

NEWS RELEASE

USDA Forest Service -- Northern Region



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FOR IMMEDIATE RELEASE

Missoula, Mont. – The Forest Service will suspend a variety of projects and activities implementing land and resource management plans in response to a court order directing nationwide application of a ruling in the Eastern District of California, according to Regional Forester Abigail Kimbell.

The decision required public notice, comment, and appeal provisions to accompany all categorical exclusions after July 7, 2005.

Categorical exclusions cover actions that analysis shows do not have a significant effect on the environment and, therefore, do not require an environmental assessment (EA) or environmental impact statement (EIS) to document the analysis process.

“The decision could suspend a hundred or more projects underway in the Northern Region,” Kimbell said. “Projects conducted by contract, permit, or other means – like reducing hazardous fuels, improving wildlife habitat, repairing roads, fixing a toilet, and even cutting firewood – could be affected.”

The decision does not apply to hurricane relief projects for immediate public health and safety or other emergency activities.

Projects and activities approved with categorical exclusions between July 7, 2005 and September 16, 2005 will be suspended until notice, comment, and appeal provisions can be completed. Future project decisions made with a categorical exclusion will require a notice, comment and appeal period added to the decision process. These requirements can add 30 days to receive comments and up to 105 additional days for the appeals process, according to Kimbell.

Some of the specific projects that are impacted include:

- Repair and maintenance of recreation sites and facilities.
- Salvage of dead and/or dying trees not to exceed 250 acres, requiring no more than 1/2 mile of temporary road construction.
- Harvest of live trees not to exceed 70 acres, requiring no more than 1/2 mile of temporary road construction.
- Commercial and non-commercial sanitation harvest of trees to control insects or disease not to exceed 250 acres, requiring no more than 1/2 mile of temporary road construction.
- Timber stand or wildlife habitat improvement including prescribed burning to control understory hardwoods and reduce natural fuel buildup.

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- Post-fire rehabilitation activities such as tree planting, fence replacement, and habitat restoration.
- Oil and gas activities under the Energy Policy Act of 2005
- Grazing allotment authorizations approved for categorical exclusion in the 2004 Interior and Related Agencies Appropriations Act.

“We are actively pursuing options in light of this nation-wide ruling; including working with the Department of Justice,” Kimbell said. “In the meantime, we will notify our contractors, permittees, and partners that work approved under the categorical exclusions must stop.”

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