

# BUSH ADMINISTRATION RECORD ON AMERICA'S NATIONAL FORESTS

July 2004

The Bush Administration is rewriting the laws and regulations that protect our National Forests. The following chronology follows the Bush Administration's actions on forest issues and details the actual impact of each proposal.

When Bush Took Office	Bush Administration Actions on National Forests	Actual Impacts of Actions
	<b>ROADLESS AREA CONSERVATION</b>	
	<b>January 20, 2001</b>	
President Clinton establishes a rule to protect 58.5 million acres of the nation's roadless areas in National Forests. Protecting roadless areas is supported by over 1.5 million comments – or 95 percent of those commenting.	The Bush Administration delays implementing the Clinton-era rule (Roadless Area Conservation Rule) that prohibited most commercial logging and road-building in 58.5 million acres of National Forests.	When challenged by the timber industry, the Bush Administration opts not to defend the Roadless Area Conservation Rule.
	<b>June 9, 2003</b>	
	The Bush Administration proposes sweeping changes that would gut the Roadless Area Conservation Rule, endangering two of the crown jewels of the National Forest System—the Tongass and the Chugach in Alaska—and allowing governors to decide where new roads can be built on our National Forests.	The proposed changes would exempt 15 million acres of Alaska's national forests from the Roadless Rule's protections, including 9,000,000-acres of the Tongass National Forest, and would allow governors to choose whether their states participate in the Roadless Area Conservation Rule.
	<b>November 12, 2003</b>	
	The Bush Administration files a brief blocking citizens' rights to defend the Roadless Rule in the 10th Circuit Court of Appeals.	Citizens will be prohibited from trying to protect their National Forests from further road-building.
	<b>December 23, 2003</b>	
	The Bush Administration exempts the Tongass, America's largest National Forest, from the Roadless Area Conservation Rule – opening up a significant portion to new logging.	At the present time, there are approximately 50 timber sales scheduled in areas of the Tongass National Forest that were previously protected by the Roadless Rule.
	<b>July 12, 2004</b>	
	The Bush Administration announces their plan to overturn the Roadless Area Conservation Rule.	The Bush Administration plan will all but eliminate roadless area protections for America's last remaining unspoiled National Forests. Under the new scheme, governors will be forced to petition the federal government to protect each of the last remaining pristine forests in their states, but the Forest Service can still reject any petitions. This approach is, in truth, an outright repeal of the rule, that does not guarantee the protection of any of America's remaining roadless areas.

<b>REGULATORY CHANGES</b>		
<p>National Forest Management Act regulations require Forest Service to protect wildlife and involve public in forest planning.</p>	<p style="text-align: center;"><b>Proposed November 27, 2002</b></p> <p>The Bush Administration and Forest Service propose a new rule to implement the National Forests Management Act, diminishing public and scientific participation in the forest planning process and reducing protection for wildlife.</p>	<p>This proposed rule diminishes opportunities for public involvement, precludes environmental review of agency plans, and allows more wildlife habitat destruction.</p>
<p>The Forest Service must comply with the Endangered Species Act's consultation requirements to determine if logging would adversely impact endangered and threatened species.</p>	<p style="text-align: center;"><b>Proposed December 10, 2002 Finalized December 8, 2003</b></p> <p>The Forest Service will no longer consult with U.S. Fish and Wildlife Service to ensure that "hazardous fuels reduction" logging projects comply with the Endangered Species Act requirements, which mandate that proposals must not adversely impact or threaten species.</p>	<p>Using the threat of wildfire as a scare tactic, the Forest Service is allowed to ignore long-term logging impacts on endangered species' habitats.</p>
<p>Hazardous fuels reduction projects must undergo environmental analysis with accompanying public participation.</p>	<p style="text-align: center;"><b>Proposed December 16, 2002 Finalized June 5, 2003</b></p> <p>New Forest Service regulations allow hazardous fuels reduction logging to proceed under Categorical Exclusion, exempting any hazardous fuels reduction project from requirements of the National Environmental Policy Act (NEPA).</p>	<p>Expands the types of activities exempt from environmental review and expands the definition of hazardous fuels reduction projects, giving the Forest Service increased latitude for commercial and salvage logging. The new regulations allow the Forest Service to approve logging of up to 1,000 acres per project (or approximately 930 football fields) of green trees, with no limit on the total number of projects and without conducting environmental reviews. Fire "recovery" in burned areas of less than 4,200 acres can occur without environmental review.</p>
<p>The American public has the right to file comments and administrative appeals when the Forest Service conducts projects such as timber sales.</p>	<p style="text-align: center;"><b>Proposed December 18, 2002 Finalized June 4, 2003</b></p> <p>The Bush Administration and Forest Service adopt new regulations limiting the opportunity for Americans to comment on how their public lands are managed and to appeal controversial agency decisions.</p>	<p>These new regulations significantly diminish citizens' ability to participate in land management and timber sale decisions. Political appointees can exempt any project from comment and administrative appeal, and standing to appeal is limited to citizens who previously submitted "substantive" comments.</p>
<p>Forest Service regulations allowed Categorical Exclusion from some environmental reviews, for logging projects of up to 250,000 board feet or 1,000,000 board feet of salvage.</p>	<p style="text-align: center;"><b>Proposed January 3, 2003 Finalized July 29, 2003</b></p> <p>The Bush Administration adopts new Categorical Exclusions for logging, limiting public participation and bypassing environmental reviews.</p>	<p>The new Categorical Exclusions would allow up to 70 acres of live green trees or 250 acres of salvage logging to occur, regardless of the size of the trees. It would also allow the construction of 1/2 mile of new temporary roads without environmental impact assessments or a public comment process.</p>

<b>When Bush Took Office</b>	<b>Bush Administration Actions on National Forests</b>	<b>Actual Impacts of Actions</b>
<p>Congress authorized a limited number of pilot projects to test experimental stewardship contracting.</p>	<p align="center"><b>REGULATORY CHANGES</b></p> <p align="center"><b>Enacted February 13, 2003</b></p> <p>At the Bush Administration's urging, the Forest Service receives unlimited stewardship logging authority by Congress.</p>	<p>The Forest Service is allowed to trade an unlimited number of trees, located on public lands, as payment to logging companies for them to log public forests. This "goods for services" authority allows the Forest Service to pay logging companies with large, commercially valuable trees.</p>
	<p align="center"><b>CHANGES TO FOREST PLANS</b></p>	
<p>Under the Northwest Forest Plan's "Aquatic Conservation Strategy," logging and other activities were conducted in a manner that protected and restored water quality and habitat.</p>	<p align="center"><b>Proposed April 2, 2003</b> <b>Finalized March 23, 2004</b></p> <p>The Bush Administration overhauls The Northwest Forest Plan's Aquatic Conservation Strategy and makes water quality objectives inapplicable to logging projects.</p>	<p>The plan amendment dismantles a scientifically based framework that ensured protection of watersheds for salmon and other aquatic species.</p>
<p>Provisions included in the Northwest Forest Plan require surveys to determine whether certain rare or sensitive species are present—allowing time for logging plans to be adjusted to minimize harm to wildlife and old-growth forests.</p>	<p align="center"><b>Proposed May 23, 2003</b> <b>Finalized March 23, 2004</b></p> <p>The Bush Administration proposes major weakening of Northwest Forest Plan protections by eliminating the "Survey and Management" provisions, which require the consideration of logging effects on imperiled species.</p>	<p>The Bush proposal puts many rare species at greater risk of extinction and opens thousands of acres of old-growth forests to logging.</p>
<p>The Forest Service undertakes a court-ordered review of roadless areas in the Tongass National Forest for their potential as wilderness. Over 175,000 public comments strongly favored more wilderness protection.</p> <p>The Forest Service completes its revision of the Chugach Land Management Plan after a 5-year public process which included more than 30,000 public comments in support of wilderness protection.</p>	<p align="center"><b>Proposed May 16, 2002</b> <b>Finalized February 28, 2003</b></p> <p>After reviewing over 9 million acres of pristine wildlands, the Bush Administration recommends no new wilderness for the Tongass National Forest.</p> <p>The Forest Service reduces the amount of recommended wilderness on the Chugach National Forest to levels below that of the Reagan Administration.</p>	<p>Under this plan, the timber industry is allowed to log potential wilderness areas in the Tongass National Forest.</p> <p>The Chugach National Forest currently has no wilderness protection despite possessing high wilderness values such as pristine, undeveloped and roadless forestlands.</p>
<p>The Sierra Nevada Framework ensured sound management practices in 11.5 million acres of the Sierra Nevada National Forests.</p>	<p align="center"><b>Proposed March 19, 2003</b> <b>Finalized January 22, 2004</b></p> <p>The Bush Administration significantly changes the Sierra Nevada Framework to allow increased logging.</p>	<p>This proposal triples the levels of logging in the region and allows cutting of large, old-growth trees.</p>

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<b>WILDFIRE LEGISLATION</b>		
<p>Many Forest Service “fuel reduction” projects are essentially commercial timber sales located far from communities. The National Environmental Policy Act (NEPA) requires the Forest Service and BLM to consider reasonable alternatives to their proposed land management activities, including fuel reduction projects. The Appeals Reform Act allows citizens to file administrative appeals of final agency decisions. Citizens can also sue in federal court to seek judicial review of agency decisions.</p>	<p style="text-align: center;"><b>Passed May 20, 2003</b></p> <p>The House of Representatives passes the "Healthy Forest Restoration Act " (HR 1904), which fails to address what should be the first priority of any wildfire legislation -- community protection. The bill lacks specific requirements for money to be spent in the wildland-urban interface and would allow logging on millions of acres of backcountry. In addition, HR 1904 would weaken NEPA, eliminate administrative appeals, and undermine judicial review.</p>	
	<p style="text-align: center;"><b>Passed November 2, 2003</b></p> <p>The Senate passes its version of the Bush Administration's misguided Healthy Forest Initiative. At least 50% of funds must be spent near at-risk communities. However, with its focus on federal lands, the Senate bill will not guarantee protection of at-risk communities. Additionally, the Senate-passed bill does not provide adequate protections for old-growth trees and weakens both our independent judiciary and many time-tested environmental laws.</p>	
	<p style="text-align: center;"><b>Passed November 21, 2003 Enacted December 3, 2003</b></p> <p>The House and Senate give final approval to HR 1904 after congressional negotiators agree to changes in Senate bill that allow more logging farther from communities, reduce environmental analysis, and limit opportunities for public participation. President Bush signs the legislation into law.</p>	<p>The final law fails to adequately prioritize resources needed to protect communities from fire. Funding for fuel reduction projects will depend on annual appropriations. Citizens will have less opportunity to participate effectively in federal land management decisions and a limited ability to challenge ecologically damaging projects. Eliminating administrative appeals process could result in more litigation because citizens will be required to go right to court instead of through an internal review process.</p>
	<p style="text-align: center;"><b>Issued January 9, 2004</b></p> <p>The Forest Service publishes Interim Final Rule to implement the predecisional review process under H.R. 1904 (HFRA).</p>	<p>The Interim Final Rule allows the Forest Service to greatly reduce the amount of information available to the public, make it much more difficult for the public to have input on logging projects or to appeal projects, and attempts to reduce judicial review of projects beyond the underlying statute.</p>

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