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### SLIDES: Forest and Rangeland Planning, NEPA Analysis and Decisions

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# **Forest and Rangeland Planning, NEPA Analysis and Decisions**

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# Twin Aims of NEPA

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- Consider
  - The environmental effects of an action;  
and
- Inform
  - Insure the public is made aware of the environmental effects

# Compliance with the National Environmental Policy Act

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- For a given project, a federal land manager can comply with the National Environmental Policy Act in one of three ways.
  - Complex projects or those likely to have significant impacts on the human environment require the preparation of an environmental impact statement.
  - An action, where preliminary analysis shows there were similar projects done in the past that did not have significant impact, can be categorically excluded from further examination for National Environmental Policy Act purposes.
  - When a manager is unsure of likely impacts, preparation of an environmental assessment that will result in a finding that either an environmental impact statement is needed or the project will not have a significant impact.



# Rangeland Management

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- One of the most significant issues associated with our management of livestock grazing for the past several years has been allotment planning.
- Specifically, the issue is the ability of the agency to ensure the necessary environmental analysis has been completed for all grazing allotments.

# Rangeland Management

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- In 1995
  - the Forest Service was faced with trying to complete NEPA analysis on most allotments.
  - With approximately 50 percent of Forest Service grazing permits due to expire.



# The Recession Act

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- Section 504 of Public Law 104-19 (Rescissions Act) directed the Chief of the Forest Service to identify grazing allotments that required National Environmental Policy Act (NEPA) analysis and to “establish and adhere to” a schedule for the completion of that analysis. The end date established in the schedule was 2010.

# Rangeland Management

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- The 2003 Consolidated Appropriations Resolution, Public Law 108-7 directed
  - The Secretary of Agriculture to renew grazing permits for those permittees whose permits expired prior to or during fiscal year 2003;





# Rangeland Management

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- The 2004 Interior Appropriations Act (P.L. 108-108) further directed the Secretary to renew grazing permits that expired or were transferred or waived between 2004 and 2008,
- This direction allowed the agency to continue NEPA analysis according to the priority needs as determined at the Forest level.



# Rangeland Management

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- The 2005 Consolidated Appropriations Act (P. L. 108-447) further directed that for fiscal years 2005 through 2007, certain decisions made by the Secretary to authorize grazing on an allotment shall be categorically excluded, from documentation in an environmental assessment or an environmental impact statement under NEPA.



# Rangeland Management

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- To be categorically excluded the following conditions would apply:
  - The decision continues current grazing management of the allotment;
  - Monitoring indicates that current grazing management is meeting, or satisfactorily moving toward objectives in the land management plan, and
  - The decision is consistent with agency policy concerning extraordinary circumstances.
  - The total number of allotments that may be categorically excluded under this authority may not exceed 900.



# Rangeland Management

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- The Forest Service continues to complete NEPA analyses on grazing allotments.
  - From 1995 to the end of fiscal year 2005, nearly 3,200 allotments have NEPA analysis completed. An approximate 480 allotments were planned for completion of NEPA requirements in fiscal year 2006.
  - The Forest Service remains committed to completing the NEPA analysis on the remaining allotments by 2010 without disrupting permitted livestock grazing activities. We will track our progress and report periodically to Congress.



# Forest Management

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- The CEQ Chairman issued guidance in December 2002 outlining how fuels environmental assessments be concise documents between 10 and 15 pages in length, thus returning them to what Congress had originally envisioned.



# Forest Management

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- Nationally, the Forest Service developed templates for the EAs and provided support for the analyses of 5 projects nationwide in Michigan, Texas, Utah and California.

# Forest Management

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- The President signed the Healthy Forests Restoration Act of 2003 (P.L. 108-148) (HFRA) in December 2003.
  - **HFRA**, as it is known, contains a variety of provisions to speed up hazardous-fuel reduction and forest-restoration projects on specific types of Federal land that are at risk of wildland fire and/or of insect and disease epidemics.



# Forest Management

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- Title I of HFRA authorizes the Secretary to streamline environmental assessments and environmental impact statements of authorized hazardous fuel reduction projects to fulfill NEPA requirements.
- Key provisions of title I include the collaborative development and expedited environmental analysis of authorized hazardous fuel reduction projects and a pre-decisional administrative review process





# Forest Management

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- Title I focuses attention on several land types :
  - Federal land in wildland-urban interface areas that include areas within or adjacent to at-risk communities;
  - Certain federal lands with at-risk municipal water supplies;
  - Federal lands that contain threatened and endangered species or their habitats where fuels treatment will provide enhanced protection from wildfire; and
  - Federal land where windthrow or blowdown, ice storm damage, or insect or disease epidemics threaten an ecosystem component or forest or rangeland resources.



# Forest Management

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- HFRA authorities are proving to be very helpful in our efforts to make significant improvements to the health of this country's forests and rangelands.