



FORESTS FOREVER

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FOR IMMEDIATE RELEASE

December 14, 2006

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Forest Service takes a whack at NEPA *New rule excludes forest management plans from review*

The U.S. Forest Service will publish a new rule in the Federal Register this week that will allow it to exclude its forest management plans from the requirements of the National Environmental Policy Act (NEPA).

Every national forest has a forest management plan that governs land use decisions— what can be done, and where, within the forest. These plans must be rewritten every 15 years.

Up until now, the forest management plans and any updates to them were subject to the environmental review and public comment provisions of NEPA.

But under the new rule promulgated by the Forest Service, the plans will be categorically excluded from environmental review.

“Categorical exclusions were designed to exempt small, insignificant projects, like remodeling a ranger cabin,” noted Paul Hughes, executive director of Forests Forever.

“Now the Forest Service wants to exclude the planning documents for entire forests. This is a blatant misuse of the exemption, and one more attempt to keep agency activities hidden from the American public.”

The Forest Service claims that rewriting the plans does not actually implement changes on the forests, and therefore does not need an environmental impact

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statement or the opportunity for public comment required by NEPA. The agency claims that such reviews will be done when individual projects are proposed, and do not need to be performed for the forest management plans themselves.

Rep. Nick Rahall (D-WV), who will chair the House Resources Committee in the next session of Congress, points out that the recent history of the Forest Service makes it unlikely that proper NEPA review will be done at the project level.

According to a statement issued by Rahall's office, almost 72 percent of vegetation management projects on federal forests were exempted from NEPA review by categorical exclusion.

Rahall and Rep. Tom Udall (D-NM) have written a letter to the U.S. Department of Agriculture asking that the new rule be withdrawn.

Under the Bush administration, the Forest Service has expanded the use of categorical exclusions to "fuels reduction" projects and salvage logging. This rule is the first attempt to exclude entire national forests from NEPA.

"If no one stops the Forest Service," Hughes said, "it will end by categorically excluding its every function from review."