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TOOL KIT

WE CAN ALL SPEAK FOR THE TREES

A GUIDE TO ADVANCING SUSTAINABILITY AND EQUITY THROUGH FOREST PLANNING



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This community guide is for general informational purposes. The guide is intended to provide citizens with general tips for engaging in forest planning. The guide should not be regarded as legal or other professional advice or opinion on specific facts or matters and its distribution to any person does not constitute the establishment of an attorney-client relationship.

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Introduction

Decisions we make now about our national forests will shape the health and prosperity of generations to come. National forests are crucial to America's resilience to climate change and preservation of biodiversity. National forestlands provide clean water, clean air, energy, wildlife habitat, and jobs, such as, recreation management, timber harvesting, and much more. Forests are the lifeline of neighboring communities and provide aesthetic, cultural, and spiritual benefits to those who visit.

The National Forest System encompasses 193 million acres of U.S. lands across 42 states, including 154 national forests, 20 grasslands, and 1 national prairie.¹ This land belongs to you and me, which is why citizens have a unique role to play in ensuring the careful stewardship and sustainability of national forestlands. These are everyone's forests, and ultimately it is up to us to ensure that they are managed sustainably and equitably.

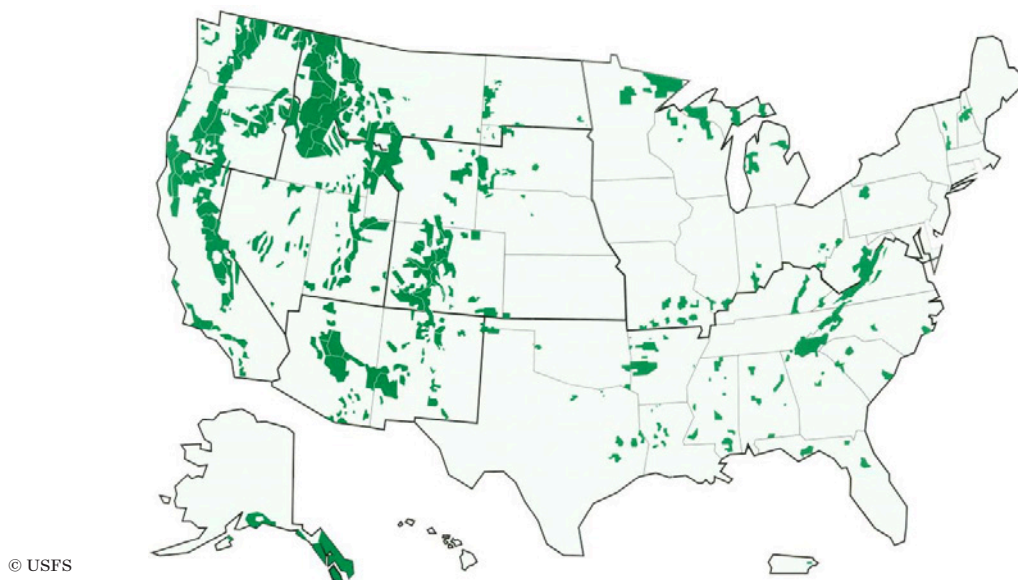
This tool kit is designed to equip citizens, activists, and organizers to participate effectively in national forest planning. It breaks down the forest planning process and explains when and how citizens can engage. The tool kit distills the key language in the relevant federal regulations; provides case studies, sample comments, and sample talking points; and offers other resources for individuals to use when participating in the planning process.

The 2012 Forest Planning Rule

Under the National Forest Management Act (NFMA), the U.S. Forest Service, a unit of the Department of Agriculture, creates a management plan (or "forest plan") for each individual forest.² These plans set the overall management direction for each forest, including desired conditions, goals, and objectives for land use and conservation.³

The Forest Service adopted the current rules governing forest planning in 2012.⁴ Controversy and litigation had surrounded forest planning for over 25 years. The time had come to do things differently. The new rule put sustainability and public engagement at its core.⁵ Under this new rule the goals are to ensure these public lands are resilient to climate change, contribute to ecological, social, and economic suitability, be transparent and require public participation in the planning process.⁶ The Forest Service recognized that it would need to engage new and diverse constituencies to meet these goals. The rule includes a specific obligation to encourage participation by youth, low-income populations and minority populations.

Under the NFMA, forest plans must be continually monitored and revised at least once every 15 years. Around 25 such plans across the country are undergoing revision and will be required to incorporate the principles of sustainability and equity. These plans, once in place, will guide forest management for years to come. The revisions offer an opportunity for community members to ensure that the new rule's sustainability principles are implemented in a way that delivers benefits not only to current local communities and economies but future generations as well.



The Rule’s Commitment to Sustainability

The 2012 Planning Rule broke new ground by putting sustainability and intergenerational equity front and center. At the outset the rule emphasizes the Forest Service’s original mission “to sustain the health, diversity, and productivity of the Nation’s forests and grasslands to meet the needs of present and future generations.”⁷ It directs the Forest Service “to sustain the multiple use of its renewable resources in perpetuity while maintaining the long-term health and productivity of the land.” And it directs the agency to ensure that forests “are sustainably managed for generations to come.”⁸ To this end, forest plans must guide “sustainable, integrated resource management” so that the forests are “ecologically sustainable and contribute to social and economic sustainability.”⁹

Forest sustainability is built on three pillars: ecological, economic, and social as defined by Table 1 below. The Planning Rule incorporates these pillars to maintain forest integrity, produce economic goods and services, and provide opportunities for people to connect to the land. For more detail on Sustainability and Intergenerational Equity Concepts and Requirements, see table in Appendix A.

TABLE 1: THREE PILLARS OF SUSTAINABILITY	
SUSTAINABILITY CONCEPT	DEFINITION AND REQUIREMENTS FROM THE PLANNING RULE
ECOLOGICAL SUSTAINABILITY	<p>DEFINITION: The capability of ecosystems to maintain ecological integrity.</p> <p>REQUIREMENTS: The plan must include components, including standards or guidelines, that:</p> <ul style="list-style-type: none">■ maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area.■ maintain or restore air, soil, and water integrity, including air quality, soil and soil productivity, water quality, water resources (including riparian areas) and ecological connectivity.
ECONOMIC SUSTAINABILITY	<p>DEFINITION: The capability of society to produce and consume or otherwise benefit from goods and services including contributions to jobs and market and nonmarket benefits.</p>
SOCIAL SUSTAINABILITY	<p>DEFINITION: The capability of society to support the network of relationships, traditions, culture and activities that connect people to the land and to one another.</p> <p>REQUIREMENTS FOR SOCIAL AND ECONOMIC SUSTAINABILITY: The plan must include components, including standards or guidelines, to guide the plan area’s contribution to social and economic sustainability, taking into account:</p> <ul style="list-style-type: none">■ social, cultural, and economic conditions relevant to the plan area;■ sustainable recreation, including recreation settings, opportunities, and scenic character;■ multiple uses that contribute to local, regional, and national economies;■ ecosystem services;■ cultural and historic resources; and opportunities to connect people to nature.

Source: 36 C.F.R. §219.19

When assessing a proposed forest plan, as an advocate you can suggest sustainability language that should be included throughout the revision process. That language can cover topics such as air quality, ecological sustainability, fire management, grazing, soil resources, water resources, cultural and heritage resources, watershed protection, and recreation.¹⁰ Ultimately, each sustainability goal must be incorporated and addressed at every stage of the planning process. As an advocate, your input should offer concrete and organized suggestions that are backed with facts and the best available scientific information. Once a requirement is included in a forest plan, any later actions the Forest Service takes must be consistent with the requirements of the plan.

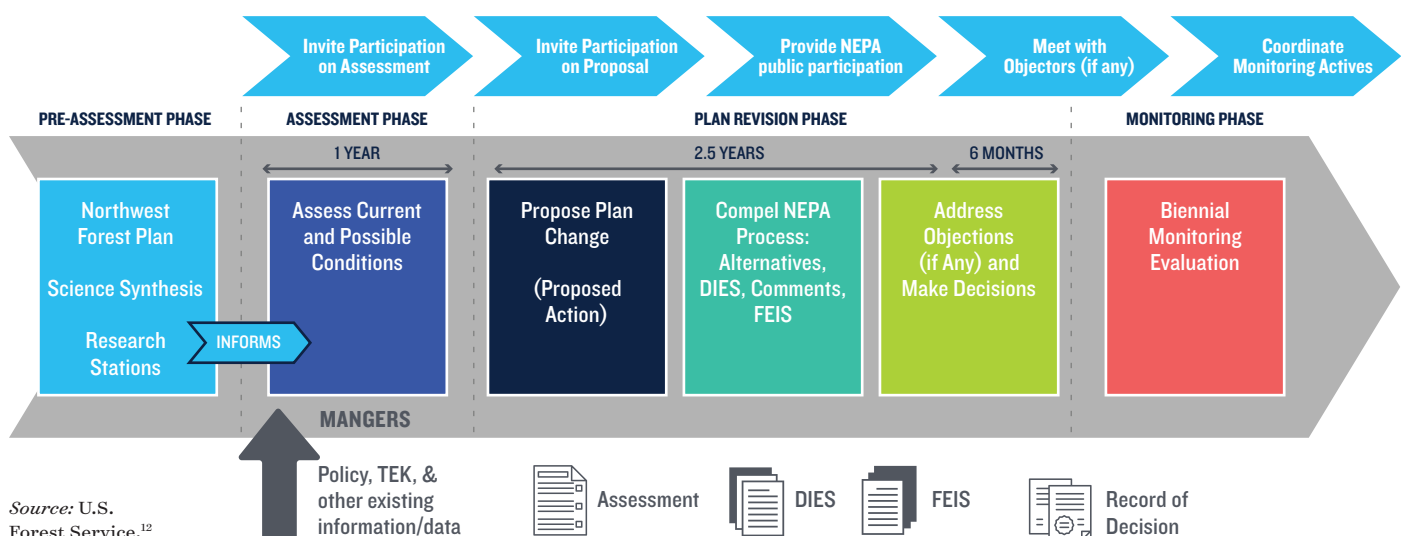
You Own the Forests Too! How Citizens Can Meaningfully Engage in Forest Planning

Public participation is available at five different times during forest planning: (1) pre-assessment, (2) assessment, (3) plan development, (4) post-release, and (5) implementation and monitoring. Each stage provides a platform for all citizens, as well as, state, local, and tribal governments, to ensure that their forests are managed with sustainability at the core and future generations in mind. Each stage offers citizens the chance to hold the Forest Service accountable to uphold the sustainability requirements of the rule. The five stages are:

- 1. Pre-assessment:** the time before the formal assessment begins. At this time, citizens can provide input to the Forest Service on building a participation strategy, including how the agency will contact and engage with the public.
- 2. Assessment:** the time before official planning starts, when the Forest Service gathers information on existing conditions such as air quality, water resources, and recreational activity, and public input. The forest service will also gather traditional ecological knowledge (TEK) which is the “evolving knowledge acquired by indigenous and local people over hundreds or thousands of years through direct contact with the environment.”¹¹
- 3. Plan development:** the period after Assessment where the Forest Service offers a Proposed Plan. Citizens can provide amendments and identify issues within the plan. At the same time, the National Environmental Policy Act (NEPA) process is underway, and the forest service will create a draft environmental impact statement (DEIS) and final environmental impact (FEIS), which also require the opportunity for public comments. After revising the plan in response to comments, the Forest Service releases a final plan.
- 4. Post-release:** the period after the plan is finalized in which citizens have 60 days to object; objections must be specific to the plan and include suggestions for improvements.
- 5. Implementation and monitoring:** the period in which the Forest Service puts the plan into action and tracks its effectiveness. Monitoring reports are conducted every 2 years to track the progress of the new plan. If there are indications that the plan needs amending, the FS will provide opportunities for public participation.

Similar to the requirements of the 2012 forest planning rule, the responsible official must also provide opportunities for the public to comment on the forest plan through the National Environmental Policy Act (NEPA). The NEPA process is completed along with the forest planning process. Both planning mechanisms ensure the forest planning revisions are completed with public participation and informed by the best available scientific information to determine how the forest plan will address climate issues. Figure 1 is a diagram by the Forest Service illustrating the Forest Planning Process along with the NEPA process. Remember the forest planning process takes years to complete, be sure to stay informed throughout the process. Enroll on your National Forest’s email listserv, follow social media pages, and visit the forest website to stay updated on your forest’s news.

FIGURE 1: U.S. FOREST SERVICE DIAGRAM ON FOREST PLAN REVISION PROCESS



“MEANINGFUL ENGAGEMENT”: FOREST SERVICE PUBLIC PARTICIPATION RULES AND POLICIES

The Planning Rule takes an innovative approach to public engagement. It requires the Forest Service to do more than simply provide opportunities for public participation.¹³ In its 2012 Planning Rule, the Forest Service commits to meaningfully engage and learn from those interested in the forest, hear diverse viewpoints, and reach out to historically underrepresented communities, such as students, minorities, Indigenous communities, and low-income community members. The rule states that “the responsible official shall engage the public . . . early and throughout the planning process . . . using collaborative processes where feasible and appropriate.”¹⁴ It also states, “When developing opportunities for public participation, the responsible official shall take into account the discrete and diverse roles, jurisdictions, responsibilities, and skills of interested and affected parties; the accessibility of the process, opportunities, and information; and the cost, time, and available staffing.”¹⁵ (The responsible official is the designated Forest Service person that is overseeing the forest planning process.)

At minimum, the 2012 Planning Rule requires forest managers to solicit at six points during the five stages of planning, giving citizen advocates important opportunities to impact the Forest Service’s decision-making process: (1) during the assessment stage; (2) when a plan proposal is being developed; (3) when a draft proposal and accompanying NEPA documents are circulating; (4) at the beginning of the objection period for a new plan or revision; (5) while the Forest Service is seeking approval of a final plan; and (6) when the agency is reviewing monitoring information.¹⁶

In 2015 the Forest Service issued new directives and guidelines in its *Land Management Planning Handbook* (also referred to as *Forest Service Handbook 1909.12*) to build a collaborative process and ensure that diverse needs are met at each stage.¹⁷ The Forest Service defines “collaborative process” as “the public work[ing] together to explore resolutions to one or more issues.” Collaborative processes support improved analysis and identification of potential solutions; efficiency during all stages of plan development; reduced uncertainty by gathering, verifying, and integrating information from a variety of sources; and increased trust and public buy-in to the final plan.

The *Land Management Planning Handbook* aims to create a dynamic and ongoing public participation process in which the Forest Service provides information to the public, receives information from the public, and in turn integrates this information into its decision making. The following section explains the steps of the Forest Planning process and provides information on how community members like yourself can participate throughout the planning.

Five Stages for Public Participation

PRE-ASSESSMENT

Facilitating Collaboration at the Outset

Under the new rule, before engaging in any planning, the Forest Service has an obligation to work with the community to build a “public participation strategy” or “collaborative agreement.”¹⁸ These are documents adopted by the designated responsible official to set the foundation and expectations of citizen participation throughout the planning process.¹⁹ A public participation strategy should “be developed at the beginning of the planning process,” be interactive, include “diverse audiences,” and “provide opportunities for young people and others who have not traditionally been engaged in forest management.”²⁰



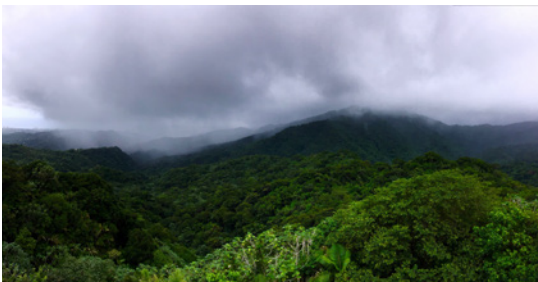
Although public participation strategies vary from forest to forest on the basis of available staff, resources, and constituencies, they provide a unique opportunity for citizens to set the tone for engagement. It’s important that you or your advocacy group attend pre-assessment meetings—usually announced on a forest’s website or planning page—to help Forest Service planners adopt best practices for public collaboration.²¹ In these meetings, you can propose ideas from other forest plans or other participation contexts or suggest tools you believe would help facilitate better collaboration. A list of resources can be found in Appendix B.

Planning for the Flathead National Forest (Montana) and the El Yunque National Forest (Puerto Rico) provide two examples of effective pre-assessment collaboration. The Flathead National Forest completed



its forest planning revision in December, 2018, but began conducting public outreach well before that.²² Such early engagement was key. After a public notice for plan revision from the Flat Head National Forest in July 2013, the responsible official hired the Meridian Institute to develop a collaborative stakeholder engagement process.²³ The Meridian Institute interviewed a variety of forest service employees and stakeholders to determine issues of concern and identify challenges for engagement.²⁴ These initial screening methods provided guidance for them to manage stakeholder collaboration and compromise on plan components.²⁵

From October 2013 through June 2014, the Forest Service hosted monthly public meetings at which groups and individual community members provided input about potential collaborative structures and challenges. For example, local groups recommended replacing unwieldy area-wide meetings with small collaborative groups in each ranger district and having a coordinating body synthesize each group's findings. When the public participation strategy for Flathead National Forest was released it outlined goals, avenues for participation, collaboration, and communication.²⁶ This process was successful for Flathead National Forest because of stakeholder's involvement and concern forest decisions due to recent natural disasters in the region.²⁷



The El Yunque National Forest employed a different but also successful approach.²⁸ In 2012, two years prior to the assessment stage for El Yunque, the Forest Service began working with the National Collaboration Cadre, a group of Forest Service professionals, community leaders, and academics working to improve the agency's collaboration capacities.²⁹ Together they conducted listening sessions, public meetings, and collaboration workshops. In December 2012 they gathered more than 100 stakeholders, including representatives from communities, agencies, organizations, and Forest Service employees, to discuss best practices moving forward.

As a result of these workshops and meetings, the Citizens' Collaboration Committee was formed.³⁰ The committee created a Facebook Page, Colaboración Bosque Nacional El Yunque, to make accessing information and commenting more convenient.³¹ The Forest Service signed a collaboration agreement with the citizen committee establishing "a strong commitment to an all-lands approach to conserve high-priority forest ecosystems and provide social opportunities and economic benefits to both visitors and local communities."³²

For both Flathead and El Yunque, citizens help build a strategy for engagement early and successfully used it to guide their interactions with the Forest Service throughout the planning process. Some tips for developing your forest's public participation strategy are: 1. establish realistic goals 2. have a clear "road-map" with focus on specific Forest Plan components 3. utilize a variety of methods to inform, educate, and seek public participation 4. ask for pertinence, transparency, and adaptivity from both your organization and forest officials and 5. ask for explanation on how your input will be considered. For more helpful tips and recommendations, see "Public Participation: Lessons Learned Implementing the 2012 US Forest Service Planning Rule," a study by the University of Montana.³³



Finding and Building Partnerships and Collecting Accurate Information

In addition to collaborating with the Forest Service on participation standards, the pre-assessment stage is also an opportunity to find partners and collect accurate information needed for meaningful engagement in the forest planning process. This may mean reaching out to other, like-minded organizations and individuals, whether they be conservationists, faith groups, hikers, or hunters. In *Forest Planning During Changing Times: A Handbook for Environmental Action*, the Sierra Club lays out helpful strategies and ideas, including the following:³⁴

Conduct Outreach and Build Community: Reach out to others and establish relationships with partners to help build momentum and amplify your voice. These partners could include:

- Conservation communities
- Scientists
- Faith communities
- Hunters and anglers
- Outdoor recreation groups
- Labor organizations

Access Accurate Information: How effectively you can support your goals may depend on your access to accurate information. Advocates can obtain information directly from the Forest Service by accessing research publications, contacting research stations, attending meetings, or simply reaching out to Forest Service staff. Other sources include:

- Other federal agencies (e.g., U.S. Fish and Wildlife Service; National Marine Fisheries Service)
- State fish, wildlife, and natural resources departments
- Local fish, wildlife, and natural resources departments
- Professors and scientists at local universities
- Advocacy organizations with scientists on staff

Communicate Your Goals to Others: Effectively communicating your goals to the public as well as the Forest Service will depend on your areas of concern and how you want to discuss the sustainability language. In any case, articulate them in a way that can impact decision making, and follow these tips:

- Clearly state your sustainability goals
- Tie goals to the Planning Rule sustainability language
- Tailor your message and goals to your audience: Forest Service, public, or both
- Develop a list of talking points to use when discussing your sustainability goals within the Forest Plan

Building partnerships and developing a strong network will allow you and your community to more effectively participate in the forest planning process. It is true that an individual can produce change, but you are stronger with numbers. Connecting with others who might help you gain expertise, credibility, and political power will give you the best chance of influencing your local forest plan.



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ASSESSMENT

After creating a participation strategy, the Forest Service must conduct an assessment of existing economic, social, and ecological conditions in and around the forest.³⁵ The assessment is an aspect of forest planning that was significantly reworked in the 2012 Planning Rule to allow the public to not only comment on a plan but have a greater role in shaping the scope of the plan. By requiring consideration of climate change stressors, the 2012 Planning Rule promotes forest management in the interest of future generations as well as those living today.³⁶

During the assessment, the responsible official identifies and considers relevant information from various resources including

local, tribal, and nongovernmental sources, monitoring reports, plans, and studies to evaluate a range of important topics to be plan components for forest management.³⁷ Topics for plan management include water, soil, and air quality, social, and economic sustainability, wilderness and species conservation, recreation, and areas of tribal importance, to name a few.³⁸ The assessment occurs before any planning begins providing a valuable opportunity for advocates to share information on plan components that focus on sustainability and intergenerational equity.

How can you get involved? Before the assessment begins, the Forest Service notifies the public of opportunities to participate through local newspapers, on online platforms, and in the *Federal Register* (the official journal of the federal government).³⁹ However, it is important to note that assessments are often quick and completed in around six months, so advocates may need to actively watch the Forest Service's website for announcements and updates.

Usually advocates can provide input online, at public meetings, at science forums, and on field trips.⁴⁰ For example, before the draft assessment of El Yunque National Forest, released in 2014, the Forest Service held various public meetings between 2012 and 2014 in communities around the forest to allow the public to provide comments on issues of concern.⁴¹ At a one-day forum, "A Scientific and Social Look at El Yunque National Forest," in May 2014, Forest Service specialists and partners presented elements of the draft assessment for participants to provide input and comments on assessment topics.

How can you access forest information? The Forest Service itself can be an excellent source of information. You and your advocacy group can request meetings directly with Forest Service staff to ask questions about available data or access more information. It is critical to use the best available science and facts when providing input in the forest planning process. Additional information and resources that may help you comment on a Forest Service assessment include:

- *Scientific Journals:* use search engines such as google scholar to research reputable sources to inform your position on input and comments.
- *County and State plans:* Using county and state land management rules and policies to frame your positioning and reasoning for input and comments.
- *Local or national nonprofits:* Identify any local nonprofits in your region that are doing work in national forests; they may have research reports and/or studies on their websites that can be used to support your mission.
- *Local university scientists or graduate students:* Identifying specialist on university campuses who often compile



information and do studies on the surrounding area. Ask local specialist to support your mission and goals, and if they will be willing to accompany you and local citizen advocates to public meetings.

How can you prepare for assessment meetings? The assessment stage is a time to determine what major topics the forest plan will need to address and brainstorm possible solutions. To be ready for assessment meetings or events, it is often helpful to prepare talking points that clearly and persuasively articulate your goals and priorities for the forest plan. If you have access to any data or information regarding past and current forest conditions, include that information. Some examples of talking points are offered below. Of course, they would need to be adapted for the specific forest and your priorities of the group.

Sample talking points, ecological sustainability:

- The 2012 Forest Planning Rule is designed to ensure that individual forest plans provide for the sustainability of ecosystems and resources and meet the need for forest restoration and conservation.
- To ensure sustainable forest management, the Forest Service should take into consideration the effects of climate change by evaluating changing weather, vegetation, diversity and numbers of wildlife, water supplies [and other factors you care about].
- The Forest Service should also ensure that the forest plan is consistent with maintaining ecosystem diversity and habitats across the plan area. This means evaluating [insert species] vulnerability in the plan area and providing management solutions to [insert your issues].
- The Forest Service should work with the public to select key ecosystem characteristics to indicate the ecological integrity of the ecosystem—for example, [stream flows or water quality from a watershed].
- It has come our attention that [study/prior monitoring reports] shows [resource/species] has been impacted in the following ways: [insert details]. To remedy this situation in future plans, we suggest [insert details].

Possible topics for discussion:

- What are your expectations for what ecological integrity will look like in your plan area? How can this be addressed?
- What are the key stressors of ecological integrity in your plan area or the surrounding areas?
- Can you identify opportunities for restoration?
- Are some areas home to rare or unique plant communities?
- What opportunities for sustainable management present themselves?
- Do other forests have similar problems, and how are forest managers addressing them?
- How can you ensure that the best available scientific information about species and habitats is being used in the plan area? How can the Forest Service ensure that this information is provided to the public?

Ultimately, your involvement in this stage will provide information on topics you believe should be addressed in the developing forest plan.



PLAN DEVELOPMENT

After completing the assessment, the Forest Service will use the gathered information to begin developing the forest plan—an often lengthy and resource-intensive process. During the development stage, the responsible official must not only follow the 2012 Forest Plan process but simultaneously follow the National Environmental Protection Act (NEPA) process. If working with a newly designated National Forest, this plan will be developed from scratch. Otherwise, as is more common, the process will revise an existing plan by evaluating its existing plan components.⁴² Plan components “guide what future site-specific projects and activities may take place, where they can occur, and under what conditions.”⁴³

Need for Change

Before drafting a proposed plan, the Forest Service must prepare a Need for Change document that builds on information gathered during the assessment. The need for change will identify the parts of the current plan that will be revised, and why. Creating it helps guide planning and “inform the development of plan components.”⁴⁴ It also gives the public an early chance to understand what the Forest Service is trying to accomplish with the plan revision.⁴⁵

The Forest Service will share the preliminary Need for Change document with the public and request comments and opinions. In this step you and your advocacy group can identify any topics that were discussed during assessment that were left out, or areas that need improvement. This feedback is then considered by the responsible before releasing a final Need for Change.

“The final Need for Change and the Assessment are the foundation upon which the rest of the revised forest plan is built on” because the topics discussed in these stages are going to be analyzed during the revision process and the environmental impact assessment.⁴⁶ When participating and providing comments be sure to have a concise plan and approach to ensure you and your advocacy group have the most impact on framing your forest plan.

Revising the Forest Plan and Plan Components

After issuing the final Need for Change, the responsible official will begin revising the forest plan.⁴⁷ To develop the forest plan the responsible official must identify current and desired future conditions for the forest with the continued help of stakeholders and advocates to develop plan components. The Revised Forest Plan must contain the following “plan components”:

- *Desired conditions*: The vision of how the forest should look in the future.
- *Objectives*: “A concise, measurable, and time-specific statement of a desired rate of progress toward a desired condition or conditions.”
- *Standards*: Mandatory constraints on project decision making to ensure desired conditions are met. For example, “Do not approve construction of water developments unless beneficial to greater sage grouse habitat.”
- *Guidelines*: Mandatory constraints on project decision making that provide flexibility within the plan’s methods of meeting these guidelines. For example, “Management activities should take place no closer than 20 feet to active nesting habitat.”
- *Suitability of lands (not required for every resource)*: Identification of areas that are suitable or not suitable for certain uses based on objectives and desired conditions (for example, areas suitable for timber production or grazing).⁴⁸

Climate Change Stressors/Vulnerabilities

Plan components ensure climate change stressors and vulnerabilities are identified within the forest. Working with forest service staff on an effective climate assessment “provide[s] essential information for future management decisions.”⁴⁹ Each plan component must satisfy the 2012 Planning Rule’s requirements on sustainability by addressing ecological and socioeconomic topics and how they relate to the sustainability of the forest for current and future generations.⁵⁰ Failure to address climate change stressors and vulnerabilities in a forest fails to serve future generations. The planning rule identifies a few overarching sustainability components defined in Table 2, to ensure climate stressors identified in the forest plan.

TABLE 2: SUSTAINABILITY ANALYSIS FOR PLAN COMPONENTS

CONCEPT	REQUIREMENT
ECOLOGICAL INTEGRITY	Contain standards or guidelines on how to restore the ecological integrity of ecosystems and watersheds in the plan area, considering such factors as conditions in the broader landscape, the interdependence of ecosystems in the plan area, and stressors like fire and climate changes. ⁵¹
RIPARIAN MANAGEMENT	Ensure that management practices in riparian management zones (natural buffer zones between forest activity and waterways) and designated riparian areas do not cause detrimental changes to water temperature or chemical composition, blockages in water courses, or sediment deposits that “seriously and adversely affect water conditions or fish habitat.” ⁵²
ECOSYSTEM SERVICES	Include standards and guidelines to ensure the plan area’s contribution to social and economic sustainability. ⁵³ This means safeguarding current and future benefits people and communities obtain from the national forests including fresh water, protection from drought, carbon storage, and recreation. ⁵⁴

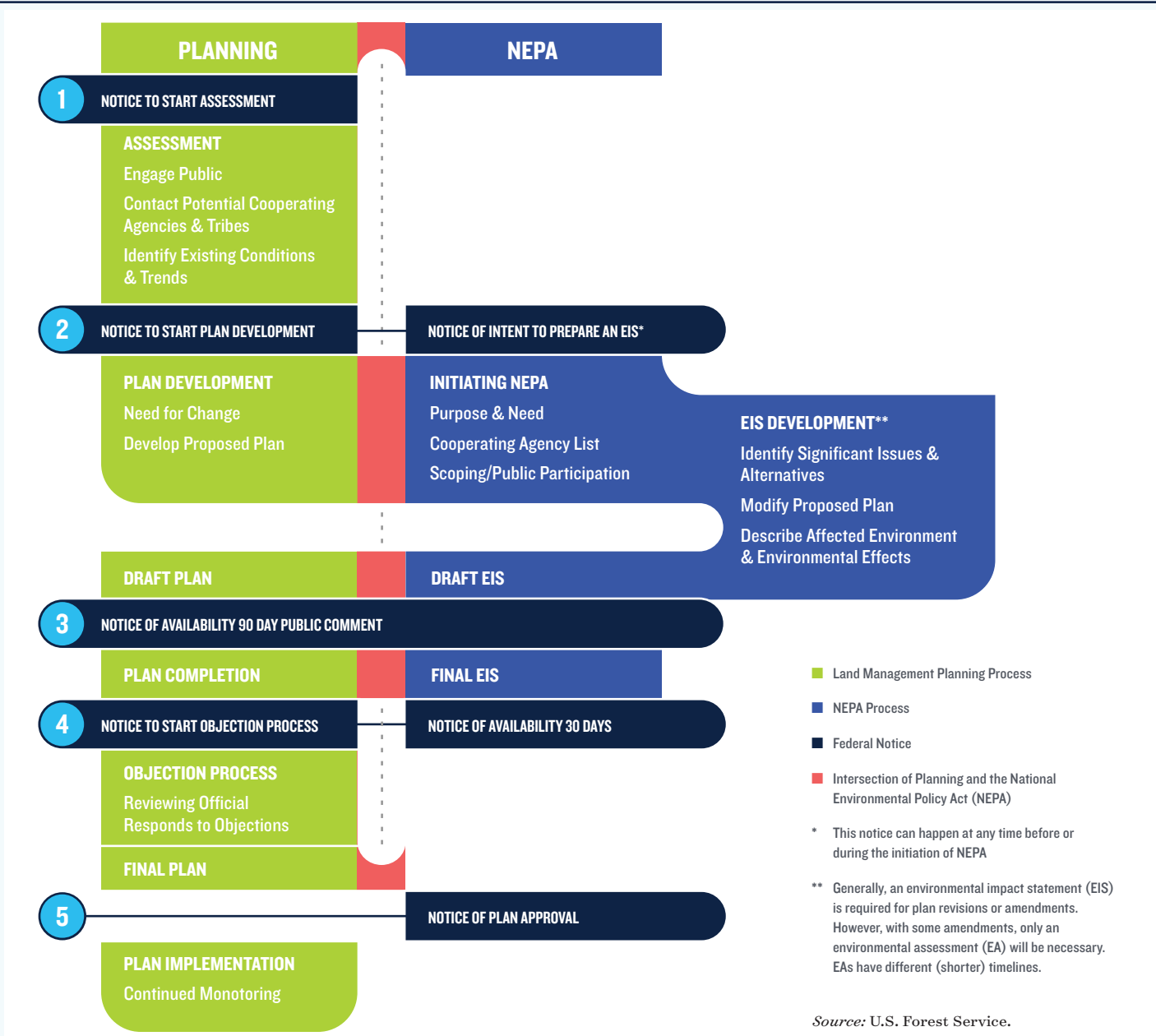
Plan components are the guiding principles to achieve measurable goals and assess the effectiveness of a new forest plan. Public participation in this step is critical. While many advocates find greater success when they get involved early, if you notice plan revision is underway, you can still participate and have a real impact on your national forest plan.

ENVIRONMENTAL ANALYSIS UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

While revising the forest plan, the Forest Service is also completing an environmental impact statement (EIS). Required under the National Environmental Policy Act (NEPA), the EIS analyzes the future environmental impacts of the plan on the forestland and surrounding area and provides alternatives where necessary to limit adverse impacts.⁵⁵ The EIS and the forest plan are developed simultaneously; in essence, NEPA informs the entire forest plan revision process.

The Forest Service provides notice to the public before it begins its environmental analysis.⁵⁶ Once informed, the public can participate and provide comments during a few stages of the NEPA process. First, during “scoping,” planning officials solicit public comments to identify interests, needs, and requests for change to shape the draft environmental analysis. This initial analysis informs the draft forest plan. After scoping, “the Forest Service will develop a proposed plan, analyze the environmental effects of the proposed plan, as well as alternatives, in a detailed document called an environmental impact statement (EIS).”⁵⁷ The draft environmental impact statement (DEIS) identifies the potential environmental, social, and economic impacts for each of the selected plan components.⁵⁸ There is a 90 day comment period for the proposed forest plan and draft EIS. Comments should support, oppose, and/or amplify the components of the documents.⁵⁹ In Figure 2, you can see the Forest Service’s diagram of how Forest Planning and NEPA fit together.

FIGURE 2: FOREST PLANNING PROCESS AND NEPA





The participation opportunities during the scoping period and the official comment period on the DEIS are both critically important to ensuring the forest plan addresses you and your advocacy group's areas of concern.⁶⁰ Scoping elements are incorporated into the DEIS, which influence the Forest Service's final reasoning for their selection of areas of concern and management practices moving forward. Remember submitting comments during the scoping period will increase your chances of impacting the forest plan. Scoping under NEPA is generally folded into the Forest Service's plan development public meetings.

The official comment period is also crucial because any future objections to the final environmental analysis must be based on substance provided in previous comments. Comments, therefore, should be focused, substantive, and backed by law, regulation, policy, and/or data. At times, the Forest Service might ask for comment on a draft EIS before it issues a proposed forest plan. More often, the Forest Service seeks comment on a DEIS and a proposed plan at the same time.

Below we include a few examples of how to use sustainability language during the scoping period and during the comment period. For more tips on "How to Be Most Effective During Public Comment Periods," see the Sierra Club's Forest Planning Handbook.⁶¹

SCOPING COMMENTS

As mentioned above, early involvement in the planning process sets you and your advocacy group up for the most success. The scoping period is the first stage of the NEPA process during which you can comment on the Forest Service's preliminary proposal and identify areas of importance that should be considered in the planning process. Scoping comments should include: your (or your group's) background and purposes, what you urge the Forest Service to consider, and your reasoning based on data and evidence. Here are some examples of how to frame scoping comments after you introduce yourself and your purpose.

Example: Citizen Advocate Comment for Scoping on Grand Mesa National Forest:

*Many at-risk species depend on these forests. They provide key habitat for the Canada lynx and Gunnison sage-grouse, which are both threatened species under the Endangered Species Act. Canada lynx need large areas of connected habitat and safeguards from threats such as logging. Oil and gas development should be avoided in Gunnison sage-grouse habitat. Other vulnerable species that need strict management standards and guidelines include the river otter, Gunnison's prairie dog, American white pelican, bald eagle, boreal owl, northern goshawk, Colorado River cutthroat trout, other animals, and many plants.*⁶²

Suggestions for Scoping comments:

Wildfires and Climate Change

- *The Planning Rule requires the Forest Service to develop standards and guidelines on ways to restore the ecological integrity of ecosystems and watersheds in the plan area. This means taking into account not just the forestland area but conditions in the broader landscape. It also means taking into account the interdependence of ecosystems in the plan area and stressors like fire and climate changes.*⁶³ *Climate change can make wildfires more dangerous due to warming temperatures, longer summers, earlier snowmelt, and drier conditions. We urge the Forest Service to take climate change into account when evaluating the potential for wildfires in [insert forest name] and to ensure sustainable forest management to avoid such fires.*

Carbon Storage and Tree Clearing

- *Under the Planning Rule, the Forest Service must take climate change into account. This means evaluating carbon storage when thinning or clearing trees. Studies show that harvesting live trees from the forest can reduce current standing carbon stocks. It also reduces the forest's future rate of carbon sequestration and its future carbon storage capacity by removing trees that otherwise would have continued to grow and remove CO₂ from the atmosphere. [Cite study to explain reasoning.]*⁶⁴

To see more sample comments and how they are submitted, visit Grand Mesa, Uncompahgre and Gunnison National Forests web page, Grand Mesa, Uncompahgre and Gunnison National Forests Plan Revision #51806.⁶⁵

DEIS COMMENTS

Once the draft environmental impact statement is released, the public has 90 days to submit comments. These are the most important comments in the entire planning process because this is the point at which the Forest Service begins to solidify its position on forest management.⁶⁶ Review the DEIS to determine the issues you want to raise in light of prior comments and scoping. Comment in response to specific DEIS language by referencing page numbers and paragraphs, draw attention to apparent contradictions, and back up your comments with facts and pointed explanations.

Example: Center for Biological Diversity comment on Flathead National Forest DEIS:

*"The Forest Service . . . suggests that timber harvest, commercial and pre-commercial thinning, wildfire, insects and disease, and prescribed burning would all benefit marten by promoting diverse forest structure and composition. DEIS, Vol. I at 365. This assertion ignores the Forest Service's acknowledgment just a few paragraphs earlier that marten avoid open areas and generally prefer patches of forest greater than at least 40 acres. DEIS, Vol. I at 364."*⁶⁷

Suggestions for DEIS comments:

- Under Section 219.9 of the regulations, ecosystem integrity should be maintained or restored. However, the permitted use of ____ under the DEIS would harm the structure and function of the forest ecosystem by ____.
 - We are concerned that while the DEIS emphasizes that erosion in riparian areas must be limited so as not to adversely affect water quality and fish habitat, [the proposed action] would do just that. In order to avoid these negative effects, we propose ____.
 - The components of the plan addressing fire risks do not specifically discuss system drivers like climate change.
 - In multiple places in the draft Forest Plan and DEIS, the plan discusses ecological conditions without addressing how it affects the broader landscape and ecological area outside of the plan area.
 - The plan does not specify how it will restore the ecological conditions that will help maintain viable populations of species of conservation concern in the plan area.
-

POST-RELEASE

Objecting to the Forest Plan

After the comment period on the draft EIS and proposed plan, the Forest Service will issue a revised plan, a final EIS, and a draft record of decision. The record of decision "documents the final decision and the responsible official's rationale for it."⁶⁸ If there is still dissatisfaction with the plan, the next step is what's called a pre-decisional objection. People who provided comments in the planning process will have 60 days to submit an objection. Any objections must be based on previously submitted substantive formal comments.⁶⁹

Objections must include:

- **Who the objector is:** Objector's name, address, phone number, and email address.
- **Identification of the plan:** The name of the plan, plan amendment, or plan revision being objected, and the name and title of the responsible official.
- **Statement of issues:** A summary of the parts of the plan, plan amendment, or plan revision to which the objection applies.
- **Objection:** A concise statement explaining the objection, how the plan is inconsistent with the law, and/or how the decision may be improved.
- **Linking statement:** An articulation of the link between prior formal comments submitted by the objector and the content of the objection, unless the objection concerns an issue that arose after the opportunity for public comment.⁷⁰

An excerpt from the objection letter submitted by the Defenders of Wildlife "Objection to the Revised Land Management Plan for the Francis Marion National Forest," can be found on the next page.⁷¹

OBJECTION LETTER TO REVISED LAND MANAGEMENT PLAN FOR FRANCIS MARION NATIONAL FOREST (SUBMITTED BY DEFENDERS OF WILDLIFE)

Dear Mr. Tooke,

Defenders of Wildlife files this objection to the Revised Land Management Plan for the Francis Marion National Forest under the process identified in 36 CFR 219 Subpart B (219.50-219.62). The Draft Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) and the Revised Land Management Plan was issued on August 19, 2016. The legal notice of the ROD, FEIS and Revised Plan was published in the Francis Marion and Sumter National Forests newspaper of record, *The State*, on August 26, 2016; therefore, this objection is timely. In November 2015 Defenders submitted substantive formal comments related to the plan during the opportunities provided for public comment. This objection is based on those previously submitted comments. . .

Our objection is focused primarily on the revised plan's compliance with §219.9 (Diversity of plant and animal communities) of the planning rule (36 CFR part 219). In our previous formal comments, we expressed concern with the draft plan and Draft Environmental Impact Statement's (DEIS) approach to meeting and demonstrating compliance with regulatory requirements for ecological integrity (36 CFR 219.8(a) and 219.9(a)) and for the identification and provision of plan components for at-risk species including SCC (36 CFR 219.9(b) and (c)). Those issues are interrelated: a failure to demonstrate compliance with the planning rule's integrity requirements raises concerns over the provision of ecological conditions for at-risk species that do not receive species-specific plan components. We raised specific issues about the draft plan's sufficiency in "contributing to the recovery" of the red-cockaded woodpecker, as directed under the planning rule and consistent with the Endangered Species Act (ESA). We continue to express concerns over those issues in this objection.

In addition, we continue to raise issues highlighted in previous comments surrounding compliance with National Forest Management Act (NFMA) requirements for timber management and sustained yield.

When submitting an objection, you have the right to meet with the Forest Service to resolve any issues you may have with the plan. As mentioned, your objections should be concise and "use information that the forest service can use in their analysis."⁷² The Forest Service has 90 days to provide a written response to your objection.⁷³ Once all comments are resolved or addressed, the Forest Service will publish the final plan and record of decision. The record of decision is the final decision on the forest plan and will explain the responsible official's rationale.⁷⁴ While the Forest Plan is complete at this stage, the process is not. Monitoring the adopted forest plan is the final stage of the planning process.

IMPLEMENTATION AND MONITORING

After the revised plan is approved and implemented, the Forest Service is required to monitor the effectiveness of the plan and produce periodic evaluation reports.⁷⁵ Monitoring takes place throughout the life of the plan, from implementation until it is revised again (up to 15 years later). This allows the Forest Service to track conditions over time and provides the agency with information to determine whether the forest plan requires revision or amendments.

The Forest Service is also required to monitor the health of community networks, which can include stakeholders such as hikers, environmental groups, youth, and interested community members. The 2012 Rule's concept of social sustainability requires forest plans to consider the "capability of society to support the network of relationships, traditions, culture, and activities that connect people to the land and to one another and support vibrant communities."⁷⁶ Monitoring therefore includes assessing how a plan contributes to social sustainability and the implementation of the plan's specific social sustainability commitments. Forest plan implementation has never before explicitly included such monitoring of social conditions.

Further, this phase includes monitoring the performance of forest staff in reaching out to local communities, a principal Forest Service goal expressed in its 2015 directives.⁷⁷ The Forest Service has committed to making meaningful efforts to reach underserved, low-income, or socially disadvantaged and indigenous communities, which are often disproportionately impacted by changes to forestlands. This outreach is as important after plan completion as well as during planning. Without such outreach, forest planners cannot fully appreciate the interconnections between people and the natural resources the Forest Service is responsible for managing.

In its evaluations, the Forest Service should ask questions like: How is the plan impacting sustainable recreation businesses? Is the plan adhering to its guidelines, goals, standards, or objectives with respect to connecting underrepresented communities to the forest? Are concrete commitments being followed? For example, have forest staff visited schools in the area?



Citizens and advocacy groups can play a role in developing broader monitoring strategies. The Planning Rule requires plan monitoring at the regional level in addition to the forest level, a process that requires public involvement. Community organizations can build connections with community groups in other areas, as well as with regional and national organizations, to illuminate regional planning failures that may be hidden when looking only at a single forest plan's implementation.

Advocates and community members have a key role to play during monitoring and the creation of the monitoring evaluation reports. Local residents are often able to notice early warning signs of possible implementation problems. The community is in a position to notice emerging problems that the existing forest plan does not address at all. In giving feedback to forest planners, community stakeholders and advocates should specifically identify how sustainability objectives and standards in the plan are being implemented.

STRATEGIES FOR MONITORING A FOREST PLAN

- Share notes on plan implementation.
- Participate in public meetings for both forest and broader-scale monitoring
- Consider what communities are not represented at public meetings; is the Forest Service doing enough to try to engage them?
- Collaborate to develop methods and measures for monitoring plan implementation.
- Educate other groups and fellow citizens on plan contents; share expertise and familiarity with forest planning.
- If plan components discuss outreach to underrepresented communities, note the Forest Service's progress or lack of progress in meeting these goals.

Conclusion

The 2012 Forest Planning Rule has put sustainability and future generations at the core of forest planning. How we use our national forests affects each of us whether we live near a forest or hundreds of miles away. Public engagement in the forest planning process is open to everyone as individuals, groups, or organizations, and you are encouraged to participate in whatever capacity you can. Our national forests belong to each one of us. They offer clean water, clean air and vibrant communities. It is up to us to translate the planning rule's powerful words into sustainable and equitable outcomes.

Glossary of Abbreviations

NFMA	National Forest Management Act
TEK	Traditional Ecological Knowledge
NEPA	National Environmental Policy Act
DEIS	Draft Environmental Impact Statement
FEIS	Final Environmental Impact
EIS	Environmental Impact Statement
ROD	Record of Decision

Appendix A: Core Sustainability and Intergenerational Equity Language in the Planning Rule

SUSTAINABILITY CONCEPT	DEFINITION AND REQUIREMENTS FROM THE PLANNING RULE
SUSTAINABILITY	<p><i>Definition:</i> The capability to meet the needs of the present generation without compromising the ability of future generations to meet their needs. (219.19).</p> <p><i>Requirements:</i> A forest plan must provide for social, economic, and ecological sustainability within Forest Service authority and consistent with inherent capability of the plan area (including ecological sustainability; ecosystem integrity; standards that maintain or restore air, soil, and water quality; best management practices for water quality; and components to contribute to social and economic sustainability, sustainable recreation, and multiple uses that contribute to local, regional, and national economies) (219.8).</p>
ECOLOGICAL SUSTAINABILITY	<p><i>Definition:</i> The capability of ecosystems to maintain ecological integrity (section 219.19).</p> <p><i>Requirements:</i> The plan must include components, including standards or guidelines, that:</p> <ul style="list-style-type: none"> ■ maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area (section 219.8(a)(1)). ■ maintain or restore air, soil, and water integrity, including air quality, soil and soil productivity, water quality, water resources (including riparian areas) and ecological connectivity (219.8(a)(2)).
ECONOMIC SUSTAINABILITY	<p><i>Definition:</i> The capability of society to produce and consume or otherwise benefit from goods and services including contributions to jobs and market and nonmarket benefits. (219.19)</p>
SOCIAL SUSTAINABILITY	<p><i>Definition:</i> The capability of society to support the network of relationships, traditions, culture and activities that connect people to the land and to one another. (219.19)</p> <p><i>Requirements for social and economic sustainability:</i> The plan must include components, including standards or guidelines, to guide the plan area's contribution to social and economic sustainability, taking into account:</p> <ul style="list-style-type: none"> ■ social, cultural, and economic conditions relevant to the plan area; ■ sustainable recreation, including recreation settings, opportunities, and scenic character; ■ multiple uses that contribute to local, regional, and national economies; ■ ecosystem services; ■ cultural and historic resources; and ■ opportunities to connect people to nature (219.8(b)).
LONG-TERM USE AND ADAPTABILITY	<p>Intergenerational Equity Language:</p> <p>The Forest Service manages the NFS to sustain the multiple use of its renewable resources <i>in perpetuity</i> while maintaining the <i>long-term</i> health and productivity of the land. (219.1(b))</p> <p>Plans will guide management of NFS lands so that they are ecologically sustainable, contribute to social and economic sustainability; consist of ecosystems and watersheds with ecological integrity and diverse plant and animal communities with ecosystem services and multiple uses that provide a wide range of social, economic and ecological benefits for the <i>present and into the future</i>. 219.1(c).</p> <p>Examples:</p> <ul style="list-style-type: none"> ■ Sustainable recreation. The set of recreation settings and opportunities on the National Forest System that is ecologically, economically, and socially sustainable for present and future generations. 219.9. ■ Viable Population: A population of a species that continues to persist over the long term with sufficient distribution to be resilient and adaptable to stressors and likely future environments. 219.19.
DECISION MAKING AND FUTURE USE	<p><i>Assessment:</i> The responsible official shall consider and evaluate existing and possible future conditions and trends of the plan area.... 219.5(a)(1).</p> <p><i>New Plan Development or Revision:</i> In developing a proposed new plan or proposed plan of revision, the responsible official must review all relevant information from the assessment, identify importance of various physical, biological, social, cultural and historic resources and evaluate conditions, trends and stressors based on the sustainability requirements of 219.8, diversity requirements of 219.9, multiple uses of 210.10, and timber requirements of 219.11, each of which require the <i>sustainable maintenance</i> of the resource. 219.7(a)-(c).</p>

Appendix B: Resources and Further Reading

Indivisible resources

Indivisible is a partisan organization and activist network with a progressive political agenda, but many of their tool kits for organizing apply to other contexts. Small nonprofits, informal citizen groups, activists, and individuals can use their materials in their advocacy efforts in forest planning.

Organizing

“How to Form Local Partnerships,” <https://indivisible.org/resource/form-local-partnerships-part-1>.

“How to Run a Meeting,” <https://indivisible.org/resource/how-run-meeting>.

“Organizing Is Mainly About Listening,” <https://indivisible.org/resource/organizing-mainly-about-listening>.

Media

“Writing Op-Eds That Make a Difference,” <https://indivisible.org/resource/writing-opeds-make-difference>.

“How to Write Letters to the Editor That Really Get Attention,” <https://indivisible.org/resource/write-letters-editor-really-get-attention>.

“How to Get Press to Cover Your Event,” <https://indivisible.org/resource/press-cover-event>.

“Tips From Journalists: How to Build Great Connections With Media,” <https://indivisible.org/resource/tips-journalists-how-build-great-connections-media>.

Equity and Inclusion

“How to Build Inclusive Partnerships,” <https://indivisible.org/resource/build-inclusive-partnerships>.

“How to Be Inclusive: An Introduction,” <https://indivisible.org/resource/how-be-inclusive-introduction>.

Relevant websites

RegulationRoom

“Why Participate?” <http://regulationroom.org/learn/why-participate>.

“What Is Rulemaking?” <http://regulationroom.org/learn/what-rulemaking#.UiiXQDrD9GE>.

“What Is Effective Commenting?” <http://regulationroom.org/learn/what-effective-commenting>.

- RegulationRoom was a collaboration of Cornell University and various federal agencies. While the website is now in an archived form, the original pages highlighted are short and very accessible.

Natural Resources Defense Council Act Now, <https://www.nrdc.org/actions?filter-id=All> (especially see the Section “The Wild”)

- The NRDC Act Now provides an avenue for advocates to take action on environmental issues by submitting comments and staying updated with the latest alerts and progress reports.

Defenders of Wildlife Activist Hub, <https://defenders.org/activist> (see especially the section “Communicate on Social Media,” <https://defenders.org/activist#social>).

- Similar to the Indivisible resources above, Defenders’ Activist Hub offers general advocacy tools, such as tips for social media advocacy and writing letters to the editor.

Power Coalition Advocacy and Civic Engagement Toolkit, <http://powercoalition.org/wp-content/uploads/2018/01/Advocacy-and-Civic-Engagement-Toolkit.pdf>.

- This tool kit for nonprofit organizations summarizes legal rules surrounding lobbying, nonprofits, and elections in plain language. It is useful for anyone considering starting a nonprofit and for young nonprofits still learning about limits on 501(c)(3) organizations, 501(c)(4) groups, and so on.

Open Government Partnership (OGP) Toolbox, <https://ogptoolbox.org/en/>.

- This toolbox compiles websites and web-based examples of how governments and citizens are using the internet and web tools to track government processes and legislation. This toolbox may be useful for inspiration or for a citizen or group thinking about creating a new web platform for activism and wondering what already exists.

Logan Harper, “A Citizen’s Guide to Open Government,” <https://onlinempa.unc.edu/a-citizens-guide-to-open-government-e-government-and-government-2-0/>.

- Similar to the OGP source mentioned above, this site contains resources and examples of open government initiatives (e.g., a site where citizens can make a petition to share), compiled by a University of North Carolina School of Government student.

Ann Dermody, “70 Experts Share Their Best Advocacy Planning, Strategy, Skills and Training Tips,” <https://info.cq.com/resources/advocacy-planning-strategy-skills-and-training-from-70-experts/>.

- Even though this article, from the CQ website, deals with a very general and abstract concept—how to advocate effectively—its advice is pithy and practical. For example, one veteran lobbyist observes, “In any situation, there is often more time and more chances to succeed than may appear.”

University of Kansas Community Tool Box, “Organizing for Effective Advocacy,” <https://ctb.ku.edu/en/organizing-effective-advocacy>.

- This site provides a large number of tips and examples about advocacy. While it takes a very general approach, it may be useful to look at the table of contents and sub-tables of contents for ideas on specific advocacy issues, such as “Recognizing Allies” (chapter 30, section 4).

U.S. Government resources

U.S. Department of Agriculture (USDA), “A Citizens’ Guide to National Forest Planning,” https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd509144.pdf.

- The Forest Service prepared this guide to help the public navigate the new forest planning process under the 2012 Planning Rule and learn about opportunities to participate.

USDA, *Land Management Planning Handbook*, chapter 40, “Public Participation,” <https://www.fs.usda.gov/detail/planningrule/home/?cid=stelprd3828310>.

- This links to the directives implementing the 2012 Planning Rule. Chapter 40 is the directive on public participation.

USDA, Forest Service, “Forest Planning Rule Website,” <https://www.fs.usda.gov/planningrule>.

- This website provides many helpful resources including text of planning rule, guidance, useful contacts, a map of the national forests and a link to the status of different forest plans.

Congressional Resource Service, “The Federal Rulemaking Process: An Overview,” <https://fas.org/sgp/crs/misc/RL32240.pdf>.

- This is a very thorough and well-written guide to orient readers to the rulemaking process.

Regulations.gov, “Tips for Submitting Effective Comments,” https://www.regulations.gov/docs/Tips_For_Submitting_Effective_Comments.pdf.

- General advice for commenting on proposed actions and notices from federal agencies.

“U.S. Public Participation Playbook,” <https://participation.usa.gov/>.

U.S. Environmental Protection Agency (EPA), “Public Participation Guide,” <https://www.epa.gov/international-cooperation/public-participation-guide-introduction-public-participation>.

- The intended audience for the “Participation Playbook” is public officials, not citizens, as is the EPA guide. The public, however, can use both to understand how the Forest Service might be approaching public engagement. And some sections, like the one on consensus building, arguably apply to both sides.

Council on Environmental Quality, “A Citizen’s Guide to the NEPA,” https://ceq.doe.gov/docs/get-involved/Citizens_Guide_Dec07.pdf.

- A helpful guide to the National Environmental Policy Act. This guide is most useful as background to NEPA and for general insight into public lands and environment-related public participation and advocacy.

Instructional videos from Regulations.gov, available at <https://www.hhs.gov/regulations/regulations-toolkit/index.html#videos>.

- These videos show how to navigate the Regulations.gov website. Remember that in forest planning, it is necessary to monitor the specific National Forest’s planning web pages; do not rely only on Regulations.gov.

Academic articles

Collected public participation case studies about transportation projects are available at https://www.planning.dot.gov/focus_caseStudies.aspx (such as this case study from Tennessee).

- These resources and other U.S. Department of Transportation public participation tools are aimed at how transportation officials can improve public engagement. The case studies illustrate some effective participation strategies by citizens in addition to the government’s role in fostering this engagement.

National Research Council, *Public Participation in Environmental Assessment and Decision Making*, <http://nap.edu/12434>.

- This is a lengthy report by the National Research Council, which is part of the National Academies. It compiles recommendations to government agencies on how to approach public participation and summarizes academic research on the subject. It can be purchased online for around \$65 to \$80.

Kirsten M. Leong et al., “Moving Public Participation beyond Compliance: Uncommon Approaches to Finding Common Ground,” <http://www.georgewright.org/263leong.pdf>.

- This 2009 study interviews government officials and what they think about public engagement. An interesting takeaway is that from their perspective, building relationships and trust is a major benefit of public participation. This may be a useful lesson for citizens joining this process as well.

ENDNOTES

- 1 U.S. Department of Agriculture, *A Citizens' Guide to National Forest Planning*, (June 2016) (hereafter “USDA, *A Citizens' Guide*”), at 9, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd509144.pdf.
- 2 16 U.S.C. § 1600 et seq. See also U.S. Forest Service, “Planning Rule 101,” <https://www.fs.usda.gov/main/planningrule/101> (accessed February 2, 2020).
- 3 USDA, *A Citizens' Guide*.
- 4 USDA, Forest Service, National Forest System Land Management Planning, 71 Fed. Reg. 21162, 21163 (April 9, 2012).
- 5 *Sustainability* is defined by the National Forest Service as “the capability to meet the needs of the present generation without compromising the ability of future generations to meet their needs.” The basic concept of intergenerational equity is that every generation must pass its natural and cultural resources to the next generation in at least as good condition as it was received. See Edith Brown Weiss, “Climate Change, Intergenerational Equity, and International Law,” *Vermont Journal of Environmental Law* 9, no. 3 (Spring 2008): 615-627, <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2637&context=facpub>.
- 6 36 C.F.R. Part 219.
- 7 36 C.F.R. Part 219.
- 8 USDA, *A Citizens' Guide*, 29.
- 9 36 C.F.R. § 219.1(c).
- 10 36 C.F.R. § 219.6 (Assessment Topics), § 219.8 (Sustainability Concerns), § 219.9 (Diversity of Plant and Animal Communities). See also USDA, *A Citizens' Guide*, 31.
- 11 U.S. Fish & Wildlife Service, “Traditional Ecological Knowledge for Application by Service Scientist,” (February 2011), <https://www.fws.gov/nativeamerican/pdf/tek-fact-sheet.pdf>.
- 12 Environmental Protection information Center, Brief Update on Northwest Forest Plan Revisions, (February 25, 2016), <https://www.wildcalifornia.org/blog/brief-update-on-northwest-forest-plan-revisions>.
- 13 36 C.F.R. § 219.1(c), § 219.4(a).
- 14 36 C.F.R. § 219.4(a)(1).
- 15 36 C.F.R. § 219.4.
- 16 USDA, *A Citizens' Guide*, 25.
- 17 See U.S. Forest Service, *Land Management Planning Handbook* (hereafter “USFS, *Land Management Planning Handbook*”), Chapter 43, “Public Participation and the Role of Collaboration,” effective February 14, 2013, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5409879.pdf. See also University of Montana Center for Natural Resources and Environmental Policy, *Public Participation: Lessons Learned Implementing the 2012 US Forest Service Planning Rule*, (hereafter University of Montana, “*Public Participation: Lessons Learned*”) (February 18, 2015), <http://forestpolicy.com/wp-content/uploads/2015/02/Lesson-Learned-in-Public-Participation-and-Forest-Planning-under-the-2012-Planning-Rule-Final-Report-2.19.15.pdf>.
- 18 USFS, *Land Management Planning Handbook*, 5.
- 19 USFS, *Land Management Planning Handbook*, Chapter 40. See also University of Montana, *Public Participation: Lessons Learned*.
- 20 USFS, *Land Management Planning Handbook*, 21.
- 21 For an example of Public Participation Strategy see, USFS, El Yunque National Forest, “Collaboration, Communication and Conversation,” <https://www.fs.usda.gov/detail/elyunque/landmanagement/planning/?cid=stelprdb5413559>.
- 22 USFS, Flathead National Forest, “Forest Plan Revision,” <https://www.fs.usda.gov/detailfull/flathead/home/?cid=stelprdb5422786&width=full>.
- 23 USFS, Flathead National Forest, “Forest Plan Revision Collaboration, Communication and Conversations,” <https://www.fs.usda.gov/detail/flathead/landmanagement/planning/?cid=stelprdb3831106>.
- 24 Meridian Institute, “Flathead National Forest Management Plan Revision: Stakeholder Collaboration Final Report,” October 15, 2014, <https://s31207.pcdn.co/wp-content/uploads/2019/06/Flathead-National-Forest-Stakeholder-Collaboration-Final-Report.pdf>.
- 25 *Id.*, 4.
- 26 USFS, “Public Participation Strategy for the Flathead National Forest Plan Revision,” https://fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb3791250.pdf.
- 27 Meridian Institute, “Flathead National Forest Management Plan Revision: Stakeholder Collaboration Final Report,” October 15, 2014, <https://s31207.pcdn.co/wp-content/uploads/2019/06/Flathead-National-Forest-Stakeholder-Collaboration-Final-Report.pdf>.
- 28 USFS, El Yunque National Forest, *Forest Service Signs Collaborative Agreement With Citizens Committee for Conservation of El Yunque National Forest*, <https://www.fs.usda.gov/detail/elyunque/news-events/?cid=FSEPRD510764>.
- 29 USFS, Collaborative Planning, “USDA Forest Service National Collaboration Cadre,” last modified February 21, 2020, https://www.fs.fed.us/emc/nfma/collaborative_processes/default.htm.
- 30 USFS, El Yunque National Forest, “Collaboration, Communication and Conversation.”
- 31 Colaboración Bosque Nacional EL Yunque, Facebook Page, February 2, 2020, <https://www.facebook.com/colaboracionyunque>.
- 32 USFS, “US Forest Service Signs Collaborative Agreement With Citizen’s Committee for Conservation of El Yunque National Forest,” <https://www.fs.usda.gov/detail/elyunque/news-events/?cid=FSEPRD510764> (accessed, April 12, 2020).
- 33 University of Montana Center, “*Public Participation: Lessons Learned*.”
- 34 Sierra Club, *Forest Planning During Changing Times: A Handbook for Environmental Action*, (October 2012) (hereafter Sierra Club, *Forest Planning*) https://content.sierraclub.org/creative-archive/sites/content.sierraclub.org/creative-archive/files/pdfs/100_173_ForestReport_Whitepaper_08_low.pdf.
- 35 36 C.F.R. § 219.5(a)(1). See also USDA, *A Citizens' Guide*, 14.
- 36 36 C.F.R. § 219.5(a)(1).
- 37 36 C.F.R. § 219.6(a)(1).
- 38 36 C.F.R. § 219.5(b).
- 39 36 C.F.R. § 219.5(a)(2)-(3). See also USDA, *A Citizens' Guide*, 19. The Forest Service also maintains an email list to provide information to anyone who would like to be kept informed that way. The assessment process may vary among forests since the responsible official has discretion to determine how best to invite and incorporate public input into the development of the assessment.

40 For example, see public meeting comment summaries for El Yunque National Forest, Naguabo Municipality Meeting, January 28, 2014, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3806764.pdf. and Las Piedras Municipality Meeting, March 27, 2014, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3806761.pdf. (accessed February 2, 2020). See also USDA, *A Citizens' Guide*, 19.

41 USFS, El Yunque National Forest, "Collaboration, Communication and Conversation."

42 36 C.F.R. § 219.65. § 219.7. A new plan is required when a new National Forest System unit is created. An existing plan may also be amended at any time, in a process that is less comprehensive than a revision. See 33 C.F.R. § 219.13.

43 USDA, *A Citizens' Guide*, 19.

44 USDA, *A Citizens' Guide*, 18.

45 36 C.F.R. § 219.7(c)(2)(i). ("Review of the relevant information from the assessment and monitoring to identify a preliminary need to change the existing plan and to inform the development of plan components and other plan content").

46 USDA, *A Citizens' Guide*, 18.

47 36 C.F.R. § 291.7(e). See also, USDA, *A Citizens' Guide*, 19.

48 36 C.F.R. § 291.7 (e)(1)(i-v) .

49 USFS, Climate Change Vulnerability Assessments Across the Nation, *Assessing Vulnerability*, <https://usfs.maps.arcgis.com/apps/MapJournal/index.html?appid=4d52ad331fe4442a875709856048033c>

50 36 C.F.R. § 219.7(c)(2). See also Table 1 in Appendix A.

51 36 C.F.R. § 219.8(a). 2012.

52 36 C.F.R. § 219.8(a)(3)(A). 2012.

53 36 C.F.R. § 219.8(a)(3)(4)(b). 2012.

54 USDA, *A Citizens' Guide*, 24.

55 A draft proposal is developed and management alternatives are evaluated through the National Environmental Policy Act. 42 U.S.C. § 4321 et seq. A forest plan is subject to all the provisions of NEPA during its development, revision, or amendment.

56 USDA, *A Citizens' Guide*, 25.

57 USDA, "A guide to the Guides PPT Slide decks," slide presentation, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd533669.pptx, (accessed February 11, 2020).

58 Sierra Club, *Forest Planning*, 6. While NEPA requires the Forest Service to consider only the environmental impacts of its decisions, it does not mandate that the agency execute any specific decision nor choose the alternative with the lowest environmental impact.

59 *Id.*

60 *Id.* Preparation of this document can take as long as a full year. If you have submitted scoping comments, the agency is required to send you a copy of the draft for further review and comment.

61 Sierra Club, *Forest Planning*, 20.

62 Defenders of Wildlife, Protect Wildlife, Save this Rocky Mountain Wildlife Wonderland, <https://secure.defenders.org/site/Advocacy?cmd=display&page=UserAction&id=3325>.

63 36 C.F.R. § 219.8(a).

64 Language adapted from Battle Creek Alliance et al., *Re: Comments on California Forest Carbon Plan*, letter to Forest Carbon Action Team, March 17, 2017, https://www.biologicaldiversity.org/campaigns/debunking_the_biomass_myth/pdfs/Forest_Carbon_Plan_Comments.pdf. Alisa Opar, *Fearing the Burn*, NRDC blog, May 26, 2015, <https://www.nrdc.org/onearth/fearing-burn>.

65 USFS, "Grand Mesa, Uncompahgre and Gunnison National Forests Plan Revision #51806," <https://cara.ecosystem-management.org/Public/ReadingRoom?List-size=25&Project=51806&List-page=21>.

66 See Sierra Club, *Forest Planning*, 8.

67 USDA, FNF Plan Revision & NCE GBCS Amendment to the Lolo, Helent, Lewis & Clark and Kootenai NFs #46286, <https://cara.ecosystem-management.org/Public/ReadingRoom?Project=46286>.

68 USFS, "Forest Plan Revision and NEPA 101." See also USDA, *A Citizens' Guide*, 27.

69 36 C.F.R. § 219.50.

70 36 C.F.R. § 219.54.

71 USDA, Defenders of Wildlife "Objection to the Revised Land Management Plan for the Francis Marion National Forest," October 25, 2016, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd523409.pdf.

72 Outdoor Alliance, *Outdoor Citizens Guide to Forest Planning*, 10, June 14, 2019, <https://www.outdooralliance.org/blog/2019/6/13/outdoor-citizens-guide-to-forest-planning>.

73 36 C.F.R. § 219.56.

74 USDA, *A Citizens' Guide*, 25.

75 USDA, "A Citizens' Guide to Forest Planning" (brochure), "Overview of the Land Management Planning Process," https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd530776.pdf.

76 36 C.F.R. § 219.19.

77 USFS, *Land Management Planning Handbook*, Chapter 43, "Public Participation and the Role of Collaboration," effective February 14, 2013, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5409879.pdf