

CONSERVATION COMPASS

The Management of the Federal Lands — Where Now?



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Over the first two weeks of April, I spoke with reporters relative to the tenth anniversary of the Northwest Forest Plan that produced a temporary pause in the impasse over management of

federal forestlands that were home to several “threatened” species under the Endangered Species Act (ESA). Included were northern spotted owls, marbled murrelet, and several varieties of anadromous fishes. I was lead scientist for a team that produced an array of alternatives for management of federal lands in the Northwest for President Clinton’s consideration.

Why should those who hunt care? Federal lands are the heart of big game habitat in the West — and significant in the East. They will be more important as private lands are lost as wildlife habitat and human populations increase. While there is a place for “preservation,” active management has been the means that had produced, and maintains, the populations of game species that occupy the federal lands today.

The chosen alternative reduced timber harvest from 4 billion board feet per year (bbf/year) to approximately 500 million board feet — an 87 per cent reduction. The judge ruled the plan adequate — but barely. While regional effects were negligible, economic and social consequences in small timber-dependent communities were devastating.

Interactions of environmental laws passed in the 1970s, under “environmental president” Richard Nixon, had come to fruition. The last two decades of the 20th century spawned the “conflict industry.” Hired hands, from environmental and timber industry camps, fought it out in the political arena and the courts.

Both focused slings and arrows on “soft targets” of land management agencies, which couldn’t or wouldn’t fight back. Many politicians, frustrated with consequences of compliance with law, played the same game. Attacking the bureaucracy got the “monkey off their backs” knowing agencies would absorb the attack and say nothing.

Congress’ frustration emerged in attempts to circumvent cumulative effects from those laws, which produced political fiascos that left land management agencies “holding the bag” and absorbing political backlash. Several administrations used the “escape clause” in the ESA (the “God Squad”) whereby a panel of appointed officials can decide if the impacts of saving threatened or endangered species is too great to bear. Those attempts failed.

Recent examples of attempted evasions in the Pacific Northwest include “Section 318” of the Appropriations Bill of 1990. It was clear, by the late 1980s, that spotted owls would be declared “threatened” and that sales of old-growth timber would be curtailed. This rider required the Forest Service and the Bureau of Land Management to prepare and sell a number of old-growth timber sales without other considerations and without appeal. So it was written. So it was done.

In 1994, Congress added the “salvage rider” to the Appropriations Act ordering land management agencies to sell 4.5 bbf of salvage timber excused from environmental assessment and appeal. The administration gave support and, then, retreated and blamed the agencies for adher-

ence. This rider released “318” sales, canceled to protect threatened species, to original buyers under original conditions. The intent was to reduce the efficacy of the Northwest Forest Plan and produce a “train wreck” when a judge declared the plan inadequate. That was foiled when the Forest Service traded 318 sales for timber volumes in younger stands.

In 2004, Congress passed the Forest Health Restoration Act to accelerate thinning to reduce susceptibility to fire. Budget priorities were shifted accordingly. These operations will be controversial — with land management agencies again struggling to obey the law and absorbing the criticism.

Adherence, to the environmental laws and earlier legislation outlining purposes for management of public lands are out of synchronization — and getting worse. “Riders” and new laws enacted to circumvent consequences of existing laws are adding to the problem. Evading responsibility for clarifying mandates for managing public lands is increasingly intolerable — economically, ecologically, socially, and politically. Elected officials directing political heat to land managers while failing to clarify intent for management of federal lands increasingly resembles dereliction of duty.

This should not be so partisan a matter — and does not seem to be so. Timber cut from federal lands peaked under Reagan at 11 bbf/year, which dropped to 4 under G.H.W. Bush, to 2 under Clinton, with little change under G.W. Bush.

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Taken one at a time, it is difficult to argue against the environmental laws. Taken in interactive total, they have produced a worsening impasse in federal land management — an impasse that Congress created with the best of intentions. It is an impasse that only Congress, with the best of intentions, can remedy. ■