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Tongass may use Reagan-era rule to revise management plan

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Under pressure from environmentalists, the Forest Service is considering bypassing its controversial new planning rule when it begins to update the management plan for Alaska's Tongass National Forest later this year.

Published in January 2005, the new planning rule directs forest managers to develop management plans more broadly and relieves officials of the requirement to manage areas for the protection of particular plants or wildlife. The rule also directs managers to put social and economic considerations on par with ecological sustainability.

Environmentalists favor the 1982 planning rule because it requires the Forest Service to develop an environmental impact statement (EIS) when a management plan is revised, while the new rule does not. Forest Service officials say the new rule simply defers studies until managers consider specific projects that might arise as part of the larger plan.

The management plan for the Tongass has been mired in litigation for nearly a decade as environmentalists have challenged the Forest Service's push for timber sales in roadless areas of the 17-million acre forest. Critics say the Tongass management plan and timber sale program overstate the market demand for timber from the forest and result in unnecessary cuts and roadbuilding activities.

"The Tongass is the forest that presents the greatest challenge for them in proceeding under the type of plan they want to do with the new rule," said Earthjustice attorney Tom Waldo. "There are huge environmental impacts associated with the plan they adopt for this forest. It would be very hard for them to present a plan under the new regulations for the Tongass that doesn't have an environmental impact statement."

Tongass Supervisor Forrest Cole acknowledged there is concern the Tongass management plan would be the first one completed and challenged in court under the 2005 planning rule, which could lead to additional delays for a plan originally completed in 1997.

"It's pretty much a one time only affair," Cole said. "I don't think any other forest in the country found itself in this position."

Last August, the 9th U.S. Circuit Court of Appeals threw out the Tongass land management plan, ruling the Forest Service overstated the market demand for timber sales. The agency downplayed the error, saying it did not play a large part in the final determination on how much logging to approve, but the court disagreed (*E&ENews PM*, Aug. 5, 2005).

The three-judge panel said it expected to see a new EIS, Cole noted. "There's no forest plan completed under the '05 regulations, so doing the fixes the court is expecting under the document they're expecting and packaging it under the '05 regulations might be very difficult for the court," he said. Thus far, 27 forests have begun revising their land management plans under the 2005 planning rule, but none have been completed.

"The old regulations are time-tested and they've been used before," said Dave Sherman of the Southeast Alaska Conservation Council. "The Tongass is too important to be a testing ground for the new regulations that they don't fully understand yet."

The Forest Service today proposed a technical change to the 2005 planning rule that would allow the Tongass to revise its land management plan under the previous rule if the forest so desires. Public comment on the proposal will be accepted through Feb. 3.

Cole will make a decision to use the 1982 or 2005 planning rule in March. The Forest Service hopes to have a draft management plan available for public comment by the end of this year and a final decision in 2007, no matter which set of planning regulations is used.

The 2005 planning rule already has been challenged by environmental groups in two lawsuits filed in federal court in California ([*Greenwire*](#), March 31, 2005).