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Members of Congress Request ‘Do Over’ of Proposed Forest Planning Rule

WASHINGTON (June 3, 2011) – The [Public Lands Council](#) (PLC), the [National Cattlemen’s Beef Association](#) (NCBA), the [American Sheep Industry Association](#), the Association of National Grasslands and affiliated organizations representing livestock producers as well as other multiple-use industries on National Forest System (NFS) lands commend U.S. Representatives Greg Walden (R-Ore.) and Mike Ross (D-Ark.) for sending a letter with 57 of their colleagues to Secretary of Agriculture Tom Vilsack expressing concern with the U.S. Forest Service’s (USFS) proposed forest planning rule.

“We commend the bipartisan group of 59 members of Congress for sending this letter to Secretary Vilsack because the proposed planning rule is overly burdensome, goes beyond statutory authority and could negatively affect ranchers for decades,” said Dustin Van Liew, PLC executive director and NCBA director of federal lands. “The proposed rule, issued by USFS under the National Forest Management Act (NFMA), contains requirements that would be difficult, if not impossible, for the agency to achieve without precluding grazing and other multiple uses on NFS lands.”

In their letter, the members of Congress called for the agency to “redraft the proposed rule to make it simpler and less encumbered with process and to eliminate provisions like the ‘species viability’ clause that surpass Congress’ statutory direction.” Van Liew said the proposed planning rule would require the USFS to “maintain viable populations of species of conservation concern within the planning area.” However, he noted that the phrase “maintain viable populations” does not appear in NFMA or any other statute.

“We greatly appreciate Congress’ recognition that the ‘viability’ provision should be removed from the proposed rule. There is no scientific consensus on what level of any given species population is ‘viable’ or how it is to be ‘maintained,’” Van Liew said. “The viability standard will be impossible for the agency to meet. There will be a litigation feeding frenzy by the radical environmental groups bent on ending grazing and other multiple uses on NFS lands.”

The Walden/Ross letter was preceded by another congressional letter that had the backing of radical environmental groups and asked for the rule to be even more restrictive and prescriptive.

“A stark contrast is noticeable between the members who signed onto that letter and those who signed onto the one led by Reps. Walden and Ross. While fewer than 10 million total acres of NFS lands exist in the districts of the congressmen promoting more restrictions, nearly 150 million acres of NFS lands fall within the districts of members who signed the Walden/Ross letter. Those 150 million acres account for more than 77 percent of all NFS lands,” Van Liew said. “The public should be asking itself, ‘Who is better qualified to take issue with the proposed rule – members who represent the people who live near and work on NFS lands and will be most affected, or members whose constituents have little or no stake in forest planning? We urge Secretary Vilsack to heed the advice of the Walden/Ross letter and redraft the proposed forest planning rule.”

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