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FOREST SERVICE

Issues Related to Managing National Forests for Multiple Uses

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Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss our ongoing review for you and other requesters of the decisionmaking process used by the Department of Agriculture's Forest Service in carrying out its mission. By law, the Forest Service is to manage its lands for multiple uses, including timber, livestock forage, recreation, fish and wildlife, wilderness, and water supply. In doing so, the Forest Service is expected to sustain undiminished the lands' productivity for future generations while providing for high levels of these uses. To meet its legislative mandate, the Forest Service uses a decisionmaking process that includes (1) developing management plans, commonly called forest plans, and (2) reaching project-level decisions for implementing these plans.

In testifying on January 25, 1996, before the Subcommittee on Forests and Public Land Management, Senate Committee on Energy and Natural Resources,¹ we stated that although the current forest plans include goals, related objectives, and schedules for implementing the objectives over 10 to 15 years, the Forest Service often has not been able to achieve the objectives during the periods covered by the plans.

Some in the Congress have expressed concern about the ability of the Forest Service to provide a high degree of confidence that it can achieve the forest plans' objectives during the periods covered by the plans. They have also expressed concern about the increasing difficulty the Forest Service is experiencing in resolving conflicts among competing uses, especially between commodity uses, such as timber and livestock forage, and noncommodity uses, including recreation, fish and wildlife, wilderness, and water supply.

As agreed, our testimony today provides preliminary information on (1) options that may help the Forest Service to achieve the objectives in its forest plans and (2) the increasing difficulty, for the Forest Service, of resolving conflicts among competing uses. We will complete a thorough analysis of the Forest Service's decisionmaking process and issue a report later this year that will include any conclusions and recommendations that we may have.

In summary, Mr. Chairman, the information that we have gathered to date suggests the following:

¹Forest Service: Issues Relating to Its Decisionmaking Process (GAO/T-RCED-96-66, Jan. 25, 1996).

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- Many variables affect the outcomes of the Forest Service's decisions, including changing natural conditions and funding, as well as new information and events. In addition, some Forest Service officials believe that differences among the requirements and limitations in laws and regulations can sometimes be difficult to reconcile, and that reconciliation is further complicated by the fragmentation of authority for implementing these laws and regulations among several federal agencies and the states. A systematic and comprehensive approach will be needed to address these issues. Some options that may be considered in developing such an approach include (1) shortening the periods covered by the plans, (2) reducing the influence of subsequent events, (3) linking forest plans to funding, (4) improving the data on which decisions are based, (5) improving coordination between the Forest Service and other federal agencies, and (6) limiting administrative appeals.
 - While these options may improve the ability of the Forest Service to provide a higher degree of confidence concerning the future availability of uses on national forest lands, they are unlikely to resolve the increasing difficulty the Forest Service is experiencing in reconciling conflicts among competing uses. As a result of these conflicts, some Forest Service officials have suggested that the Congress needs to provide greater guidance on how the agency is to balance competing uses. In particular, the Chief of the Forest Service has stated that (1) the maintenance and restoration of noncommodity uses, especially the diversity of native plant and animal communities (biological diversity), needs to be explicitly accepted or rejected and (2) if accepted, its effects on the availability of commodity uses should be acknowledged.

Background

The Forest Service, created in 1905, manages about 192 million acres of land that include about one-fifth of the nation's forest lands. The Organic Administration Act of 1897 and the Multiple Use-Sustained Yield Act of 1960 guide the management of these lands. The Forest Service is to manage its lands under the principles of multiple use and sustained yield to meet people's diverse needs.

The Congress mandated forest plans in the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (NFMA). NFMA provides guidance for forest planning by delineating a procedure to be followed in developing and periodically revising or amending forest plans. Under this act and its implementing regulations, the Forest Service is to, among other things, (1) involve the public in the planning process, (2) recognize wilderness as

a use of the forests, (3) maintain biological diversity, (4) monitor and assess the effects of its management practices on the lands' productivity, and (5) ensure a sustained yield of timber.

The last of the 123 forest plans covering all 155 forests in the National Forest System was approved in 1995, and the first plans, approved in the early 1980s, are due for revision. The plans identify (1) different management areas or "zones" within a forest where one or more uses will be permitted for up to 15 years and (2) requirements and limitations for protecting the environment, such as those to protect species listed as endangered or threatened under the Endangered Species Act. Forest plans are implemented by identifying, analyzing, and undertaking specific projects, which must be consistent with the requirements and limitations in the plans.

In developing forest plans and reaching project-level decisions, the Forest Service must comply with the requirements of the National Environmental Policy Act (NEPA). NEPA and its implementing regulations specify the procedures for integrating environmental considerations into an agency's decisionmaking. Forest plans and projects must also comply with the requirements and implementing regulations of numerous environmental statutes, including the Endangered Species Act, the Clean Water Act, and the Clean Air Act.

Options That May Help Achieve Forest Plan Objectives

In a 1992 report,² the Office of Technology Assessment (OTA) stated that, to improve forest planning under NFMA, the Congress could require the Forest Service to specify objectives (targets) for all uses in its forest plans. However, some Forest Service officials believe that if the agency is to achieve the objectives in its forest plans, other changes may be needed to reduce the influence of many variables that affect the outcomes of its decisions. These variables include changing natural conditions, such as drought, insects and disease, and wildfires, as well as changes in annual funding for the National Forest System. They also include information and events that occur after forest plans have been approved. In addition, Forest Service policy and planning officials believe that differences among the requirements and limitations in laws and regulations can sometimes be difficult to reconcile, and that reconciliation is further complicated by the fragmentation of authority for implementing these laws and regulations among several federal agencies and the states.

²Forest Service Planning: Accommodating Uses, Producing Outputs, and Sustaining Ecosystems (OTA-F-505, Washington, D.C.: Feb. 1992).

As we stated in our January 25, 1996, testimony, because the Forest Service's decisionmaking process is extremely complex and the issues surrounding it are interrelated, there are no quick fixes or simple solutions. Rather, a systematic and comprehensive approach will be needed to address them. Some options that may be considered in developing such an approach may help the Forest Service to achieve the objectives in its forest plans. Some of these options could be implemented by the Forest Service within the existing statutory framework, while others would require changes in law.

Shortening Planning Periods

Forest plans generally take from 3 to 10 years to develop and explain how forests will be managed for 10 to 15 years. Much can change over such extended periods of time. As a result, forest plans can be outdated by the time they are approved, and schedules for implementing the plans' objectives cannot be established for 10 to 15 years. Options that have been suggested include shortening both (1) the time required to develop the plans and (2) the periods covered by the plans to 3 to 5 years. One drawback to shortening the periods covered by forest plans may be that 3 to 5 years might not provide companies and communities dependent on Forest Service lands with enough time to plan or develop long-range investment strategies.

Reducing the Influence of Subsequent Events

In addition, according to some Forest Service officials, events that occur after forest plans have been approved can significantly affect the agency's ability to provide a high degree of confidence concerning the future availability of uses on national forest lands. These events can include listing a species as endangered or threatened or designating land as habitat under the Endangered Species Act,³ changing timber harvesting methods in response to increased environmental restrictions,⁴ and evolving judicial interpretations of procedural requirements in environmental statutes.

For example, Forest Service officials note that recent federal court decisions have required the agency to re-initiate lengthy, formal consultations on several approved forest plans because a species of salmon was listed as threatened in the Pacific Northwest and the Mexican Spotted Owl was listed as threatened in the Southwest. These rulings have

³Private Timberlands: Private Timber Harvests Not Likely to Replace Declining Federal Harvests (GAO/RCED-95-51, Feb. 16, 1995).

⁴Forest Service: Factors Affecting Timber Sales in Five National Forests (GAO/RCED-95-12, Oct. 28, 1994).

prohibited the agency from implementing projects under these plans until the new round of consultations has been completed, even though the Forest Service believes that some of the projects would have no effect on these species. These Forest Service officials believe that the Congress should provide legislative clarification so that projects unaffected by a subsequent event would not have to be delayed by the lengthy process to amend or revise forest plans.

Linking Forest Plans to Funding

Forest Service officials also believe that annual appropriations have not always matched the funding assumptions incorporated in forest plans. This lack of connection has occurred, in part, because some forest plans have been developed without reference to likely funding levels. Options that have been suggested include linking forest plans more closely to budgeting and including objectives for commodity and noncommodity uses at various funding levels in forest plans. According to these officials, a possible complementary statutory option would be to appropriate funds for the duration of a shortened planning period.

Improving Data

The process currently used to reach project-level decisions for implementing forest plans may also have to be shortened. For example, preparing timber sales usually takes 3 to 8 years.⁵

One option that might shorten the time required to reach project-level decisions would be to obtain better data to use in developing forest plans. Prior GAO reports have shown that the goals and objectives in some forest plans were developed using inadequate data and inaccurate estimating techniques.⁶ Information subsequently gathered at the project level showed that certain objectives in the plans could not be met.

In addition, the Forest Service established a re-engineering team, consisting primarily of regional and forest-level personnel, and tasked the team with designing a new process for conducting project-level environmental analyses. According to this team, the agency is currently gathering and analyzing information at the project level that should have been analyzed at the forest plan level. Gathering and analyzing information

⁵See footnote 4.

⁶See footnote 4 and Forest Service: The Flathead National Forest Cannot Meet Its Timber Goal (GAO/RCED-91-124, May 10, 1991).

in this manner is both time-consuming and costly and can result in delayed, modified, or withdrawn projects.⁷

The re-engineering team has made several recommendations whose implementation, it believes, would produce more timely and adequate information. These recommendations include (1) identifying issues that should be analyzed and resolved in forest plans or other broader-scale studies, (2) maintaining a centralized system of comparable environmental information, and (3) eliminating redundant analyses by focusing on what is new and using existing analyses to support new decisions when possible. In addition, Forest Service officials have told us that some effects cannot be adequately determined in advance of a project-level decision because of scientific uncertainty and/or the prohibitive costs of obtaining the necessary data. Therefore, they believe that, for some projects, monitoring and evaluation could be more efficient and effective than attempting to predict the projects' outcomes.

The Forest Service is currently evaluating the findings and recommendations that the re-engineering team believes could improve timeliness and reduce costs by 10 to 15 percent initially and by 30 to 40 percent over time. The agency is also considering or testing other actions that it believes could make its project-level environmental analysis process more efficient, including improving the monitoring and evaluation of decisions.

Improving Interagency Coordination

According to Forest Service officials with whom we spoke, another difficulty at both the forest plan and project levels is that the authority to implement various environmental laws and regulations is fragmented among several federal agencies and the states. In developing forest plans and reaching project-level decisions, the Forest Service often must consult with other federal agencies, including the Department of the Interior's Fish and Wildlife Service, the Department of Commerce's National Marine Fisheries Service, the Environmental Protection Agency, and/or the U.S. Army Corps of Engineers. These agencies sometimes disagree on how environmental requirements can best be met in a forest plan or project, and they have difficulty resolving their disagreements, thereby delaying decisionmaking. According to federal officials with whom we spoke, these disagreements often stem from differences in the agencies' evaluations of environmental effects that tend to reflect the agencies' disparate missions and responsibilities. The officials believe that, to resolve these

⁷Final Report of Recommendations: Project-Level Analyses Re-Engineering Team (Nov. 17, 1995).

disagreements more quickly, they would need to place greater reliance on monitoring and evaluating the effects of prior decisions to derive guidance for future decisions on similar projects.

Additionally, the Forest Service and other federal agencies recently have signed various memoranda of agreement to improve coordination. However, not enough time has passed to evaluate the effects of these agreements.

Limiting Administrative Appeals

The Forest Service receives over 1,200 administrative appeals to project-level decisions annually by parties seeking to delay, modify, or stop projects with which they disagree. While believing that appeals and litigation are legitimate ways for the Forest Service to resolve substantive conflicts and support its NEPA policy, the re-engineering team tasked with designing a new process for project-level environmental analyses recommended amending the current law and regulations to limit such appeals to the parties who participate in the decisionmaking process and to the concerns that are raised in reaching a decision. By establishing participation as a condition for appealing a decision, this change might increase public participation in the Forest Service's project-level decisionmaking process.

Conflicts Among Competing Uses

While these options may improve the ability of the Forest Service to provide a higher degree of confidence concerning the future availability of forest uses on national forest lands, they are unlikely to resolve the increasing difficulty the Forest Service is experiencing in reconciling conflicts among competing uses. For example, in its 1992 report, OTA stated that "Congressional efforts to change the judicial review process seem to be attempts to resolve substantive issues without appearing to take sides. However, such changes are unlikely to improve forest planning or plan implementation, or reduce conflict over national forest management."

In the past, the Forest Service was able to meet the diverse needs of the American people because it could avoid, resolve, or mitigate conflicts between commodity and noncommodity uses by separating them among areas and over time. For example, while timber harvesting was forbidden in wilderness areas and was secondary to other uses, such as recreation and wildlife, in some other areas, it was the dominant use in still other areas. Alternatively, the Forest Service sometimes avoided conflicts by

using the same land for different commodity and noncommodity uses, but at different times. For example, it sometimes used harvested timberlands as browsing and hiding habitat for game animals while the lands were being reforested for subsequent harvests.

However, according to Forest Service officials, the interaction of legislation, regulation, case law, and administrative direction, coupled with growing demands for commodity and noncommodity uses on Forest Service lands and activities occurring outside forest boundaries—such as harvesting timber on state timberlands and converting private timberlands to agricultural and urban uses⁸—have made simultaneously meeting all of these needs increasingly difficult. According to the Chief of the Forest Service, the agency has placed increasing emphasis on maintaining or restoring noncommodity uses, especially biological diversity, on national forest lands, and this emphasis has significantly affected the agency's ability to meet the demands for commodity uses.

For example, increasing amounts of national forest land are being managed primarily for conservation, as wilderness, wild and scenic rivers, and recreation. In 1964, less than 9 percent (16 million acres) of national forest land was managed for conservation. By 1994, this figure had increased to 26 percent (almost 50 million acres).⁹

Most of the federal acreage set aside for conservation purposes is located in 12 western states. For example, of the 24.5 million acres of federal land in the western Washington State, Oregon, and California that were available for commercial timber harvest, about 11.4 million acres, or 47 percent of these lands, have been set aside by the Congress or administratively withdrawn under the original forest plans for such uses as wilderness, wild and scenic rivers, national monuments, and recreation.

These figures do not take into account additional environmental restrictions that have reduced the amount of federal land available for commodity uses. For example, another 7.6 million acres, or 31 percent, of federal land in western Washington, Oregon, and California that were available for commercial timber harvest have been set aside or withdrawn as habitat for species that live in old-growth forests, including the threatened northern spotted owl, and for riparian reserves to protect

⁸See footnote 3.

⁹Land Ownership: Information on the Acreage, Management, and Use of Federal and Other Lands (GAO/RCED-96-40, Mar. 13, 1996).

watersheds. Limited timber harvesting and salvage are allowed in some of these areas for forest health.

In total, 77 percent of the 24.5 million acres of federal land in western Washington, Oregon, and California that were available for commercial timber harvest have been set aside or withdrawn primarily for noncommodity uses. In addition, while the remaining 5.5 million acres, or 22 percent, are available for regulated harvest, minimum requirements for maintaining biological diversity under NFMA as well as air and water quality under the Clean Air and Clean Water acts, respectively, may limit the timing, location, and amount of harvesting that can occur. Moreover, harvests from these lands could be further reduced by plans to protect threatened and endangered salmon.¹⁰

Timber sold from Forest Service lands in the three states declined from 4.3 billion board feet in 1989 to 0.9 billion board feet in 1994, a decrease of about 80 percent. However, as we noted in an August 1994 report,¹¹ many agency officials, scientists, and natural resource policy analysts believe that maintaining or restoring wildlife and their physical environment is critical to sustaining other uses on Forest Service lands.

As the Forest Service noted in October 1995,¹² demands for forest uses, both commodity and noncommodity, will increase substantially in the future. Thus, as we noted in our January 25, 1996, testimony, some Forest Service officials do not believe that the conflicts among competing uses will lessen substantially. As a result, some Forest Service officials have suggested that the Congress needs to provide greater guidance on how the agency is to balance competing uses. In particular, the Chief has stated that (1) the maintenance and restoration of noncommodity uses, especially biological diversity, needs to be explicitly accepted or rejected and (2) if accepted, its effects on the availability of commodity uses should be acknowledged.

In summary, Mr. Chairman, I would like to offer the following observation. As indicated by the GAO products referred to in this statement, we have over the last several years looked at the Forest Service from several

¹⁰See footnote 3.

¹¹Ecosystem Management: Additional Actions Needed to Adequately Test a Promising Approach (GAO/RCED-94-111, Aug. 16, 1994).

¹²The Forest Service Program for Forest and Rangeland Resources: A Long-Term Strategic Plan, Draft 1995 RPA Program, Oct. 1995.

different perspectives and at several organizational levels. What is becoming more apparent is that, regardless of the organizational level and the perspective from which the agency is viewed, many of the issues appear to be the same. These issues include the lack of (1) adequate scientific and socioeconomic data to make necessary or desired trade-offs among various values and concerns, (2) adequate coordination within the Forest Service and among federal agencies to address issues and concerns that transcend the boundaries of ownership and jurisdiction, and (3) incentives for federal and nonfederal stakeholders to work together cooperatively to resolve their differences. We will, in the coming months, more fully evaluate these and other issues.

Mr. Chairman, this concludes my statement. I would be happy to respond to any questions that you or Members of the Subcommittee may have.

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