused events.”*

One big advantage of using CBM on the UWPP and Twisp projects is that both areas will see treatments over a long period of time, perhaps as long as 15 to 20 years. As mentioned above, the forest environment is dynamic and will change over this period and treatments should match existing conditions - not the conditions that were present a decade or more earlier. CBM is a way to meet NEPA’s requirements that provides the flexibility to implement projects while accounting for changing conditions on the ground over longer time spans.



In a conventionally planned project, the proposed treatment areas may already be defined and outlined on a map when it goes out for scoping. Following scoping input, the project then moves to a Draft EA or Draft EIS where treatment areas and unit boundaries are solidified, leaving little room for adjusting silvicultural prescriptions or unit boundaries to meet changing conditions on the ground.

CBM makes sense on the Okanogan-Wenatchee because the Forest is managed under the Northwest Forest Plan which identifies the land base in large blocks such as Matrix, Late Successional Reserves



(LSR), and Riparian Reserves where management strategies vary. Any actions taken in the LSR, for example, requires approval from an oversight group called the Regional LSR Working Group. If conditions change in the LSR such as a wildfire or insects and disease outbreaks, any changes and/or additional needed treatments could be made under this flexible approach with approval from the LSR Working Group.

Both projects are being analyzed by the North Central Washington Forest Health Collaborative which AFRC staff participates in. The lack of specificity regarding total acres identified for treatment, methods of treatment, roads needed for the project, and impacts to aquatics and terrestrial species are some of the issues the collaborative is wrestling with to get a level of comfort to support these efforts moving forward.

AFRC applauds the Forest for using CBM for planning these two large scale projects and for working with the collaborative to gain support. These two projects represent a good portion of the Okanogan-Wenatchee timber sale programs for the next five years and AFRC believes their support is justified. */Tom Partin*