

# Management Priorities on Public Lands

Presentation to the Federal Lands Interim Committee  
of the Idaho Legislature  
Boise, Idaho  
October 28, 2013

Vincent Corrao, President  
SAF Certified Forester Lead Environmental Auditor  
Northwest Management, Inc.  
233 Palouse River Drive  
Moscow, Idaho  
[corrao@nmi2.com](mailto:corrao@nmi2.com) 208-883-4488

Providing A Balanced Approach to Resource Management



# National Views of Federal Land Management

- Secretary of Agriculture Tom Vilsack in Seattle (2009) commented: “a complete commitment to restoration and an All Lands Approach to Forest Restoration”
- Retired USFS Chief Dale Bosworth at the National SFI Convention (Sept 2013), stated “federal land management is not a fire problem, it is a management problem, and more funding is not the answer. It is how the funding is being spent”
- Retired USFS Chief Jack Ward Thomas to the U.S. House of Representatives, (Sept. 2000)- “there is an opportunity that can be exploited by an Administration in power. That is the simultaneous revision of the regulations of the land management and regulatory agencies. The purpose of those revisions would be to “streamline” processes and ensure maximum possible efficiency”
- National Assoc. of Forest Service Retiree’s -Barry Wynsma U.S. Forest Service Collaboration Process: Solution or Sham (2013) comments included “HFI (2003), HFRA (2007), and CFLRA (2009), are not working, collaboration won't reduce analysis paralysis, appeals and litigation”

# Idaho's Continuing Efforts on Public Land Management

- Work began in 1996 to address the situation through the PAG and the "History and Analysis of Federally Administered Lands in Idaho" completed in 1998
- Federal Lands Task force Working Group "Breaking the Gridlock" completed in 2000
- Efforts in the collaborative Clearwater Basin Collaborative and others--on going
- Charter Forest and Trust Law initiatives
- Efforts to have State of Idaho manage and/or take ownership of federal lands in past and HCR-21.

# Key Recommendations from Past Efforts

- 1998 PAG report identified land leasing as a potential as federal lands are leased today for oil and gas exploration, livestock grazing, utility corridors, and ski resorts
- 2000 “Breaking the Gridlock Report” recommended 5 Pilot Projects none of the projects recommended state management, state control or state ownership
- “Breaking the Gridlock Report” recommendations included Trust law framework with public values, local governments and a “Local Advisory Council”
- Key recommendations were to address the uncertain decision making, destabilization of resource communities and deterioration of environmental quality on federal lands

# What Do We Have Today to Address Federal Land Management?

- National Fire Plan 2000 - the Wildland Urban Interface (WUI) where thousands of acres adjacent to rural and urban communities were to be prioritized
- Healthy Forest Initiative (HFI 2003) and the Healthy Forest Initiative Restoration Act (HFRA 2003)
- Collaborative Forest Landscape Restoration Act (2009)
- Stewardship Contracting (2003)
- Tribal Forest Protection Act (2004)

# New Initiatives Addressing Federal Land Management

- **National Cohesive Wildland Fire Management Strategy**-Restoring & maintaining resilient landscapes, creating fire adapted communities, respond to wildfires a multi-agency effort
- **Anchor Forest Concept**-provide a environmentally sustainable supply of timber to maintain infrastructure to treat forest health and restoration needs -an effort put forward by the Intertribal Timber Council
- **Good Neighbor Authority**-allows the Forest Service to delegate to State Foresters implementation of certain forestry projects on federal lands
- **Ecological Restoration Policy** in Forest Service Manual (FSM) 2020. The proposed policy would provide broad direction for restoring National Forest System lands and associated resources to achieve sustainable management and ecological integrity

# What are the Barriers to Success

- Legal issues of the NEPA and ESA process, appeals, and litigation remain key barriers
- Key USFS managers and planners are constantly moving job locations every 2-3 years making efforts in this multi-year process very difficult and in many cases nearly impossible.
- Champions are needed in the federal leadership to advocate the needs of management on federal lands
- Federal expertise to manage large scale multi-resource activities has been eroded in many areas
- Climate change will continue to negatively impact forest ecosystems and increase carbon into the atmosphere

# Future Considerations

- Federal interest in landscape management (collaborative, Anchor Forest Concept, Good Neighbor Authority, etc.) could be platforms for State management with federal lands in a cooperative effort
- NF designations of land allocations (reserved vs. active management) often identify 2 to 25% of the NF as available for active management, these lands could be the key to begin moving in a pro-active manner
- Explore the lease option to manage federal lands identified for active management on National Forest & BLM
- Consider expanding Forest Stewardship Contracting, HFRA and WUI treatments, Good Neighbor Authority, and Local Advisory Councils with Charter Forest and Trust Law initiatives
- Climate change, poor forest health and lack of management will have the same results as recent past--larger fires and more deteriorating forest

# Major Hurdles

- Expecting the State of Idaho or anyone else to manage federal lands under the existing laws, at best will be very expensive and will have similar results as recently experienced, if there are no changes in laws
- Lands identified for active management must be able to work through the necessary environmental review without frivolous appeals and litigation
- All interested stakeholders must participate and engage in the planning process; if not, the right to appeal after all the hard work is invested by collaborative and stakeholders is lost and is a disincentive to participation in the process
- Federal managers must champion their position as the leadership has identified - that the forest health and restoration of the landscape are needed and make the commitment to stand with their positions and have science and resource experience direct the process as many USFS Chiefs have identified

# FEMA's Statutory Authorities-Section 406 Stafford Act

- A review of FEMA's Statutory Authorities to evaluate whether the procedures could be applicable to the unhealthy forest conditions that are contributing to the large wildfires, which are expected to become larger with lack of management and climate change
1. The Stafford Act waives NEPA procedures for certain Federal actions taken or carried out within a Presidentially declared emergency or disaster area. Specifically Section 316 (42 U.S.C. 5159) exempts the following Federal actions taken by FEMA<sup>1</sup> from required NEPA analysis
  2. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) provides the statutory authority for Federal disaster response activities and for FEMA's disaster assistance programs for a community's recovery. The complete text of the Stafford Act is at <http://www.fema.gov/about/stafact.shtm>. More information on FEMA's environmental planning and historic preservation (EHP) program, including FEMA environmental planning and historic preservation review process for Stafford Act related actions is available at <http://www.fema.gov/plan/ehp>