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Livestock Groups Find US Forest Service Planning Rule Unworkable

WASHINGTON (Jan. 27, 2012) – The [Public Lands Council](#) (PLC), the [National Cattlemen’s Beef Association](#) (NCBA) and the [American Sheep Industry Association](#) (ASI) said the U.S. Department of Agriculture’s (USDA) Forest Service ignored concerns of industry and members of Congress, disregarded federal statute and defied logic in its preferred alternative forest planning rule, which according to a [Programmatic Environmental Impact Statement](#) released by USDA on Jan. 26, 2012, will be issued as the final rule in 30 days. John Falen, PLC president and Nevada rancher, said the alternative plan is very similar to the proposed planning rule released as a draft in early 2011 that would have devastating long-term impacts on ranchers’ ability to access and responsibly manage the land and its resources.

“Rather than listening to concerns from those of us who have devoted our livelihoods to raising livestock on federal lands, the Forest Service is continuing down a path with this forest planning rule that will have long-term, chilling effects on my ability to do my job,” Falen said. “If implemented, this final rule will thwart multiple-uses and will have rippling effects on the health of rural economies by shifting the focus from multiple-use to non-use and ‘preservation’ on the 155 forests and 20 grasslands that constitute the National Forest System.”

Margaret Soulen Hinson, ASI president and Idaho producer, said ASI, PLC and NCBA are extremely disappointed that the Forest Service opted to retain the requirement to “maintain viable populations of species of conservation concern” in the preferred alternative forest plan. She said the term “maintain viable population” does not appear in federal statute and has already proven a problem under the current planning rule, as it is ill-defined and nearly impossible to achieve. Soulen Hinson said there is no scientific consensus on what level of any given population is “viable” or how it is to be managed and added that the new rule expands the provision beyond vertebrates to all species, including fungus and moss.

NCBA President and Montana cattleman Bill Donald said many aspects of the draft rule, which NCBA, PLC and ASI found unworkable and commented on, are still included in the preferred alternative planning rule. Specifically, Donald said the requirement that the agency use the “best available science” would likely incite litigation. He added that the creation of a new category of protected species, completely unrelated to Endangered Species Act called “species of conservation concern” and determined at the whim of the regional forester, will negatively impact the livestock industry’s ability to access forest lands to raise healthy animals. Donald said the modified alternative is in ways worse than the draft rule.

“It seems that the Forest Service is intent on locking-up the forest system and locking-out ranchers from land that we have responsibly managed for decades,” Donald said. “The Forest Service needs to scrap this aberration and work with multiple-use industries and members of Congress on a planning rule that truly will preserve the health and sustainability of forest lands across the country.”

Donald, Falen and Soulen Hinson said NCBA, PLC and ASI support certain aspects of the rule, such as the requirement that individuals who object to plans and plan amendments must have filed formal comments during the public comment period. They said this provision will prevent “radical environmental litigators” from purposefully abstaining from involvement until the time is right to sue.