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Forest Service presses ahead with logging rules revision

Associated Press

The Bush administration is pressing ahead with rulemaking revisions to the primary law governing logging on national forests, which forced deep cutbacks in timber harvest to protect the spotted owl.

Agriculture Undersecretary Mark Rey said Tuesday from Washington, D.C., that the administration decided it was quicker and cheaper to do an environmental impact statement on the 2005 rules, as ordered by a judge, rather than wait for the 9th U.S. Circuit Court of Appeals to consider the case.

But Marc Fink, attorney for the Center for Biological Diversity, said because the draft environmental impact statement posted on the Forest Service Web site found no impacts, the issue will likely be back in court seeking changes to the rules themselves.

"They haven't cured anything," Fink said from Duluth, Minn. "They're coming back with the same regulations."

Cutbacks in logging of more than 80 percent on Northwest national forests to protect habitat for the spotted owl, salmon and other species were forced by a federal court ruling based on the National Forest Management Act, a 1984 law which requires the Forest

Service to maintain viable populations of so-called indicator species.

The northern spotted owl, a threatened species whose numbers continue to decline, is the indicator species for old growth forests in the Northwest, where the Bush administration has been pressing to ease logging restrictions.

Fink said conservation groups opposing the rule revisions were particularly concerned that they weakened requirements in the law to maintain healthy populations of indicator species.

Dave Tenny, a former Bush administration forestry official who is now vice president of the American Forest & Paper Association, said the new rules gave forest managers greater flexibility to plan strategically for long-term goals that benefit species, rather than evaluating a list of projects on how they will help or harm a species.

The American Forest & Paper Association, the nation's leading timber industry lobbyist, intervened in the lawsuit on the side of the Forest Service.

The U.S. Department of Justice filed a motion Monday on behalf of the Forest Service withdrawing its appeal of the March 30 ruling from U.S. District Judge Phyllis Hamilton in San

Francisco that tossed out the agency's 2005 version of rules implementing the National Forest Management Act for failing to do an environmental impact statement and other issues.

Rey said the decision to do the environmental impact statement came down shortly after the March 30 ruling, and did not indicate that they thought they would lose the appeal. It has been finished, is being reviewed, and should be issued in a matter of weeks, he said.