

SJR

12



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

Official Business

State Capitol, Rm 214
Juneau, AK 99801-1182
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✓
CONCUR 14-0
4/21/95

April 20, 1995

MESSAGE TO THE SENATE

Madam President:

The House has passed CSSJR 12(RES) with the following amendment and it is transmitted for consideration:

HOUSE CS FOR CS FOR SENATE JOINT RESOLUTION NO. 12(RES) am H
Relating to the United States Department of Agriculture, Forest Service; relating to the United States Department of Agriculture, Forest Service, strategic plan known as "Reinvention of the Forest Service"; and advocating that implementation of the plan be suspended pending Congressional review and consultation with local governments.

Suzi Lowell

Suzi Lowell, Chief Clerk

SENATE FINAL PASSAGE ON
JOURNAL PAGE # 370

2-22-95
FISCAL NOTE: Q

Sen. Pearce

Sen. Halford

Sen. Miller

Sen. Duncan

Sen. Taylor

(prime sponsor)

Sen. Seman

(Chair, last committee) *(state)*

Sen. Frank, Co-Ch., Finance

SENATE COMMITTEE REPORT
First Committee of Reference

DATE: 1/25/95

FURTHER:

Date of 5-Day Notice: 2-2-95
 (in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-13-95

Resources Committee considered SJR 12

Relating to U.S. Dept. of Agriculture, Forest Service, and the strategic plan known as "Reinvention of the Forest Service"; and the implementation of the plan.

and recommends:

- be replaced with CS SJR 12 (RES)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 technical change
 new: SCR# _____

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
DNR	1995	<input checked="" type="checkbox"/>	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA

BILL NO. SJR12

1995 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Natural Resources
 Title: Relating to the United States Department of BRU: Resource Development
Agriculture, Forest Service... strategic plan known as "Reinvention..." Component: Forest Management & Development
 Sponsor: Senator(s) Taylor, Pearce
 Requestor: _____ Component Serial No. 435

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ None

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact associated with implementation of this resolution.

Prepared by: Tom Boutin, Director *[Signature]* Phone: 465-3379
 Division: Forestry Date: 9-Feb-95
 Approved by Commissioner: *[Signature]* Date: 2/9/95
 Agency: Natural Resources

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9-LS0526C
Luckhaupt
2/2/95

*Final Requested
4:29 p.m.
2/10/95*

CS FOR SENATE JOINT RESOLUTION NO. 12()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS TAYLOR, Pearce

A RESOLUTION

1 Relating to the United States Department of Agriculture, Forest Service; relating
2 to the United States Department of Agriculture, Forest Service, strategic plan
3 known as "Reinvention of the Forest Service"; and advocating that implementation
4 of the plan be suspended pending Congressional review and consultation with local
5 governments.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7 WHEREAS the United States Department of Agriculture, Forest Service, has issued
8 a new strategic plan known as "Reinvention of the Forest Service"; and

9 WHEREAS this plan has far-reaching implications and was developed without
10 consultation with key elected leaders, including state governors, members of the United States
11 Congress, or community, tribal government, and the Alaska Native Claims Settlement Act
12 (ANCSA) corporate leaders in contradiction of President Clinton's Executive Order No. 12875
13 "Enhancing Intergovernmental Partnerships"; and

14 WHEREAS Vice-President Gore's "Report on Reinventing Government" was
15 developed with the promised intent of empowering local governments and decentralizing

1 decision-making power; and

2 **WHEREAS** the "Reinvention of the Forest Service" strategic plan approved by
3 Secretary of Agriculture Mike Espy, just before his resignation, eliminates the very foundation
4 of locally based authority that had the responsibility of working with states, local communities,
5 tribal governments, and ANCSA corporations and masks and diffuses decision-making
6 authority and withdraws it to Washington, D.C., making the Forest Service less responsive to
7 local concerns; and

8 **WHEREAS** moving the Alaska Region Forest Service office to Portland, Oregon, is
9 an example of the flawed science being used to define ecosystems and ecological boundaries;
10 and

11 **WHEREAS** the newly defined purpose of the Forest Service to promote the
12 sustainability of ecosystems without specifically retaining the traditional Forest Service
13 objective of promoting community stability has already created problems and crises for
14 hundreds of communities dependent upon the national forests and state and private forest
15 ecosystems; and

16 **WHEREAS** the new strategic plan has seemingly turned away from commitment
17 towards providing a continuous flow of renewable resources to meet the public need, as
18 directed in the Organic Act, Multiple-Use Sustained Yield Act of 1960, the National Forest
19 Management Act, and other Acts of the Congress; and

20 **WHEREAS**, under the new strategic plan, the Forest Service is more inclined to
21 present a nebulous plan for ecosystem management where resource yields are simply the
22 by-products of management, with no predictable flows or commitments to supply levels to
23 sustain human life;

24 **BE IT RESOLVED** that the Alaska State Legislature calls upon the newly designated
25 Secretary of Agriculture to suspend implementation of the reinvention project's strategic plan
26 approved by Secretary Espy to allow for Congressional review and for consultation with local
27 governments; and be it

28 **FURTHER RESOLVED** that the United States Department of Agriculture, Forest
29 Service, conduct true partnership meetings with states, communities, tribal governments, and
30 ANCSA corporations to develop a new strategic plan; and be it

1 **FURTHER RESOLVED** that the Forest Service acknowledge the United States
2 Department of Agriculture's legal obligations to rebuild, restore, and promote the economic
3 stability of forest dependent communities; and be it

4 **FURTHER RESOLVED** that, in keeping with federal law, timber commodities are
5 a primary not a residual value of forest management; and be it

6 **FURTHER RESOLVED** that Forest Service employee compensation and cost-of-
7 living allowance be reflective of timber production, and be it

8 **FURTHER RESOLVED** that the United States Department of Agriculture, Forest
9 Service, through a true partnership with local communities, identify and implement strategies
10 for decentralizing decision making and empowering state and local governments to more
11 effectively manage forest ecosystems to assure community stability, improve service to the
12 public, and reduce government cost.

13 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
14 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
15 of the U.S. Senate; the Honorable Dan Glickman, Secretary of Agriculture; the Honorable
16 Bruce Babbitt, Secretary of the Interior; Jack Ward Thomas, Chief of the Forest Service, U.S.
17 Department of Agriculture; and to the Honorable Ted Stevens and the Honorable Frank
18 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of
19 the Alaska delegation in Congress.

United States
Department of
Agriculture

Forest
Service

Washington
Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-6090

Reply to: 1200

Date: December 6, 1994

Subject: Forest Service Reinvention Plan

To: Forest Service Employees

Enclosed is the Summary of our reinvention report approved by Secretary Espy. This report is a strategic plan for creating the Forest Service of the future. It was developed in the spirit of President Clinton's National Performance Review with extensive participation of our employees and members of the public.

We have deliberately taken a comprehensive and thoroughgoing approach because of the extraordinary challenges faced by our Agency over the past several years. Our employees and stakeholders believe significant change in the way we do our business is necessary to enhance the confidence and trust of the people we serve.

We have electronically mailed a copy of the complete report to your unit's mailbox. It should soon be available for your use. Hard copies will be arriving soon to your unit by surface mail.

In January, we will conduct an interactive video conference to answer questions you may have about the report and our implementation strategies. We hope that you will take the opportunity to read the report between now and then. Further details on the conference will be forthcoming.

Reinvention is an evolutionary process that will continue over a prolonged period. As we phase in various aspects of reinvention, we will use every tool at our disposal to minimize impacts on Forest Service people. These tools include buyouts, retraining, retirements, attrition, transfers within and between agencies, and reassignments.

This is an exciting and challenging time for the Forest Service. We know you are already working hard to create the Forest Service of the future. We sincerely thank you for your efforts.

Keep it up!

/s/ Jack Ward Thomas

JACK WARD THOMAS
Chief

Enclosure

Background

Forest Service Reinvention Executive Summary

Introduction

We believe significant change is needed in the way we do business in order to perform our duties in a manner that enhances the confidence and trust of the public. Because of the extraordinary challenges faced by our Agency over the past several years, we have deliberately taken a comprehensive and thorough approach to Forest Service reinvention. Our goal is to improve customer service and build the public's trust through improved efficiency and demonstrated competence.

Forest Service Reinvention Report

The newly released report, "Reinvention of the Forest Service: The Changes Begin," proposes a description of the Forest Service of the future and ways to bring it into being. The report is a strategic document. It was developed in the spirit of President Clinton's National Performance Review with extensive participation of Forest Service employees and members of the public. It does not attempt to provide solutions to site-specific resource issues. Nor does it, in general, prescribe sizes or structures of organizations below the regional level. Instead the report focuses on the purpose, outcomes, culture, structure, and work for the Agency. However, a number of specific actions have been, are being, and will be taken in support of the concepts described in the report. This summary addresses many of those actions as well as the broader plan for creating the Forest Service of the future.

A number of the changes described in the report are internally focused on improving how Agency employees work with each other. Others describe how we can work better with the people we serve. Employees will notice a dramatic difference in the organization. We hope those outside the Agency who rely on local offices for service will notice an improvement in that service and healthier forests and rangelands.

Following are the key elements of the Forest Service reinvention proposal. Clearly, some of the proposed actions will require close coordination and dialogue amongst the Administration, Congress, and the people we serve. We plan to forward more specific details about these proposals to Congress in January.

Purpose and Outcomes

The purpose of the Forest Service is to promote the sustainability of ecosystems and to provide excellent public service through conservation leadership. Our land ethic is to promote the sustainability of ecosystems by ensuring their health, diversity, and productivity. Our service ethic is to tell the truth, obey the law, work collaboratively, and use appropriate scientific information. The phrase "caring for the land and serving people" captures the Forest Service mission.

It follows that our desired outcomes are sustainable ecosystems and public service. Sustaining ecosystems, because they provide the foundation for all life, is our first priority. Public service, including high-quality customer service is a partnership with society to meet people's needs for natural resources - uses, values, products, and services - within the bounds of ecosystem management.

Culture

True improvement begins inside an organization, crossing all internal and external boundaries. Internally, the Forest Service will recognize and build upon our multicultural, multidisciplinary composition. We will stress sensitivity to others as a primary feature of our culture. We will work in an innovative, creative, and people-oriented environment, often in teams. Collaborative processes will characterize our internal and external work relationships, and we will emphasize cooperation and reward teams and quality teamwork. Teamwork and shared leadership will be critical as employees help each other to balance career and personal needs. Lifelong learning will be a fundamental component of employee development in the Forest Service of the future.

Externally, we must gain the confidence of the people we serve - the American people. To be successful in our endeavors, we will need continuous guidance from the American public as to what works and what doesn't. We will become active members of the communities in which we live and work. We will also engage in greater levels of intra- and inter-agency cooperation. We must recognize that the Forest Service can learn a great deal from other land managers. We must also be willing and able to work across international boundaries to solve problems efficiently.

Structure, Roles, and Work of the Agency

The structure of the Forest Service will be designed around five broad program areas - National Forest System (NFS), Operations (OPS), Research and Development (R&D), State and Private Forestry (S&PF), and International Forestry (IF) and in the framework of a national office and seven regional offices (see figure 1). Regional offices will be located in Sacramento, CA; Portland, OR; Albuquerque, NM; Ogden, UT; Denver, CO; Milwaukee, WI; and Atlanta, GA. This is a reduction from the former organization of nine National Forest System regions, eight Research stations, and one State and Private Forestry area. Regional boundaries will be realigned to more closely follow natural ecological boundaries with the goal of improved coordination with the Natural Resources Conservation Service and other natural resource agencies resulting in healthier forests and rangelands. Where regional boundaries on state lines would split a NF, that entire forest will be assigned to one region or the other.

The boundaries shown in figure 1 imply several major changes in FS operations:

1. NFS, S&PF, and R&D all have the same regional boundaries. This means that individual Forests, S&PF units, and R&D units would be reorganized to conform to these boundaries.
2. The shifted boundary of the Southeastern Region, formerly the Southern Region, places Virginia in the Eastern Region and the entire states of Texas and Oklahoma in the Southwestern Region.
3. The former Rocky Mountain and Northern Regions, excluding Idaho, are combined into the Northern Plains Region.
4. The Intermountain Regional boundary shifts north and west to encompass the entire State of Idaho and Eastern Oregon and Washington.
5. The Alaska Region and the Pacific Northwest Region are merged.

Within the seven regions, the boundaries of proclaimed NFs and Grasslands will be retained, but they may be grouped into larger administrative units so a single unit may serve parts of several NFs, R&D units, S&PF units, etc., that share a common ecosystem or a common primary management issue. The work among units will be designed for the best ecosystem management and the highest level of public service at the lowest cost.

At the outset, organizational structure below the regional level will be left open to experimentation, learning, and adaptation to local circumstances. Regional leadership teams will work with units at local levels such as NFs, ranger districts, and R&D units to determine where consolidations and collocations are possible. As in the past, decisions will be made on a case-by-case basis and based on continued or improved high-quality public service and natural resource management, efficiency, and cost-effectiveness. Shared services will also be explored and implemented where feasible across unit boundaries and USDA organizational boundaries and, over time, across other governmental boundaries. Our intention is to continue our basic presence and points of contact at the local level.

To facilitate these changes, we will clarify the roles of each level of the Agency's organization (see figure 2). We will also restructure and streamline the Washington and regional offices to facilitate communications and work across functional boundaries (see figure 3).

In the Forest Service of the future, management will be primarily by teams. Teamwork at all levels will facilitate a streamlined approval process and eliminate excess layers of supervisors. The National Leadership Team will consist of the Chief, Associate Chief, and Deputy Chiefs for NFS, S&PF, OPS, R&D, and IF. Members of Regional Leadership Teams will be the Directors of NFS, S&PF, OPS, and R&D. Although their performance appraisals will emphasize teamwork, Regional Leadership Team members will report directly to the Deputy Chief in their program area.

Many services now delivered by in-house monopolies will be provided through "contracting in" to internal enterprises or teams. Individual units will decide what services they need and are willing to pay for and will contract directly with these enterprises. Contracting in will eliminate unnecessary duplication of skills throughout the Agency, and the option of choosing one

service provider over another will offer a powerful feedback mechanism to service providers. When competition and choice are not options, internal customer satisfaction surveys will be used to gauge the quality of services provided by monopoly enterprises.

Transformation Strategies

The Forest Service is such a large, geographically dispersed, and culturally diverse organization that employees must make an extra effort to be sure the Agency's goals are clear to everyone. To accomplish the objectives of our transformation strategies, we will:

- Ensure that all Forest Service employees understand the Agency's purpose and desired outcomes.
- Examine our current organizational culture to identify those elements that are fundamental to and support, and strengthen our Agency and those that must be eliminated or modified in the future.
- Implement the "Toward a Multicultural Organization" report.
- Provide flexible policies and options on flexitime and flexiplace, dependent care, and travel arrangements.
- Implement newly established standards of customer service that all employees will keep as a pledge to the American people. These standards, created in partnership with our customers, will adapt to the constantly changing needs of our society.
- Use every tool at our disposal to minimize impacts on Forest Service people to achieve desired staffing levels when fewer employees are required.
- Reengineer the Agency's business processes.
- Set standards for and base management decisions on results of monitoring. This will be done with the involvement of our partners.
- Emphasize integrated, cross-disciplinary teams at all levels and branches of the Forest Service organization.
- Seek budget reform and extend greater decisionmaking authority to local units in the development and execution of their budgets, emphasizing integration of budgets across Forest Service programs.
- Establish internal enterprise units to provide for-hire services to an internal market system of competition and choice, keeping needed expertise within the Agency, reducing inefficiency and waste, and eliminating duplication of skills and activities that do not efficiently support Forest Service objectives.
- Strengthen our partnership activities across all organizational, administrative, and functional boundaries.

The vision and transformation strategies contained in this report are the Forest Service's roadmap to the future. With commitment from our employees and support from the people we serve, the Forest Service will be well positioned to be a conservation leader for the 21st century.

Current and Ongoing Actions

Reinvention of the Forest Service is not a destination but a journey; it is an evolutionary process that will continue over a prolonged period. As we phase in various aspects of reinvention, we will use every tool at our disposal to minimize impacts on Forest Service people. These tools include buyouts, retraining, retirements, attrition, transfers within and between agencies, and reassignments.

Many actions consistent with this report have already been taken, while others within our authority will be implemented immediately. We will work closely with Congress on those proposals with which they are particularly concerned. We plan to provide details on these proposals to Congress in January.

Planned Organizational and Operational Changes

Following are key organizational and operational changes that will result from implementation of the proposed Reinvention Plan:

1. Employment in the Washington Office will be reduced by at least 10-20%. Functional staffs will be organized to facilitate interdisciplinary teamwork while retaining technical expertise and points of public contact. (A special team is working now on alternatives for restructuring the staff resources of the national office.) Employees whose work supports field activities will be assigned to appropriate field service locations. The Programs and Legislation Deputy Area will be eliminated and its functions distributed among other program areas. The Chief, Associate Chief, and five Deputy Chiefs will comprise the National Leadership Team to facilitate integration of programs and improve accountability.

Planned completion date for reorganization: September 30, 1995

Planned completion date for personnel reductions: September 30, 1996

2. Regional Offices will be reduced from 9 to 7 with a potential reduction of 300 employees and cost savings of \$17 million.

Planned implementation date: September 30, 1995

Planned completion date: September 30, 1996

3. Research Stations will be reduced from 8 to 7 with expected reduction of 25 employees and cost savings of \$1.5 million.

Planned implementation date: September 30, 1995

Planned completion date: September 30, 1996

4. Revised administrative boundaries will be shared by all Forest Service programs and will be more closely aligned with ecological boundaries. The Forest Service and the Natural Resources Conservation Service will establish common administrative boundaries.

Planned implementation date: September 30, 1995
Planned completion date: September 30, 1996

5. Leadership Teams will be established in each Region to facilitate integrated management and develop integrated budgets for the National Forest System, State and Private Forestry, Operations, and Research and Development programs.

Planned implementation date: September 30, 1995
Planned completion date: September 30, 1996

6. Forest Service and Natural Resources Conservation Service Regional Offices will be collocated. The Forest Service will maintain a presence in locations where Regional Offices are closed.

Planned completion date: September 30, 1996

Continuing Actions

We are continuing to move forward with the following actions that support Reinvention:

1. Administrative and Financial Management Consolidation: This USDA initiative will integrate and consolidate the administrative and financial functions of the Natural Resources Conservation Service and the Forest Service in order to reduce staffing and improve commonality of systems across the Department's Natural Resources and Environment Mission Area. Implementation is scheduled to begin on May 1, 1995.
2. GPRA: The Forest Service requested and was granted pilot status for implementation of the Government Performance and Results Act. Implementation of GPRA is key to improving accountability and reducing duplication in financial and accomplishment reporting. It provides meaningful, useful and reliable annual goals and corporate performance indicators for use in planning, budgeting, monitoring, performance evaluation, and reporting.
3. Budget Reform: We will continue to implement and seek to extend the budget reforms achieved in FY 95, which include: budget structure simplification, integrated funding of projects, and expanded reprogramming authority.
4. Bureau of Land Management and USDA Forest Service Personnel Exchanges: The FS and BLM will work together to promote the exchange of professional and managerial personnel through detail arrangements.
5. Project 615: A contract for information resources technology which will be critical to the Forest Service in addressing complex environmental

problems related to ecosystems management has been awarded. This technology will provide geographic information system capability which is essential for analyzing complex issues relating to management of natural resources.

6. Inventory: We will integrate our resource inventories and carry them out under the leadership of our research branch. We will work with the Natural Resources Conservation Service to share information and conduct joint inventories where appropriate.

7. Science/Policy coordination: We will intensify and institutionalize our collaboration between scientists and managers in the decision-making process.

8. International Forestry. We will complete development of a strategic plan for International Cooperation that reflects our vision of conservation leadership, involves the entire Agency, and builds on partnerships with other organizations.

Additional Implementing Actions

The following actions are being taken to implement our Reinvention Plan.

1. Customer Service - Customer service standards that all employees will strive to meet have been established and will be put in place in all offices.

2. Reengineering - A National Reengineering Design Team will be appointed to implement the Reengineering Transformation Strategy contained in our plan. This team will set the agenda and priorities for, and provide oversight to, the critical task of "rethinking and redesigning how we do work in the Forest Service."

3. New Performance Standards - Team work agreements will be established with the National and Regional Leadership Teams to address the outcomes of sustaining ecosystems and high-quality public service. These new straightforward work agreements will improve accountability and serve as models for all supervisors in the Forest Service.

4. Review System and Accountability - The Customer Service Team will redesign the Management Review System to focus on "Conditions of the Land" and "Customer Satisfaction." This redesigned system will be initiated this fiscal year and will be key to accountability for reinvention.

5. Enterprise Fund - We will explore the establishment of an enterprise fund that will provide start-up financing and incentives for innovative ideas such as creating competition for internal services. Funds will be awarded based on competition.

6. Person-in-job - A new position classification process will be established to allow in-place advancement of resource specialists based on growth in capability and expertise. This draws on the principles and

processes used in the classification and advancement of research scientists. Application to other types of specialists will be explored.

Recent Accomplishments

Examples of actions taken during the past two years that support Forest Service reinvention principles include the following:

1. Reduction in Staffing

Since our downsizing efforts began in October 1992, the Agency has reduced its work force by 4,163 permanent positions, from 35,358 to 31,195, (as of August 15, 1994). Adequate staffing will be maintained to assure skills critical to fulfilling the mission are available.

2. Organizational Restructuring

Since January 1993, the Agency has approved eight ranger district consolidations, seven of which have received approvals for office closings. The first four of these, as listed below, have been completed.

Cibola National Forest - Rita Blanca National Grasslands (Texline, TX) Office was closed and consolidated with the Kiowa National Grasslands Office (Clayton, NM).

Plumas National Forest - La Porte Ranger District Office (Challenge, CA) was closed and consolidated with the Oroville Ranger District Office (Oroville, CA).

Plumas National Forest - Greenville Ranger District Office (Greenville, CA) was closed and consolidated with the Quincy Ranger District Office (Blairsdon, CA).

Mark Twain National Forest - Willow Springs Ranger District (Willow Springs, MO) was closed and consolidated with the Ava Ranger District Office (Ava, MO).

Plumas National Forest - Milford Ranger District Office (Milford, CA) will close and consolidate with the Beckwourth Ranger District Office (Blairsdon, CA).

Francis Marion and Sumter National Forests - Edgefield and Long Cane Ranger Districts were consolidated. The Forest has received approval to close the Edgefield Ranger District Office (Edgefield, SC) and move to Long Cane Ranger District Office (Greenwood, SC). The date of this closing has not been determined.

Kootenai National Forest - The Libby Ranger District Office (Libby, MT) will be closed and consolidated with the Fisher River Ranger District Office (Libby, MT).

Lincoln National Forest - Cloudcroft (Cloudcroft, NM) and Mayhill (Mayhill, NM) Ranger Districts received approval for consolidation. Decisions on office closings are pending.

3. Collaborative Approaches and Sharing Administrative Services

Forest Service units have taken advantage of a number of collaborative opportunities to reduce costs. Examples include:

Region 2 - Streamlined the organization with a focus on the objectives of reinvention and ecosystem management; established shared expertise arrangements with other regions and agencies.

Region 3 - Work force was reduced by 11 percent over the past 3 years; timber and engineering staffs have implemented an aggressive shared services program between forests and regions, resulting in a consolidation of duties with salary and related savings.

Regions 1, 2, 3, and 4 are currently sharing forest management activities such as sales administration, sale contracts, and appraisals.

Region 4's Design Center is currently doing contract facilities design for other regions.

A team for environmental assessment and impact statement preparation is shared among Regions 1, 4, 6, and BLM in four states (Idaho/Montana and Oregon/Washington).

4. Collocation With Other Agencies

Presently, over 60 Forest Service units (about 6 percent), are collocated with other government agencies. Where opportunities exist, we continue to pursue collocation with other agencies as a means of streamlining, sharing resources, and saving rental costs. Examples include:

Region 1 - Beaverhead National Forest shares space with ASCS and SCS. The Jefferson Ranger District and the Deerlodge National Forest (Whitehall, MT) share space with ASCS, SCS, and other government agencies.

Region 3 - In Santa Fe, NM, the National Park Service and the Santa Fe National Forest Supervisor's office are collocated.

The National Interagency Fire Center in Boise, ID, and the Minnesota Interagency Fire Center in Grand Rapids, MN, are outstanding examples of interagency cooperation and collocation. They include the Forest Service, BLM, Park Service, and the Fish and Wildlife Service.

Pacific Southwest Research Station - The Institute of Pacific Islands Forestry (IPIF) in Honolulu, HI, and the Hawaii Department of Forestry and Wildlife are collocated. The Forestry Research Laboratory in Hilo is collocated with the National Park Service office.

5. Technology (Integrated Information Systems)

Major business system technological changes are underway that will produce dramatic efficiencies and better service delivery. Examples include:

Major initiatives to fully automate and integrate Forest Service financial, payroll, and personnel systems internally and with the National Finance Center will provide a seamless automated interface between all functional components. This initiative will eliminate intermediate manual processes and reduce the time required to complete routine business processes.



Forest Service Reinvention

Q&A's

United States
Department of Agriculture

Forest Service
P. O. Box 96090
Washington D.C. 20090-6090

1. Why is it necessary to reinvent the Forest Service?

A number of forces are at work that have compelled the Forest Service to re-examine how we operate, provide goods and services to our nation, and are structured. Among the reasons for reinvention are:

1. The Agency, how it operates, and its internal structure and culture, have not changed enough to meet the changing expectations of the diverse people we serve.
2. The American people expect a higher level of personal service than ever before. To meet this expectation, we must place greater emphasis on customer service than we have in the past.
3. Our awareness and understanding of the complexity of managing natural systems has grown enormously. We need to place much greater emphasis on ecosystem sustainability over the long term.
4. There are more strident and conflicting demands for finite natural resources than in the past.
5. Our society has a greater diversity of views and concerns about natural resources than ever before.
6. We understand that federal lands alone cannot produce all the goods and services, assure ecosystem sustainability, and protect endangered species at levels that satisfy societal expectations.
7. There is a growing feeling of mistrust for the motives and actions of the Forest Service by many of the people we serve.
8. Discretionary funds in the Federal budget are declining. These funds are currently around 15% of the federal budget, but are likely to continue to decrease.

2. How does the Forest Service reinvention effort tie to the overall USDA reorganization effort?

In September of 1993, Secretary Espy announced the proposed reorganization of USDA. At that time he also announced that the Forest Service would undergo a significant internal review. Forest Service reinvention has provided that review and one result is the collocation of regional boundaries and offices with those of the USDA Natural Resources Conservation Service. Additionally, the two agencies plan to integrate and consolidate administrative and financial functions between organizations to reduce staffing and coordinate systems.

3. Hasn't Forest Service reinvention been ongoing for sometime?

Continuous adaptation has increasingly become a requisite need for our Agency, and the Forest Service has been adapting for some time. However, this reinvention has been a focused effort that builds upon, consolidates, and shares the results of many good, but isolated efforts—e.g. Pilot, customer orientation, shared services, external partnerships, stewardship analysis processes, etc. The Vice President's National Performance Review has given the Agency an opportunity to take a holistic approach to reinvention, looking beyond the issues of streamlining and downsizing. We have been able to examine the Forest Service's core purpose, outcomes it wishes to attain, its organizational culture and the work it performs (or no longer should be doing), in addition to the structural aspects of reinvention.

4. What can we expect as a result of reinvention?

We expect the Forest Service of the future to have an organizational culture and structure that is aligned with the purpose and outcomes America expects—e.g. sustainable ecosystems, quality public service, provision for multiple benefits to people, and effective and efficient government.

Forest Service reinvention is aligned with and builds on Vice President Gore's *National Performance Review*. Therefore, our reinvention is aimed at:

- Cutting Red Tape
- Putting Customers First
- Empowering Employees to Get Results
- Going Back to Basics...producing better government for less costs

5. What are the key components of reinvention?

Our reinvention effort has five dimensions:

- Purpose
- Outcome
- Culture
- Work
- Structure

We traditionally use restructuring as a way to manage change. However, we feel the biggest gains will ultimately come through behavioral changes and reengineering work in combination with greater customer service. Solely focusing on structural changes and hierarchical organization is increasingly recognized as being less important to the delivery of mission and outcomes. Our proposed organizational changes are aimed at encouraging teamwork, empowering employees, and increasing accountability.

6. How will the Washington Office be affected?

The Washington Office (WO) will use the reinvention principles and ideas available to other levels of the organization. In addition, a team is working to determine how to more effectively organize the WO for the future. This will probably result in down-sizing and a reduction in the number of staffs, due to changing roles and methods of operation—e.g. less oversight, less control, and more service. The number of Deputy Chiefs is decreasing from 6 to 5.

7. How many National Forest, Research Station, and State & Private Forestry regions will there be?

The reinvention plan proposes 7 geographic regions. Regional boundaries for the National Forest System, Research Stations, and State & Private Forestry coincide. A few units such as the Forest Products Laboratory and the International Institute for Tropical Forestry will not report through the regions. In addition, each of the regions will contain an Operation's unit.

8. What was the basis for regional boundaries?

A number of factors influenced selection of regional boundaries. Factors considered were ecosystem management needs; alignment with USDA Natural Resources Conservation Service regional boundaries; balanced work loads; and other political, social and economic needs.

9. What will happen to those locations that are no longer identified as Regional or Station headquarters?

Over time, these locations will be phased down to those activities which effectively serve both internal and external customers. Examples of this could be service centers or centers of excellence for administrative processes, such as acquisition or personnel processes. While some offices will close, in most areas we will maintain a presence through district, national forest, service center and other local offices.

10. The Report does not detail how units below the regional level will be affected. Why not?

Because of the vast differences among Forest Service units, the need to serve diverse customers, and the need to have a learning and adaptive organization, it was more advantageous not to be prescriptive on organizations below the regional level. All the other aspects of reinvention, such as the emphasis on teaming and other behavioral changes, as well as reengineering of work processes apply to all levels. With regard to reinvention, we feel that outcome and results are more important than consistent structure. In fact, in some instances, consistency acts as a constraint to our work.

11. What is the difference between streamlining and reengineering?

Streamlining focuses on taking existing processes and making incremental improvements. Reengineering calls for a fundamental rethinking and radical redesign or even elimination of processes to achieve dramatic improvements in organizational performance.

12. Many of us work on teams now. What is different about the teams called for in the report?

It's true that many of us now do work on teams. However, for the most part our reward systems, appraisal system, and hierarchical organization all focus on individual contributions, rather than team performance and results. In the future, people will be appraised, and rewarded for their teaming abilities as much as for their individual contributions.

13. What will happen to those people who cannot get on teams?

There will be very few, if any, people who cannot serve on teams in some capacity. We will all need to improve our skills and knowledge on how to be beneficial team members. A few jobs will still exist in which individual expertise and relative isolation can still be functional. But they will be few, and even these will require communication and networking skills to be effective.

14. What do we mean by providing choice through internal competition?

Internal competition provides internal customers choice on how and where they obtain services. Internal customers pay for the services they receive and internal enterprise service groups derive their funding from the customers. Currently most internal services are monopolies, funded off the top with more focus on serving the process than serving the customer. Through internal competition, the focus will shift to meeting the customer needs for quality and timely service. This change will put the customer in charge, not the process or the hierarchy.

15. What if internal enterprise groups don't attract enough work to support themselves?

There are some government activities that only government can do and are legitimately monopolies—e.g. compliance and regulatory work. Members of non-viable enterprise teams will need to be retrained and/or reassigned to new teams. The key is not to give up on enterprise just because we have a few failures, or everything does not work perfectly.

16. How and when will the changes called for in reinvention be carried out?

Throughout the Forest Service, units are in various stages of implementing many of the concepts described in the reinvention report. A detailed implementation plan that deals with the structural changes, will be developed. Until then, units are expected to move ahead in implementing the reinvention changes and concepts over which they have control.

17. What is the role of labor unions in reinvention?

The National Federation of Federal Employees (NFFE) has been a full partner in reinvention and will continue to be so throughout the implementation. Partnership councils at all levels of the organization provide the means for labor and management to work cooperatively together.

18. How much money will be saved?

The focus of reinvention has been primarily on improving our effectiveness in providing the outcomes the American people expect from the Forest Service. For example, reengineering will eliminate chunks of work that do not contribute to desired Agency outcomes as well as dramatically improving the efficiency of core programs and functions. Working in teams and across organizational boundaries allows for sharing of expertise and eliminates needless duplication of skills. While we expect there will be substantial savings, a comprehensive cost-benefit analysis has not been done.

19. What is the desired size of the agency in terms of people, and how will we get to that number from where we are now?

The size of the Agency is being driven more by budgetary realities than mission needs. While not directly related to reinvention, we have already down-sized approximately 4000 positions and may face the need for an additional 4000 position reduction. This increases the need for us to use the effectiveness we can gain through implementation of reinvention concepts such as reengineering work.

20. Will we continue to do more with fewer people?

No. Instead of doing more with less, we will do fewer things more efficiently and effectively. Reengineering of work will be particularly helpful in identifying those things we are no longer going to do or will do in a greatly changed way. Using our mission, our land and service ethic, and the roles described for each level as our guide we should be able to further identify those activities that are critical to our success. We will do those jobs well, and we will be a success.

21. Many people sent comments and ideas into the team over the last several months. What happened to them and how were they used?

The Reinvention Team relied heavily on the information received from people both within and external to the agency. Most people who contributed suggestions and information received a direct reply from the Team. That information has been summarized and analyzed for use in preparing the final reinvention report.

23. Has the Leadership of the USDA and Forest Service truly bought into the change called for in this report?

The collective leadership of the USDA and Forest Service at all levels is a diverse group of individuals with varying perspectives and degrees of commitment. The Under Secretary, Deputy Under Secretary, Chief, Associate Chief, Deputy Chiefs and other key leadership members are all committed to reinvention and its implementation and will hold other leadership members accountable to ensure that it happens.

24. What units will be affected by Reinvention? Closed or opened?

The proposed changes include reducing the number of Regional Offices from 9 to 7, and Research Stations from 8 to 7. A Forest Service presence in the affected cities will continue, but in a different capacity consistent with their new roles. Below is a chart of existing units and how they will be affected by this plan.

The increased use of extended teams and improved electronic communications, have profound implications for the proposed consolidation of Stations and Regions. Physical relocation of employees in support of leadership may not always be necessary. For example, consolidation of the North Central and Northeastern Stations with a new headquarter in Milwaukee, does not necessarily mean that all the employees from the Stations need move to Milwaukee. Some could be retrained to carry on functions better aligned with their locations new role. Others could become a member of an internal enterprise team. Still others will continue their current activities; only they will no longer be working in a Station Headquarter, but some other entity such as a Research and Development Work Unit. In the Forest Service of the future, leadership and technical support need not be physically based in one discrete unit, but rather could be physically dispersed, linked primarily through communications.

Teams will be formed in each Region to develop and complete a plan detailing the phased consolidation implementation actions. This plan will be completed September 30, 1995. Completion of actions will be completed by September 30, 1996.

25. What cost-benefit analysis did you do to support these changes? Have you considered impacts on local communities in making these decisions?

A rigorous cost-benefit analysis was not done.

26. What is being done to protect the integrity/viability of District and Supervisor Offices? How much additional resources will get to these organizational levels due to reinvention?

The Report and Transformation Strategies do not prescribe the size, structure, or location of District or Supervisor offices. Forests and Districts are encouraged to experiment with different team operations, structures, and boundaryless behavior. Because Districts and Forests are primary providers of customer service, we have stressed the importance of shifting more resources to these field units. We believe that an increase in the amount of resources sent to the field will be realized by downsizing of the WO, RO's; reengineering of our business processes; increased influence and control of budgets, and; the creation and use of internal enterprise teams.

27. What are the projected staff reductions at the WO and RO/S/A levels and the anticipated savings from these actions?

Employment in the Washington Office will be reduced by at least 10-20% from October 1992 levels. Functional staffs will be organized to facilitate interdisciplinary team work while retaining technical expertise and point of public contact. (A special team is working now on alternatives for restructuring the resources of the Chief's office.) Employees performing work for the field will be transferred to appropriate service centers. The Programs and Legislation Deputy Chief Area will be eliminated and the other deputies reconstituted as a National Leadership Team with the Chief and Associate Chief to facilitate integration of programs and improve accountability.

Regional Leadership Teams will be established in each Region to facilitate integrated management and develop integrated budgets for National Forest System, State and Private Forestry, and Research and Development programs with appropriate operational support. We will propose that Regional Offices will be reduced from 9 to 7 with a potential reduction of 300 employees and cost savings of \$17 million. Research Stations will be reduced from 8 to 7 with expected reduction of 25 employees and cost savings of \$1.5 million.

28. How will the reinvention report help in implementing ecosystem management and how will this affect the ability of the Forest Service to meet commodity targets?

We are confident our ability to implement ecosystem management will be enhanced by a number of actions recommended in the report. These include:

Ecologically Based Regions. Regions have been crafted to be more closely attuned to ecological land types, as displayed in Figure 1 of the report. The human dimension was factored in resulting in the final regional boundaries as displayed in Figure 2.

Integrated Regional Leadership. Regional leadership teams will be composed of directors of National Forest System, Research and Development, State and Private Forestry, and Operations. This integrated approach will emphasize holistic approaches to management and resolution of resource issues.

Ecosystem Management Based Budgets. Unit budgets will be developed based upon integrated ecosystem based programs and projects.

Boundaryless Teams. There will be an increased emphasis on the use of cross-boundary and boundaryless teams. These multi-disciplinary teams will ensure that resource issues are addressed in an holistic manner.

The effect that the recommendations in the report will have on our ability to meet commodity targets is unclear.

29. Will the position of Regional Forester be abolished? Ultimately, who will be accountable for activities on NFS lands?

The person who will direct National Forest System programs will be the Director-NFS. Many of the current responsibilities of current Regional Foresters will be incorporated into the Director-NFS.

CITY OF SKAGWAY

GATEWAY TO THE GOLD RUSH OF "98"

P. O. BOX 415 SKAGWAY, ALASKA 99840

(PHONE) 907-983-2297

(FAX) 907-983-2151

FEB 7 1995

February 6, 1995

Re: SJR 8

Senator Jim Duncan
Alaska State Legislature
State Capitol, Room 119
Juneau, AK 99801-1182

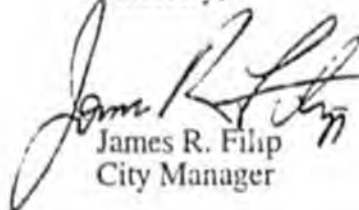
Dear Senator Duncan,

Thank you for your letter of January 19th regarding the introduction of Senate Joint Resolution 8 proposing the merger of the Alaska Region and the Pacific Northwest Region of the U. S. Forest Service.

Members of the Skagway City Council reviewed the information regarding this proposal and they were unanimous in their opposition to this so-called "reinvention" which would see Alaska management issues delegated to Forest Service offices in Portland, Oregon for resolution.

Please continue your efforts on behalf of all Alaska to oppose this change. If we can provide additional commentary please contact me at your convenience.

Sincerely,



James R. Filip
City Manager

cc: Senator Leman
Senator Zharoff
Rep. Mackie



City and Borough of Sitka

Providing for Today . . . Preparing for Tomorrow
100 LINCOLN STREET, SITKA, ALASKA 99835

January 30, 1995

The Honorable Loren Leman, Chair
Senate Resources Committee
Room 113, State Capitol
Juneau, AK 99801-1182

RE: Alaska Senate Joint Resolution No. 8

Dear Senator Leman: *Loren*

The City and Borough of Sitka strongly supports Alaska Senate Joint Resolution No. 8 which opposes the U.S. Forest Service recommendation contained in their December 1994 "reinvention" report to combine the Alaska Region of the U.S. Forest Service with another region and move the regional office from Alaska. This proposed merger would negatively impact not only our community and region, but the entire State of Alaska.

Sincerely,

Rocky Gutierrez
Mayor

cc. U.S. Senator Ted Stevens
U.S. Senator Frank Murkowski
U.S. Representative Don Young
Senator Robin Taylor
Representative Ben Grussendorf
Senator Jim Duncan

Alaska State Legislature

Chairman,
Judiciary Committee

Vice Chairman,
Transportation Committee

Member,
Resources Committee
Western Legislative Forestry Task Force



Senator Robin L. Taylor

State Capitol
Juneau, Alaska 99801-1182
907-465-3873
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552 Front Street
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Fax: 907-225-0713

Sponsor Statement

Senate Joint Resolution No. 12

Before the Senate Resources Committee
February 10, 1995

Early in December, the U.S. Forest Service announced its Reinvention Plan. A copy of that half-inch thick document is on file in my office, for those who care to indulge in detail. Believe me, the devil is in the detail.

Briefly, this plan would centralize decision making in Washington D.C. Such a policy flies in the face of President Clinton's Executive Order No. 12875, which calls for "enhancing intergovernmental partnerships". It also puts lie to Vice-President Gore's "Report on Reinventing Government", with its stated goals of "empowering state and local governments" and "decentralizing decision-making power".

Under "Reinvention", regional forest supervisors and other front line leaders who now have decision-making authority would be replaced with four "people leadership" teams answerable only to the Chief of the Forest Service and the Secretary of Agriculture.

Gone is any pretense of involving local and state governments in USFS decisions. The plan goes so far as to consolidate the regional offices now located in Alaska and Montana to a central office in Oregon.

Sponsor Statement

Sponsor Statement -SJR 12

Page Two

SJR 12 calls for suspension of this plan and true partnership meetings with states, communities, and tribal governments. I have suggested a committee substitute which would add ANSCA corporations to that list. The goal would be the development of a new plan, one that would involve the affected entities up front. The "Reinvention" scheme goes far beyond the relocation of regional offices. If left to stand, it will mean a new era of Forest Service policy dictated from on high, without consulting the very people most impacted by those policies.

SOUTHEAST CONFERENCE

Tel. (907) 463-3445 FAX (907) 463-5670 124 West 5th Street Juneau, Alaska 99801

The Southeast Conference, representing the economic diversity and stability of the Southeast Alaska region, supports the effort of the United States Forest Service to streamline the management of the agency, and to realize a significant cost savings. However, we disagree with the methods proposed in the Forest Service Reinvention Proposal.

The trend toward centralized decision making in the Forest Service Washington, D.C. office is alienating to the people living near and making their living in the National Forests across this country. The loss of local insights and authority in the decision making process has been evident for some time, and jeopardizes the public trust in the federal agency.

It is critically important that the Forest Service increase the level of local involvement and accessibility. Communities' and residents' needs are not being heard now, nor are they adequately addressed. If implemented, the proposal to move the Alaskan Regional Office to Portland would result in a further decline in Forest Service effectiveness and ability to deal with Tongass issues. The Tongass National Forest and the Chugach are the first and second largest in the nation, encompassing approximately 22 million acres. Unique physical conditions, economic factors, and land management plans on the Alaskan forests are specific to the local conditions and needs and cannot be managed from afar.

It is our experience that within the last two years many of the 'reinvention' goals have already been applied to the management of the Tongass, with local responsibility and authority diluted from this region. Recent crucial decisions affecting the management of the Tongass and the local timber industry have been made from Washington, D.C. This has left the communities of Southeast Alaska concerned, and some distrustful of the public process and the agency serving us. Cost savings can be achieved in a number of ways infinitely less detrimental to our Southeast communities than by removing the Regional Office and/or removing or diluting the local authority.

In keeping with the promises made during the Clinton election campaign, decision making should occur closer to impacted communities, not from Washington, D.C. or Portland.

TOTAL P.01

"Working For All Alaska"

TOTAL P.06

JOHN A. SANDOR

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Juneau, Alaska 99802-1135

PHONE: (907) 586-2497
FAX: (907) 586-2490

January 12, 1995

M.J. (Jean) Hassell
Commissioner
Arizona State Land Department
1616 West Adams, Suite 329
Phoenix, Arizona 85007 FAX: (602) 542-2590

Dear Commissioner Hassell:

Thank you for sending Governor Fife Symington's Arizona Land Policy 2000 draft proposal and related information. The State of Arizona's "reinvention of government" strategy is an excellent proposal to break the gridlock that has paralyzed forest management in virtually all of the western states.

I was surprised to read that this strategy was formally presented to Secretary Babbitt (copy to Secretary Espy) as early as July 14, 1993 - yet this unique and promising strategy is not represented in the U.S. Forest Service's Strategic Plan approved by Secretary Espy last month. In fact, the new Forest Service Strategic Plan actually reduces decentralized decisionmaking in states and communities in favor of centralizing federal decisionmaking with the Chief of the Forest Service and Secretary of Agriculture personnel in Washington, D.C.


The State of Alaska, Montana and others have protested the approval of this new strategic plan without consultation of the elected leaders of our states. It appears your Governor and the Arizona Congressional Delegation were not informed and involved in the Forest Service's process of developing its new Strategic Plan.

Representatives of the Northern Rocky Mountain Retirees Association and others from Alaska, Idaho, etc. will be meeting in Missoula, Montana to consider a formal response to the new Forest Service Strategic Plan. A draft of a paper to be considered at that meeting is enclosed.

Please note the reference to Governor Symington's proposal in the paper. I believe the Governor's strategy is right on target, so will be recommending to the assembled group that we endorse that and other state/local government steps to bring decisionmaking authority to states and local governments. I hope this reference to the Governor's strategy is acceptable to your state.

Once again, I appreciated receiving this information, and the opportunity to again visit with you on crucial resource management issues that are so important to the people of our states.

Sincerest regards,


John A. Sandor

JOHN A. SANDOR

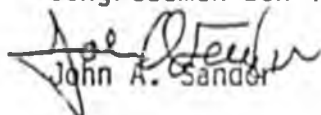
P O Box 21135
Juneau, Alaska 99802-1135

January 6, 1995
PHONE: (907) 586-2497
FAX: (907) 586-2490

M E M O R A N D U M

TO: U.S. Senator Ted Stevens (attention Duane Gibson)
U.S. Senator Frank Murkowski (attention Mike Flanagan)
Congressman Don Young (attention Lloyd Jones)

FROM:


John A. Sandor

SUBJECT: New U.S. Forest Service Strategic Plan

Enclosed is a paper: "ACTIONS NEEDED TO CORRECT THE SERIOUS FLAWS IN THE NEW STRATEGIC PLAN FOR THE FOREST SERVICE RECENTLY APPROVED BY USDA SECRETARY ESPY".

This paper was prepared by an ad hoc group of professional resource managers (many retired Forest Service employees) from various parts of the nation who advocate major improvements in the new Strategic Plan for the Forest Service.

We advocate all aspects of this Strategic Plan be put on hold until the new Secretary of Agriculture can review the plan. We also believe the Congress must have oversight of the major changes proposed. It is essential that Governors, State Legislatures and local communities also be partners in the development of any new Strategic Plan for the U.S. Forest Service, which has profound impacts on states and communities who are dependent upon the National Forests. It is imperative that the Forest Service have clearly defined decision-makers within the state who can work with the state, local communities and native corporations/villages, as forest plans are prepared and implemented.

The Northern Rocky Mountain Retirees Association is hosting a meeting on this important issue January 18 in Missoula, Montana. I and others will continue to work closely with this and other regional representatives from different parts of the country. We would like to offer our assistance in providing you and other Members of Congress with whatever information we can to make certain the Strategic Plan finally approved will meet the needs of states and communities dependent on the National Forests.

We are very encouraged by your new leadership roles in Congress.

Thank you.

Enclosure: Paper on the New Forest Service Strategic Plan

cc: Organizations and individuals reviewing the Forest Service Strategic Plan

cc: John Katz, Alaska Governor's Office, Washington, D.C.

ACTIONS NEEDED TO CORRECT THE SERIOUS FLAWS IN THE NEW STRATEGIC PLAN FOR THE FOREST SERVICE RECENTLY APPROVED BY USDA SECRETARY ESPY *

In various parts of the nation, Forest Service plans and programs have become embroiled in complex appeals and litigation. Forest management activities have been suspended for years. Communities have suffered from the loss of available timber. In some instances, even the harvest of insect/disease infested stands has been stopped, raising the risk of catastrophic fires from the build-up of fuels in unmanaged forests. People within and outside government have recognized the need to deal with these crises situations adversely impacting states and communities.

In a December 6, 1994 memorandum to Forest Service employees, the Chief of the Forest Service reported that "the strategic plan for creating the Forest Service of the future" was approved by Secretary of Agriculture Espy. This strategic plan is described in a paper titled:

"REINVENTION OF THE
FOREST SERVICE;
The Changes Begin"
December 6, 1994

Surprisingly, this far-reaching "strategic plan" was developed without meaningful involvement of key elected leaders including State Governors/Members of the United States Congress or community and tribal government leaders adversely impacted by the consequences and serious problems stemming from the "changes" that have been approved by Secretary of Agriculture Espy shortly before his resignation. In one specific instance, the Governor of one impacted state, formally requested the opportunity to discuss the rumored organizational changes under consideration as early as August 26, 1994, but was denied that opportunity even as this proposal was being prepared for Secretary Espy's approval. 1/

This failure to consult and work closely with state, community and tribal governments is inconsistent with, if not in contradiction of President Clinton's Executive Order No. 12875 "ENHANCING INTERGOVERNMENTAL PARTNERSHIPS", which was signed by the President on October 26, 1993. 2/

Vice President Gore's "REPORT ON REINVENTING GOVERNMENT" was developed to create "a government that works better and costs less" by "Empowering States and Local Governments" and "Decentralizing Decisionmaking Power". 3/ However, the Forest Service reinvention strategic plan does not empower local governments or include them as true partners. In fact, the strategic plan approved by Secretary Espy eliminates the very foundation of local authority which had the responsibility of working with states, local communities and tribal governments. Regional Foresters, Forest Supervisors and other line officers which were vested with such authorities are being replaced by "leadership teams" of four people. These leadership teams report to counter-part team leaders in Washington, D.C.. Local decisionmaking authorities are thus masked, diffused and withdrawn to Washington, D.C. where only the Chief of the Forest Service and Secretary of Agriculture can truly be held accountable for the policies, decisions and actions of these "leadership teams".

This very fundamental organization change eliminates the local decisionmaking authority and accountability controls that have been in place since the formation of the Forest Service. The USDA Forest Service "THE USE BOOK - Regulations and Instructions for the Use of the National Forest Reserves", issued by the Secretary of Agriculture, July 1, 1906 describes in detail these local responsibility and accountability mechanisms. 4/ Gifford Pinchot's 1914 book, "THE TRAINING OF A FORESTER", described the specific responsibilities of these locally empowered administrators. 5/ The withdrawal and diffusion of local decisionmaking authority is already being implemented in some areas of the nation, which is certain to make Forest Service management less responsive to states, local communities and

defined purpose of the Forest Service to promote the sustainability of promoting community stability has already created serious problems for hundreds of communities dependent upon the National Forests and Private forest ecosystems. Communities and the people who live and the forests are an integral part of ecosystems. The failure to adequately involve states, communities and tribal governments as true partners in the Service Reinvention Project can be expected to create additional crises for communities if the Strategic Plan approved by Secretary Espy is used in its present form.

One example of the flawed scientific basis for and definition of ecological boundaries is illustrated in the proposed realignment of Service Regional Office boundaries. The Strategic Plan states that boundaries will be realigned to more closely follow natural ecological boundaries... "Incredibly, the strategic plan announces the time-table for closing Alaska's diverse and unique forest ecosystems under the direction of the Forest Service "leadership team" headquartered in Portland, Oregon! None of Alaska's forest ecosystems are the same as those represented in the Pacific Northwest. As a matter of fact, many of Alaska's boreal forests are more closely related to the ecosystems of the Northern Lake States and adjacent Canadian provinces. Furthermore, the communities and tribal governments in Alaska are not representative of any communities in the Pacific Northwest.

The Strategic Plan of the United States Forest Service in Alaska outlines the rationale for the establishment of a separate Alaska District (Region) Office in Alaska five years ago in 1919. 5/ Both the ecological and socio-economic basis for this historic decision was apparently overlooked in the Reinvention Project. Even more troubling, is the fact that Governor Walter J. Hickel's formal 1994 letter requesting the opportunity to discuss the rumored consolidation of Alaska under the Portland, Oregon office was also ignored. 1/ This oversight by the elected leaders in the Reinvention Project was not an isolated example. It involves Senator Max Baucus and other elected leaders from the State of Montana who were not provided information explaining the rationale for closing the Montana Regional Office. 2/

The failure to adequately consult with members of the U.S. Congress and the elected state governments may be responsible for the strategic plan's lack of consistency with a number of the principal federal laws that were enacted to guide Forest Service activities. As a result, the "strategic plan" for reorganization is short of a comprehensive plan for reorganization of the agency. The U.S. Congress has provided direction, through various laws, for the development of a renewable resource program which "assures that the Nation maintains a resource conservation posture that will meet the requirements of our posterity..." (Reference: National Forest Management Act of 1976, (2) (6)) 8/

The strategic plan, and a number of policy decisions being applied in various parts of the nation, has seemingly turned away from any commitments toward providing a dependable flow of renewable resources to meet the public's needs as required by the Organic Act, Multiple-Use Sustained Yield Act of 1960, the NMFA and the Act of Congress. Under the Forest Service's new direction, the agency is required to present a rather nebulous plan for ecosystem management where the yields, if any, are simply by products of management with no predictable commitment to supply levels to sustain human life. 8/

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References

1. Governor Walter J. Hickel's August 26, 1994 letter to Vice President Al Gore opposing the option of merging the Alaska Region of the Forest Service with the Portland, Oregon Regional Office; looks forward to discussing the proposal.
 2. President Clinton's Executive Order No. 12875, dated October 26, 1993, titled: "ENHANCING INTERGOVERNMENTAL PARTNERSHIPS"
 3. Vice President Al Gore "THE GORE REPORT ON REINVENTING GOVERNMENT";
page 35: "Empowering State and Local Governments"
page 69: "Decentralizing Decisionmaking Power"
September 7, 1993 Times Books Edition, Random House, Inc. 168pp
 4. James Wilson, Secretary of Agriculture, "THE USE BOOK - Regulations and Instructions for the Use National Forest Reserves"
Issued by the Secretary of Agriculture, July 1, 1906
The U.S. Government Printing Office, Washington, D.C. 208pp
 5. Gifford Pinchot, "THE TRAINING OF A FORESTER" by the first Chief of the USDA Forest Service; Pages 46-50 describes the responsibilities of the Forest Supervisor and related line positions which are responsible for the "protection, use and care" of the National Forests.
J. B. Lippincott Company, Philadelphia and London; 149pp
 6. Lawrence W. Rakestraw, "A HISTORY OF THE UNITED STATES FOREST SERVICE IN ALASKA" - A cooperative publication of the Alaska Historical Commission, Department of Education, State of Alaska; and the Alaska Region, United States Forest Service, Department of Agriculture with the assistance of the Alaska Historical Society. Anchorage, Alaska 1981 221pp
(Chapter 5, pages 83-116 includes a discussion of the establishment of the Alaska District (Region) Office in 1919)
 7. U.S. Senator Max Baucus' December 9, 1994 letter to Under Secretary of Agriculture James Lyons noting the unfortunate lack of information provided by the USDA explaining the rationale for the proposed actions. A listing of 18 questions regarding the Reinvention Project was sent to Mr. Lyons.
 8. USDA Forest Service Handbook No. 453, "THE PRINCIPAL LAWS RELATING TO FOREST SERVICE ACTIVITIES"
U.S. Government Printing Office, Washington, O.C. 591pp
 9. Governor Fife Symington's July 14, 1993 letter to USDI Secretary Babbitt (copy to USDA Secretary Espy) proposed a "re-invention of government" strategy; The Governor's Arizona Land Policy 2000 is also described in a May, 18, 1994 speech and May 19, 1994 letter to Secretaries Babbitt and Espy. Effective forest management models are also available in other states.
- * NOTE: This draft paper (1/12/95) has been prepared by an ad hoc group of people who advocate major improvements in Secretary Espy's Strategic Plan.



STATE OF ARIZONA
EXECUTIVE OFFICE

FIFE SYMINGTON
Governor

May 19, 1994

The Honorable Bruce Babbitt
Secretary, Department of the Interior

The Honorable Mike Espy
Secretary, Department of Agriculture

Dear Secretary Babbitt, Secretary Espy:

On Wednesday, May 18, I addressed an assembly of public land "stakeholders" on the topic of creating a vision for public land management in Arizona. By design, this Forum was intended to provide state leaders with an opportunity to formulate a cohesive strategy for addressing land management challenges.

During the course of public discussion over issues, such as Rangeland Reform and Mining Law Reform, I have grown increasingly aware of the structural difficulties that prevent professional land managers from doing their jobs effectively. Some of these impediments are endemic to a democracy. Others, however, are the result of the evolution of the state and federal land agencies and their authorities. This evolution has not resulted in a rational design. In fact, my contention is that this structure is designed for gridlock.

Enclosed with this letter is a copy of the speech I delivered on Wednesday, as well as a proposal for correcting these structural deficiencies. As a result of this meeting, I expect some modifications in this proposal may be necessary before it is formally presented to you for review and response. However, I wanted to give you an opportunity to review the initial offering. It occurs to me that this kind of reorganization is consistent in many ways with some of your proposals for the development of state standards and guidelines in the latest version of Rangeland Reform.

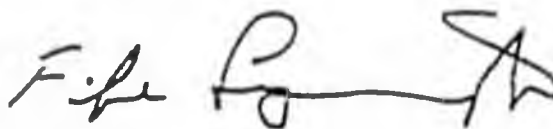
Background

The Honorable Bruce Babbitt
The Honorable Mike Espy
May 19, 1994
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This proposal is not an effort to "take over federal lands", to "gut the Endangered Species Act" or to, in any way, change the legal mandates that govern your operations. It is simply an attempt to bring management decisions out of the Courts and national political arena and back to ground level where it belongs.

My staff and I are prepared to meet with you at any time to address questions or concerns you may have with this proposal. In the near future, it may be valuable for us to sit down together and work through this matter in a very detailed way.

Sincerely,

A handwritten signature in black ink, appearing to read "Fife Symington". The signature is fluid and cursive, with a large initial "F" and a stylized "S" at the end.

Fife Symington
GOVERNOR

FS/jk

Enclosures

LAND POLICY 2000

delivered May 18, 1994

Flagstaff, Arizona

by Governor Fife Symington

I want to start off my remarks today with what may be a controversial statement. Bruce Babbitt is right. We do live in a NEW WEST. Our region has experienced very dramatic changes in our demographics, our culture and our economic base.

Secretary Babbitt thinks that means that there is a new political ethic in the West that supports protection of our natural beauty, and promotion of environmental values. Once again, I think he is right.

As I have traveled this state, I have met the rancher who has changed his grazing methods. He is working to protect riparian areas, to ensure that native grasses thrive, and to prevent his cattle from destroying the forage he needs for the future. He is also teaching others what he knows.

I have met the miner who prefers to live in a small community -- away from the bright and dangerous lights of the city. On weekends he takes the kids fishing in the stream that runs by the mine where he works.

I have met the environmental activist who put aside his preconceptions, and spent some time talking to his opponents. And he discovered that he and the rancher agreed about a lot of things.

And I have met the logger who has worked in Arizona's forests, and who has seen the devastation of the Dude Fire. He is trying to find a way to use timber management as a method to protect the big yellow belly pines and the wildlife. He wants to take out some of the smaller trees that natural fires would have eliminated safely before there got to be too many.

We are the
ones fighting
for change.
Above all, we
are fighting for
common
ground.

But Secretary Babbitt thinks these people are fighting to protect the status quo. I know that we are the ones fighting for change. Above all, we are fighting for common ground.

I don't mind a good fight, but I am tired of the way the public lands debate has been carried on.

What I propose that we begin to talk about today is a fundamentally different management structure for public lands in the West. Not an untested, unknown formula, but rather a method for enhancing the ability of individuals and governments to make affirmative decisions to carry out the activities we agree are necessary.

The fundamental test of legitimacy for any government is this: If it cannot function effectively, efficiently and with purpose, then it should not pretend to. It should not hinder the efforts of people to do good works. And today, it is doing just that.

The federal government should not hinder the efforts of people to do good works. And today, it is doing just that.

This is not a matter of doing battle with the federal government. I am not opposed to fighting battles where I believe it is appropriate. Battles can and should be fought when the federal government attempts to take on responsibilities it should not; or when it attempts to prevent states and communities carrying out their legitimate responsibilities and activities.

But my proposal today is not about fighting. It is about ideas. No battle is worth fighting unless you have an idea for a better way.

I believe the federal government does have a legitimate interest in the condition of our lands, and in ensuring its sustainability, and the utilization of these lands for a variety of purposes, including the protection of wildlife populations.

But there is a disconnect today between the federal interest in lands, and their ability to do what is necessary on behalf of those lands. Everyone is frustrated. Wildlife managers, hikers, miners, cattlemen, birders — the sense of helplessness and concern is everywhere.

In 1992, the U.S. Forest Service was described as becoming "a Stalinesque bureaucracy that is contemptuous of fair play and the rule of law in a democracy." That complaint did not come from an out of work logger. It came from the Sierra Club Chair in Montana.

What is the state of public land management in Arizona today? We have a situation where important resource decisions are made outside of Arizona. Often, these are by individuals in regional offices whose interest is uniformity, not diversity. If our lands were uniform, then that structure would be rational.

Between these five agencies, four are managed within distinct jurisdictions. For example, the BLM and the Fish and Wildlife Service operate in the Department of Interior. But the Forest Service is in the Department of Agriculture.

2. The talent in federal and state agencies exists to undertake a change of this magnitude. This proposal requires a change in culture as much as structure. Without the personnel talent, structural change will have little effect.
3. In order to carry out this proposal, we must abide by all existing federal public laws and state statutes that mandate the utilization and protection of this states' natural resources. We are not looking here for an exemption from federal requirements. Instead, we hope to demonstrate that a new structure can more effectively manage these lands within the context of federal and state requirements.
4. The five agencies selected for this proposal have obvious redundancies and duplication. Other agencies may be considered for future inclusion, but these first five are the most logical to start with.
5. By placing the management structure in closer proximity to the residents that live here, we empower Arizonans to have a powerful impact on their own future, and the future of their children. Without this power, we become insulated from the consequences of our own actions.
6. Multiple use lands can and should be managed with an integrated ecosystem focus.
7. The flow of public funds should continue from the existing federal and state fund sources. Revenues from the land should accrue back to the appropriate jurisdiction.
8. By improving management process, and eliminating unnecessary structure, we enhance the availability of resources to perform the functions of management. Our preliminary estimates indicate a savings in personnel costs of ten to fifteen percent. Additional savings would be possible due to the potential consolidation of offices and the reduction of federal positions outside Arizona.

The new Arizona Resource Management Agency would consist of several important functions:

- A central office with zone and field offices throughout the state. I have a map to demonstrate a possible configuration.
- A Natural Resources Advisory Council, consisting of federal, state and public stakeholders to advise the agency director on policy matters.
- A Natural Resources Appeals Commission which would have quasi-judicial responsibilities to review decisions by the agency.

While each of those programs has problems unique to the subject, I am convinced that land management is in dire need of the same state autonomy.

It is a dramatic departure from the way public land management has developed over the last century. The controversies that have sparked the so-called "Sagebrush Rebellion" and the recent debates over mine reform and rangeland reform are symptoms of the underlying problem. The bitter arguments over public land policy are self-perpetuating and self-defeating. The constituency that is damaged directly by this gridlock on the public lands is the public.

I offer this idea as a starting point. Above all, we do need to establish common ground between competing and diverse interests. There is a lot of ground to cover.

The bitter arguments over public land policy are self-perpetuating and self-defeating.

Today, and in the weeks and months to come, your task is to analyze this proposal, and to suggest areas and ideas for its improvement and refinement. All such suggestions will be seriously considered.

If we do live in a New West, why should our institutions of government be restrained by traditional ways of thinking and doing. We need to unchain our citizens from the shackles of bureaucracy, and create a new order where the citizens have a voice, and an opportunity to shape the vision for the land in which they live.

* * * * *



STATE OF ARIZONA
EXECUTIVE OFFICE

FIFE SYMINGTON
Governor

December 21, 1994

The Honorable John McCain
United States Senator
1839 South Alma School Road, Suite 375
Mesa, AZ 85210

Re: Endangered Species Act

Dear John,

The recent election results send many messages to those of us who serve in government. Chief among these lessons is that the citizens want to exercise greater control over their lives and fortunes. They want government to back off, and to be an instrument of citizen initiative. Unfortunately, the roots of this intrusion upon individual rights are deeply ingrained in our entire structure of government.

I am writing to you about a matter of growing concern to me and to many Arizona citizens. I refer to the extent and manner the Endangered Species Act is being applied to Arizona lands and the severe negative impact it is having on segments of our citizens — particularly in rural Arizona — and to the future management of the natural resources in this state.

Let me make it clear from the outset that I am as concerned as anyone about protecting plants and animals where threats exist. It is clear, however, that the Endangered Species Act has become a fierce and cruel weapon being used by environmental extremists with no regard for the adverse impacts this causes to individuals and whole communities or even to the species they purport to protect. It has been perverted by the cumulative impact of judicial interpretations. It has recently become a vehicle for attack on private property rights. And it ignores the rightful role of state land and wildlife agencies to address wildlife and habitat problems in a reasonable and systematic way.

I speak for a growing number of Arizonans who are now beginning to understand the implications of the ESA and how it is being used to destroy jobs, towns, and the natural resources. I have attached a list of pending environmental lawsuits that directly affect the State of Arizona and its citizens. Although the list is long, it does not include numerous administrative appeals used by activists to stall timber sales, to actually prevent management reforms, and to eventually force companies out of business.

The Honorable John McCain
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The State of Arizona has tried, within the means available to it, to offset the negative actions of the extremists. We have helped to organize and sponsor at least two major conferences aimed at educating citizens to the issues. We have attempted intervention in lawsuits we believe to be malicious to our citizens and to our resources. We will continue these efforts in the future.

In the meantime, it has become abundantly clear that the ESA in its present form will continue to be used frivolously and maliciously by extremists to pursue their objectives regardless of the economic and environmental chaos this creates for others and for our resources. Listing of the Mexican Spotted Owl and the rash of appeals and complaints by environmental groups have brought forest management, and the management tool of forest-based industries, to a halt in Arizona. The Payson and Flagstaff sawmills have closed permanently; the sawmill at Fredonia will shut down this spring; and the sawmill at Eager is operating at greatly reduced capacity. The Precision Pine mill at Heber is still operating, but for how long?

Because the pulp mill at Snowflake could not depend on chips from sawmills or pulpwood from the national forests, Stone Container has announced conversion of the plant to 100% recycled paper. This represents the loss of a management option for harvesting small trees which are grossly over-abundant in all southwestern forests. These developments are not only devastating to individuals and communities, they are destroying our ability to manage forests in a sustainable way for the well-being of our citizens and for the protection of all species of plant and animals.

Environmentalists have sued to have the Northern Goshawk listed and have served the required 60-day notice that unless the process for considering numerous other species is started, they will file additional lawsuits. It is obvious they wish to stop all activities in the affected area, and to date they have been extremely successful. The logical extension of these actions is that our forests will be devastated by disease or fire, and all the species who make their homes there will suffer.

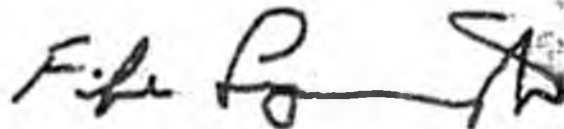
As an elected federal representative for Arizona citizens, only you can represent the needs of our state in this crisis. I will do everything in my power to support you, but you must take the lead in repealing the ESA and replacing it with a system that delegates this responsibility to states who have the expertise and the sensitivity to ensure that species and habitat protections will be carried out responsibly. The current cooperation of extremist environmental groups and allied judges on the federal bench has been both a practical and constitutional failure.

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The ESA has ultimately failed in its objective because of its focus on single species, as opposed to dealing with more comprehensive concerns of habitat health for the multitude of species, including humans. Based upon the experiences suffered under the Act over the course of the last 25 years, I have concluded that the Act is probably beyond repair. It has been a failed and costly experiment. While hundreds of species have been listed, only five have been delisted for reasons mostly unrelated to provisions in the Act, while at least six species have become extinct under the shield of its protection. It should be allowed to sunset. Its ambitions to protect individual species should be absorbed within the broader authorities of state and federal land management agencies to plan and provide for the sustainable use of our state and federal public lands.

Reauthorization of the Endangered Species Act is pending in both the House and Senate. I urge you to repeal it, in order that efforts to protect species, habitats, commerce, state authorities, and property rights may be allowed to succeed in a unifying way at the state level. I pledge any and all assistance that I can give to help you accomplish this urgent task.

Sincerely,



Fife Symington
GOVERNOR

FS:slb

enclosure

cc The Honorable Ed Pastor
The Honorable Bob Stump
The Honorable Jon Kyl
The Honorable Jim Kolbe
Congressman-Elect John Shadegg
Congressman-Elect Matt Salmon
Congressman-Elect J.D. Hayworth

Chronology re: Environmental Litigation

<u>Date</u>	<u>Event</u>
2/12/94	Silver v. Babbitt case filed.
3/8/94	USFWS designated critical habitat for spikedace and loach minnow (found in Graham, Pinal and Yavapai counties)
3/27/94	Plaintiffs filed First Amended Complaint, Silver v. Babbitt
4/1/94	ASLD filed motion to intervene, Silver v. Babbitt
4/11/94	Stipulated Motion to Stay Proceedings, Silver v. Babbitt
5/2/94	Federal Defendants answered First Amended Complaint, Silver v. Babbitt
6/1/94	Plaintiffs filed motion for judgment on pleadings, Silver v. Babbitt
6/24/94	Judge Muecke granted motion for judgment on pleadings, Silver v. Babbitt
7/11/94	USFWS announced 90-day and 12-month findings re: petition to reclassify spikedace and loach minnow from threatened to endangered (found reclassification warranted)
7/7/94	Complaint filed, Southwest Center for Biological Diversity v. Perry (Pt. Huachuca/San Pedro River)
8/9/94	Complaint filed, Silver v. Thomas
8/10/94	Complaint filed, Forest Conservation Council v. USFS (assigned to Judge McNamee)
8/11/94	Order entered denying motion to intervene, granting amicus status to State of Arizona, Apache County and White Sands
8/18/94	Plaintiffs filed motion to transfer Silver v. Thomas to Judge Muecke, as related to Silver v. Babbitt

Environmental Litigation Chronology
Page 2

- 9/3/94 Defendants moved to transfer Silver v. Thomas to New Mexico to be consolidated with de-listing litigation and for convenience
- 9/8/94 Judge Bilby issued order enjoining logging on Elk Timber Sale pending ENVIRONMENTAL ASSESSMENT, Greater Gila Biodiversity Project, et al. v. USFS
- 9/16/94 Parties submitted proposed schedule for determination of critical habitat, Silver v. Babbitt
- 9/21/94 Huachuca species listing suit filed, Southwest Center for Biological Diversity v. Babbitt (re: Huachuca tiger salamander, Huachuca water umbel, and Canelo hills' ladies tresses)
- 9/22/94 Judge Muecke ordered Silver v. Thomas transferred to him and consolidated with Silver v. Babbitt
- 9/23/94 Complaint filed, Southwest Center for Biological Diversity v. Babbitt (Willow flycatcher listing suit)
- 9/30/94 Judge Muecke issued order setting deadlines for publication of proposed and final rule re: critical habitat designation
- 10/4/94 Complaint filed, Southwest Center for Biological Diversity v. Babbitt (Goshawk listing suit)
- 10/12/94 Southwest Center for Biological Diversity delivered 60 day notice of intent to sue USFS on 12/11/94 re: 40 species in 11 New Mexico and Arizona forests
- 11/1/94 State of Arizona filed motion to intervene, Silver v. Thomas
- 11/3/94 State filed motion to intervene, PCC v. USFS
- 11/4/94 Federal defendants filed answer, Silver v. Thomas
- 11/9/94 Administrative Record filed, PCC v. USFS
- 11/10/94 Apache County & White Sands filed motion to intervene, Silver v. Babbitt
- 11/21/94 Judge Muecke granted extension of time to respond to intervention motions (until 1/2/95)
- 11/29/94 Plaintiffs filed motion to authorize discovery Silver v. Babbitt (attaching USFWS memo as evidence of intent to sue in order)

Environmental Litigation Chronology

Page 3

- 11/30/94 Judge Muecke issued order directing response, if any, to motion to authorize discovery be filed by 12/7/94
- 12/1/94 Deadline for public comment, DEIS for amendments to Southwest Region Forest Plans (ASLD submitted written comments)
- 12/1/94 Kaibab Timber announced plans to close last Arizona sawmill (Predonia)
- 12/1/94 Deadline for publication of proposed rule designating critical habitat, Silver v. Babbitt (not published but submitted for publication)
- 12/5/94 Judge Muecke granted extension of time (until 12/7) to publish proposed designation of critical habitat, Silver v. Babbitt
- 12/5/94 Plaintiffs requested contempt order for USFWS failure to publish proposed habitat designation by 12/1/94
- 12/7/94 Date proposed designation of MSO critical habitat will be published in Federal Register, Silver v. Babbitt.
- 5/27/95 Deadline for publication of final designation of MSO critical habitat, Silver v. Babbitt

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Pending Environmental Litigation
That Directly Affects State of Arizona

1. Silver et al v. Babbitt, et al. (Feb., 1994)(Judge Muecke)[Endangered Species Act ("ESA")/Mexican Spotted Owl ("MSO")](Suit to compel United States Fish and Wildlife Service ("USFWS") to publish proposed rule designating critical habitat for MSO. USFWS missed 1 year deadline, as extended to 2 years. Arizona moved to intervene; motion denied, but amicus status granted.)

2. Greater Gila Biodiversity Project, et al, v. United States Forest Service (1994)(Judge Bilby)[National Environmental Policy Act ("NEPA")/Goshawk](Suit to compel USFS and Stone Southwest Corp. to halt logging on the Elk Timber Sale pending completion of a second Environmental Assessment, due to increase in volume of timber to be harvested and address concerns re: goshawk. Injunction issued 9/8/94)

3. Southwest Center for Biological Diversity v. Perry (July, 1994)[NEPA/San Pedro River species](Action to compel defense agencies to consider environmental impacts of expansion of activities at Pt. Huachuca due to 5,000 additional personnel.)

4. Silver, et al. v. Thomas, et al. (Aug. 1994)(Judge Muecke)[ESA/MSO](Suit to enjoin the United States Forest Service ("USFS") and the Bureau of Indian Affairs, with respect to the Navajo reservation ("BIA") from "authorizing, carrying out or continuing any timber, road or other "ground-disturbing" projects that may adversely affect the MSO pending the consultation between USFS and USFWS re: effect of MSO listing on forest plans, LRMPs, and other programmatic documents. Relies on 9th circuit ruling in Pacific Rivers v. Thomas consolidated with Silver v. Babbitt; Arizona's motion to intervene is pending.)

5. Forest Conservation Council v. United States Forest Service (Aug. 1994)(Judge McNamee)[Northern Goshawk](Suit to enjoin USFS and its contractors from "allowing, permitting, authorizing or taking any action in connection with the sale of timber and any other decisions in Northern Goshawk habitat" pending compliance with NEPA and NFMA, which plaintiffs contend requires preparation of EIS addressing environmental impacts on region-wide basis, and amendment to USFS regional guide. Arizona's motion to intervene is pending, as is USFWS motion for summary judgment.)

6. Southwest Center for Biological Diversity, et al v. Babbitt (Sept. 1994)(Judge Strand)[Southwestern Wallow

Flycatcher)(Suit to compel USFWS to publish regulation listing southwestern willow flycatcher as endangered and to designate critical habitat. USFWS missed 1 year deadline.)

7. Southwest Center for Biological Diversity, et al. v. Babbitt (October, 1994)(Judge Bilby)(Northern Goshawk)(Suit to compel USFWS to list the Northern Goshawk as endangered throughout the United States west of the 100th meridian, claiming it is a "distinct population segment" because it is geographically isolated from other goshawk populations. A consortium of timber interests is preparing motion to intervene.)

8. Coalition of Arizona/New Mexico Counties v. U.S. Fish and Wildlife Service (Sept. 1994)(U.S. District Court, New Mexico)(MSO)(Action to challenge listing of MSO, and to review denial of petition to de-list the MSO.)

9. Southwest Center for Biological Diversity, et al. v. Babbitt (Sept. 1994)(Judge Carroll)(Canelo hills ladies' tresses (plant), Huachuca water umbel (plant) and Huachuca tiger salamander)(Suit to compel publication of finding as to whether the three species should be listed and if warranted to publish proposed regulations to list as endangered, with proposed critical habitat. USFWS missed 1 year deadline)