



# LIBRARIES

UNIVERSITY OF WISCONSIN-MADISON

## **Box 14, Folder 1: Correspondence, 15 November 2000-4 January 2001. 2000-2001**

[s.l.]: [s.n.], 2000-2001

<https://digital.library.wisc.edu/1711.dl/NO3IJUD56QWLR8G>

<http://rightsstatements.org/vocab/InC/1.0/>

For information on re-use see:

<http://digital.library.wisc.edu/1711.dl/Copyright>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1300/5100/6100

Date: November 15, 2000

Route To:

Subject: Announcement of Available National Fire Plan Positions

To: All Employees

As a result of this year's severe fire season, the Forest Service and the Department of the Interior have been allocated additional funding to increase firefighting capability to the 100% Most Efficient Level, and for positions to support the National Fire Plan in community assistance, fuels reductions, and ecosystem restoration and rehabilitation. This means the Forest Service will be hiring to fill approximately 3,500 positions.

In order to accomplish this initiative, we are going to use a national centralized approach to recruit and advertise positions, both permanent and temporary. The majority of the positions will be in the Forestry Aid and Technician series assigned to firefighting positions, at grades GS-2 through 9, but some will be skilled professionals (up to GS-11). The specific specialties include fire suppression (engine/initial attack), hot shot, helitack, heli-shot, smokejumper, fire prevention, dispatch, lookout, and fuels.

The vacancy announcements will open November 15 and will remain open until these 3,500 jobs are filled. Applicants are being encouraged to submit their application as soon as possible. Applications postmarked by January 2, 2001, will be considered for the first round of selections, which will be made beginning mid-January, 2001. Applications postmarked after January 2, 2001, will be considered for subsequent selections until all positions are filled.

Employees interested in applying for these positions may obtain an application package from their local Forest Service office or their local servicing human resources office. Starting November 15, 2000, applications and additional information regarding new firefighting jobs with the Forest Service will be available. A web site has been established at [www.fs.fed.us/fsjobs](http://www.fs.fed.us/fsjobs) that will have information and frequently asked questions. By mid-December, an on-line application process will be available for applying to these jobs. An automated, toll-free telephone number is also available to request job applications at 1-877-813-3476 or email a request to [fsjobs@fs.fed.us](mailto:fsjobs@fs.fed.us).

We are excited about our ability to swiftly create these job opportunities that will provide assistance to communities and restore and rehabilitate public lands. Please share this information with others that may be interested in these positions. My thanks to all who were involved in making this happen.

MIKE DOMBECK  
Chief



Caring for the Land and Serving People

Printed on Recycled Paper





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

201 14<sup>th</sup> & Independence, SW  
Post Office Box 96090  
Washington, DC 20090-6090

File Code: 1910-1

Date: NOV 16 2000

The Honorable Parris N. Glendening  
Governor  
State of Maryland  
Office of the Governor  
State House  
100 State Circle  
Annapolis, Maryland 21401

Dear Governor Glendening:

Thank you for your September 21, 2000, letter regarding the Roadless Area Conservation rulemaking and environmental analysis. National forest roadless areas provide a wide range of benefits including clean air and water, wildlife and fish habitat, and opportunities for dispersed recreation. The Forest Service is committed to using sound management practices based on the best available science to ensure that these lands, and all national forests and grasslands, continue to provide a variety of benefits while maintaining their ecological integrity.

A Final Environmental Impact Statement was released on November November 13, 2000. A Final Rule is expected in mid-December. Your office will be provided copies of the documents upon publication.

Sincerely,

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

201 14<sup>th</sup> & Independence, SW  
Post Office Box 96090  
Washington, DC 20090-6090

File Code: 1910-1

Date: NOV 16 2000

Mr. Stan Rice, Jr.  
President  
Yavapai-Prescott Indian Tribe  
530 East Merritt  
Prescott, Arizona 86301

Dear Mr. Rice:

Thank you for your letter of July 3, 2000, expressing the support of the Yavapai-Prescott Indian Tribe for the Roadless Area Conservation Proposed Rule. Your support is greatly appreciated.

National forest roadless areas provide a wide range of benefits including clean air and water, wildlife and fish habitat, and opportunities for dispersed recreation. The Forest Service is committed to using sound management practices based on the best available science to ensure that these lands, and all national forests and grasslands, continue to provide a variety of benefits while maintaining their ecological integrity.

Your comments are important and are being considered as we complete the remaining phases of the rulemaking and environmental analysis processes. The Forest Service released the Final Environmental Impact Statement on November 13, 2000. The Final Rule is scheduled for completion in mid-December 2000. The Yavapai-Prescott Tribe will be provided copies of the documents upon publication.

Sincerely,

MIKE DOMBECK  
Chief





File Code: 1910-1  
Date: NOV 16 2000

The Honorable Jim Geringer  
Office of the Governor  
State Capitol  
Cheyenne, Wyoming 82002

Dear Governor Geringer:

Thank you for your July 17, 2000, letter regarding the National Roadless Area Conservation Proposed Rule and Draft Environmental Impact Statement. The letters attached to your correspondence from several State of Wyoming agencies describe a wide array of issues and concerns with the Proposed Rule and the analysis disclosed in the Draft. These issues and concerns, including those dealing with the Americans with Disabilities Act, are being considered as we prepare the Final Environmental Impact Statement and decision.

Regarding the concern expressed by some State of Wyoming agencies that the public comment period for the Draft Environmental Impact Statement was insufficient, I earlier decided that an extension of the comment period was unnecessary. I reached that decision in light of the extensive public involvement we have carried out. To that end, the Forest Service provided more than 10,500 copies of the Proposed Rule and Draft to municipal libraries, thousands of copies to individuals who took advantage of pre-publication and post-publication ordering opportunities and offers; we posted the documents on our [roadless.fs.fed.us](http://roadless.fs.fed.us) Internet website; made the documents available for acquisition and review at Forest Service offices across the country; and distributed thousands of copies at several hundred public meetings.

Regarding your concern about the amount of time allotted to participants providing oral comments at public meetings, we provided local Forest Service meeting management officials with guidance, including "rules of order" for speaking time limits, as a means of ensuring fair opportunity for those who desired to speak. We correctly anticipated that thousands of people would want to comment verbally and wanted to accommodate as many as possible.

You were not alone in your strong objection to the analysis of social impacts on employees of the timber industry found on pages 3-189 and 3-190 of the Draft. This section states that disagreement exists in the available literature and among researchers regarding the social effects of job loss in the timber industry. It also notes that it is difficult to be specific or to even generalize about the social impacts that might accrue from declining timber jobs, and that the actual social effects on individual timber workers will vary. Because contrasting views about social effects and job loss in the timber industry are reported in the literature, and because each view may hold true for some participants in the timber industry, a range of viewpoints was presented in the Draft to show decision makers the potential range of social effects that might be expected from the alternatives. Nevertheless, in undertaking a characterization of timber industry workers and potential social impacts on them there is a risk of appearing to generalize or stereotype. In responses to Congress on this matter, I have expressed my respect and admiration



The Honorable Jim Geringer  
Page 2

for those who make their living in the timber and wood products industries. If anything in the Draft implied otherwise, it will be corrected in the Final Environmental Impact Statement.

The State of Wyoming's comments were made part of the administrative record for the rulemaking. In compliance with National Environmental Policy Act procedures, responses will be published in the Final Environmental Impact Statement. A Final Environmental Impact Statement was released on November 13, 2000. The final rule is scheduled for completion by mid-December. Your office will be provided copies of the documents upon publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Dombek". The signature is fluid and cursive, with the first name "Mike" and last name "Dombek" clearly distinguishable.

MIKE DOMBECK  
Chief

cc:  
Regional Forester, Rocky Mountain Region  
Regional Forester, Intermountain Region



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 6140  
Route To:

Date: NOV 16 2000

Subject: Senior Executive Service Accomplishments for FY 2001

To: Associate Chief for Natural Resources, Chief Operating Officer and Deputy Chiefs

**Reply Due November 21, 2000**

At the November 7 Executive Committee meeting, I asked you to identify the priorities for each of the Senior Executive Service (SES) performance elements that would clearly describe what we intend to do -- our program of work -- in fiscal year FY 2001. I asked Hilda and Phil to work with each of their Deputy Chiefs to develop those specific items that can be measured and will be tracked for completion in FY 2001. These items should be strategic in nature, have significant impact or effect on the Agency or on the land and bring about positive change.

Our goal, first and foremost, is for us to know internally what our priorities are. The list of items is not meant to be all encompassing, but is intended to keep us focused on the major priorities that we track throughout the year, so that at year end we know how well we did and will be able to tell others. The Agency as a whole did very well last fiscal year because we had a list of major priorities that were tracked throughout the year with an action plan, due dates, and a responsible person.

Here are a few examples of the goals we should focus on: Hiring 1,500 new employees into the Agency as a part of the recruitment strategy; acquiring a clean financial audit opinion; establishing advisory councils to implement the planning regulations and the payments to states legislation; develop a new employee orientation training; improve of streams, meeting or exceeding water quality standards; improve our response to controlled correspondence; develop specific actions to reduce employee complaints; triple the number of acres treated in wildland urban interface, and so forth. These very specific measures should be incorporated as subset measures in one of the four or five SES performance elements that we are rated on each year. These priorities should be communicated to your staff so that we are all focused on the same goals throughout the year.

Please bring your initial list to the November 21 Executive Committee meeting for discussion. I would encourage you to discuss the measures among yourselves prior to the meeting to coordinate on crossover projects.

Thank you for your hard work and dedication. I look forward to another successful year!

MIKE DOMBECK  
CHIEF





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Cheryl Adcock

To: Forest Supervisor, Shasta-Trinity National Forests  
Thru: Regional Forester, R-5

I extend my thanks and appreciation to Cheryl Adcock for her assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Cheryl was involved in the assembly and disassembly, and the daily staffing of the Forest Service exhibit. Her personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Cheryl for taking the time from her normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief







United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: **NOV 27 2000**

Route To:

Subject: Letter of Appreciation for Ramona Brown

To: Forest Supervisor, Shasta-Trinity National Forests  
Thru: Regional Forester, R-5

I extend my thanks and appreciation to Ramona Brown for her valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Ramona was involved in the assembly and disassembly of the exhibit and managed the staffing of the Forest Service exhibit. Her coordination of knowledgeable personnel to provide valuable trails information for the public and other agency personnel was excellent. Her personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Ramona for taking the time from her normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Chuck Coole, Wood in Transportation

To: Director, Northeastern Area State and Private Forestry

I extend my thanks and appreciation to Chuck Coole for his valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Chuck was involved in the assembly and disassembly, provided the Wood in Transportation website, and assisted in the daily staffing of the Forest Service exhibit. His knowledge of the use of computer access information was excellent. His personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Chuck for taking the time from his normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Ken DeCamp

To: Forest Supervisor, Shasta-Trinity National Forests  
Thru: Regional Forester, R-5

I extend my thanks and appreciation to Ken DeCamp for his valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Ken completed the graphic work and titles on the main display of the Forest Service exhibit. He displayed a great variety of interesting information in a pleasing manner to provide valuable information for the public and other agency personnel. His knowledge and personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Ken for taking the time from his normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Merv Eriksson

To: Manager, MTDC  
Thru: Director of Engineering, WO

I extend my thanks and appreciation to Merv Eriksson for his valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Merv coordinated the Wood in Transportation display and provided the Bridge Catalog website of the Forest Service exhibit. His knowledge of the use of computer access information was excellent. His personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Merv for taking the time from his normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Ken Graves

To: Forest Supervisor, Shasta-Trinity National Forests

Thru: Regional Forester, R-5

I extend my thanks and appreciation to Ken Graves for his valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Ken was the major force in the construction and content of the Forest Service exhibit. He assembled a great variety of interesting information in a pleasing manner to provide valuable trails information for the public and other agency personnel. His knowledge and personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Ken for taking the time from his normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Mary Ellen Grigsby

To: Forest Supervisor, Shasta-Trinity National Forests  
Thru: Regional Forester, R-5

I extend my thanks and appreciation to Mary Ellen Grigsby for her valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Mary Ellen was the major force in the overall coordination of design, construction, content, and staffing of the Forest Service exhibit. She assembled a great variety of interesting information in a pleasing manner and arranged staffing to provide valuable trails information for the public and other agency personnel. Her knowledge and personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Mary Ellen for taking the time from her normal schedule to further communications and understanding with these important user groups. She is a great credit to the Shasta-Trinity National Forests.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Jim Holmes

To: Forest Supervisor, Shasta-Trinity National Forests  
Thru: Regional Forester, R-5

I extend my thanks and appreciation to Jim Holmes for his valued assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Jim was involved in the assembly and disassembly of the exhibit and coordinated the Trinity Alps Wilderness website of the Forest Service exhibit. His knowledge of the use of computer access information was excellent. His personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Jim for taking the time from his normal schedule to further communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 6140

Date: NOV 27 2000

Route To:

Subject: Letter of Appreciation for Mike Mitchell

To: Forest Supervisor, Shasta-Trinity National Forests

Thru: Regional Forester, R-5

I extend my thanks and appreciation to Mike Mitchell for his assistance during the 15<sup>th</sup> National Trails Symposium held in Redding, California, September 20-24, 2000. I am glad I was able to participate in this year's Symposium and observe our efforts first-hand.

Mike was involved in the disassembly of the Forest Service exhibit. His personal attention was a welcome addition to the overall success of the exhibit.

Forest Service participation provided an excellent opportunity for our employees to meet with individuals and small groups of partners to discuss forest trails management in an informal setting. I congratulate Mike for taking the time from his normal schedule to assist in furthering communications and understanding with these important user groups.

Thanks again for a job well done!

MIKE DOMBECK  
Chief







DECISION MEMORANDUM FOR THE ASSISTANT SECRETARY FOR ADMINISTRATION

FROM: Pearlie S. Reed  
Chief  
Natural Resources Conservation Service

NOV 29 2000

Michael Dombeck  
Chief  
Forest Service

SUBJECT: Senior Executive Service Candidate Development Program (SESCDP) for the  
Natural Resources and Environment (NRE) Mission Area

**ISSUE:**

Implementation of a new, separate SESCO to meet the demand for technical expertise within the NRE mission area.

**BACKGROUND:**

The Department's Office of Human Resources Management has authority and administers a Department-wide SESCO. The last program was announced in September 1997. The Department does not plan to open or announce another session in the near future.

According to its workforce planning analysis, the Natural Resources Conservation Service currently has 30 percent of its SES workforce eligible for retirement; 77 percent being eligible to retire within the next five years. The average age of the NRCS SES member is 54. The Forest Service currently has 29 percent eligible for retirement and will have 73 percent eligible to retire within the five years. The likelihood is good that the agencies will be faced with a depleted SES workforce in the very near future.

The Natural Resources Conservation Service has placed all but one of its most recent SESCO graduates and has only five SESCO graduates to consider for placement into SES positions. Out of the five recently placed, two are eligible for retirement. The Forest Service has placed four out of eight of their most recent SESCO graduates and has 23 other SESCO graduates available for placement.

The NRE Mission Area is in need of a diverse SESCO cadre who could be identified and considered for placement into administrative, scientific, and natural resource positions. We are faced with new programs and initiatives, such as nutrient management and animal husbandry. There is also a need for individuals with knowledge and expertise in soil conservation, watershed

## DECISION MEMORANDUM FOR THE ASSISTANT SECRETARY FOR ADMINISTRATION 2

restoration, range conservation, soil science, wetlands science, water management, irrigation, conservation engineering, resource economics, conservation biology, etc.

Implementing this program in the NRE Mission Area will provide an opportunity to recruit individuals with the background, skills and leadership needed to manage programs that are beginning to take center stage and focus within the agencies.

Having a strong, diverse cadre of SESCDP graduates from which to choose is necessary to ensure that the NRE Mission Area has individuals prepared with the skills needed to fill key executive positions. Developing this cadre of available executives will allow us to continue to lead traditional and non-traditional programs with very little or no interruption. This would also minimize the lengthy process it takes to get a vacant SES position filled.

### Option 1

Allow the NRE Mission Area to model the Department's SESCDP to be advertised all sources and run by NRE separately.

#### Pros:

Would allow the agencies to address their specific workforce needs given the high number of SES members eligible for retirement within the next five years.

#### Cons:

Would take considerable dedicated resources and time to design and implement the program.

### Option 2

Ask the Department to run a new Senior Executive Service Candidate Development Program in early 2001.

#### Pros:

An already established program; therefore, fewer resources would be needed and there would be a quicker start up time.

#### Cons:

The Department doesn't envision reopening the program due to the large number of SESCDP graduates Department-wide who have not been placed.

## DECISION MEMORANDUM FOR THE ASSISTANT SECRETARY FOR ADMINISTRATION 3

### Option 3

3. Explore contracting with other agencies outside USDA, such as EPA, Interior, or the Internal Revenue Service, that might have SESCDP program structures in place that could be modified to meet our needs.

#### Pros:

Existing infrastructure reduces start-up time.

#### Cons:

May be awkward to go through a different Department to the Office of Personnel Management for certification by the Quality Review Board.

Costs of contracting to do what already exists within the Department.

Could limit our ability to manage our own program.

### RECOMMENDATION:

Option 1. The NRE Mission Area implements a SES Candidate Development Program within Agriculture in order to build a diverse cadre of executives who will be available to replace departing SES members.

### DECISION BY THE ASSISTANT SECRETARY:

Approve	_____	Option Selected: _____
Disapprove	_____	
Discuss with me	_____	
Date	_____	
Reviewed by	_____	
Attachments		

# Message from The Chief

Fiscal year 2000 (FY 2000) has been an exciting year. We responded to an unusually severe fire season while making giant gains in a quest that is vitally important to the Forest Service: restoring an environment of trust with our stakeholders. In a measure of that trust, Congress raised our FY 2001 budget to \$4.4 billion, a 47 percent increase that includes \$1.1 billion to help meet our responsibility for reducing the risk of wildland fires nationwide.



*Mike Dombeck*

I am proud to report our accomplishments and to reconfirm our agenda for the future—conserving our natural resources for generations to come. Today, our first and highest priority is living within the limits of the land. Sustainability should be our guiding star. We can fulfill our mission of serving the American people only if we first care for the land on the basis of a sound land ethic.

In FY 2000, we accomplished many things. Here are just a few highlights:

- At the President's request, we developed a National Fire Policy and action plan to protect communities and restore ecological processes in fire-dependent ecosystems.
- After a 10-year effort, we published a new forest planning rule to make ecological sustainability the guiding principle for managing our national forests and grasslands.
- We completed business plans for 15 large-scale watershed restoration projects and prepared more than 40 Burned Area Rehabilitation Plans. Our watershed projects will help sustain flows of pure, clean water nationwide, a priority for the American people.
- We launched a new Recreation Agenda to meet the Nation's growing need for outdoor recreation in a manner that protects the health, diversity, and productivity of the land.
- We released a new roads rule to focus on maintaining and restoring the Forest Service's 383,000 miles of roads. We also published a final environmental impact statement for a new rule governing roadless areas. The new rule will protect up to 58 million acres.
- We worked with Congress to stabilize payments to States for schools and roads while removing a perverse incentive to degrade the land. This was the first major change to legislation tying timber receipts to local schools and roads since 1911.
- We completed conversion to, and fully operated under, a new accounting system that complies with the standard general ledger.

We accomplished many objectives in FY 2000 through the dedication and hard work of all Forest Service personnel and our partners. In FY 2001, we look forward to working as one team toward our mission, "Caring for the Land and Serving the People."

MIKE DOMBECK

Chief



Joe Jagodowski

11/17/2000 03:00 PM

To: Thelma Strong/WO/USDAFS@FSNOTES

CC:

Subject: Message from the Chief

Thelma - Here is another copy of the draft message from the Chief to accompany the FY 2000 financial statements. Would like to get this approved to use when we deliver the draft financial statement to OIG on November 24th. Thanks



Message from the FS Chief 1109 alternate.

Joe Jagodowski

Senior Financial Analyst

Financial Reports and Analysis

Phone 703-605-4858

Fax 703-605-5117

email [jjagodow@fs.fed.us](mailto:jjagodow@fs.fed.us)



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 5100

Date: DEC 8 2000

Governor Dirk Kempthorne, Chairman  
Western Governors Association  
1515 Cleveland Place  
Denver, Colorado 80202

Dear Governor Kempthorne:

Thank you for your October 18, 2000, letter. I appreciate the Western Governors' support as we begin to implement the provisions of the National Fire Plan and the provisions of the FY 2001 Interior Appropriations bill. As you know, I have asked Lyle Laverty, currently Regional Forester of the Rocky Mountain Region, to provide executive leadership for the Forest Service components of the National Fire Plan.

Lyle and I have discussed the significant coordination needed to successfully implement the plan. In addition to the need for coordination with the Western Governors, we need to coordinate implementation strategies and tactics with the Interior Agencies, the Congress, and the White House. To that end, I have asked Lyle to meet as frequently as necessary with the leadership and staff of the Western Governors Association, the National Association of State Foresters, and the National Association of Counties, to ensure that implementation of the National Fire Plan meets all of our expectations. Lyle has informed me that he has met with Jim Souby, WGA Executive Director to discuss communication and coordination efforts with the Western Governors. I believe the kick-off meeting held in Denver this week will develop strong, positive working relationships.

Lyle will occupy a Senior Leadership position to ensure all of the Forest Service programs are working in harmony to achieve our shared outcomes. I am confident that Lyle's experience and communication skills will provide the leadership, relationships, accountability, and results we are seeking.

Thank you again, Governor, for your personal support and the support of the Western Governors as we work to protect communities and sustain America's resources.

Sincerely,

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1910

Route To:

Date: DEC 8 2000

Subject: Release of the USDA Forest Service Strategic Plan (2000 Revision)

To: All Employees

I am pleased to announce the approval and release of the USDA Forest Service Strategic Plan (2000 Revision). It establishes four long-term goals and 18 long-term objectives to guide the Forest Service from FY 2001 through FY 2005. The plan also incorporates and integrates many recent management initiatives, starting from the vision of the Natural Resource Agenda. The plan provides broad, strategic, direction for actions necessary to carry out the mission of the Forest Service. With its focus on long-term outcomes and measures, it provides direction within the context of the Government Performance and Results Act.

In an important next step, the Strategic Planning and Resource Assessment (SPRA) staff is working with the Program Budget and Analysis (PBA) staff to develop an Annual Performance Plan that links accountability in the annual budget process to long term program accountability under the strategic plan.

These are exciting times where the Strategic Plan will guide all of us in implementing the mission of the Forest Service. Specific implementation guidance will be shared shortly. In the mean time, I encourage each of you to read the Strategic Plan, become familiar with it, and identify how your programs tier to the strategic goals and objectives.

The Strategic Plan is available on both the Intranet site at <http://fsweb.wo.fs.fed.us/rpa> and the Internet site at <http://www.fs.fed.us/plan>. Printed copies will be available within a few weeks, and will be distributed to each Forest Service unit.

Preparing our annual program of work as we have done in the past is no longer acceptable. We must be able to show how our activities are guided by a coherent, integrated vision in the Strategic Plan, and be accountable for achieving results that contribute to that long-term vision. Your help and support are appreciated as we move from previous ways of doing business to a more integrated and comprehensive management system under the Results Act.

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 7700

Date: DEC 18 2000

The Honorable Gordon H. Smith  
United States Senate  
404 Russell Senate Office Building  
Washington, D.C. 20510-3704

Dear Senator Smith:

Thank you for your letter of May 5, 2000, to Secretary of Agriculture Dan Glickman requesting an extension for the public comment period on our road management proposal, which was published on March 3, 2000. Secretary Glickman asked me to respond to you. I apologize for the delay in doing so.

As you know, the comment period expired May 17, 2000, which included a 15-day extension to facilitate public review of the proposal. Our dialogue and involvement with the public on this issue has been active since the Advanced Notice of Proposed Rulemaking (63 FR 4350) was published on January 28, 1998. In the spring of 1999, the Forest Service conducted a series of focus group meetings and received input from both the public and Forest Service employees. This input formed the basis for the development of this proposed policy. At the same time, we have been developing a science-based road analysis process. In October 1999, we distributed *Roads Analysis: Informing Decisions About Managing the National Forest Transportation System*, that describes this process.

Given this extensive involvement and the public meetings held across the nation on this issue, we believe that the 60-day comment period plus the additional 15 days was adequate for the public to review the information and provide substantive comments.

Both our roads management proposal and the roadless area conservation rulemaking will be complementary and consistent when they are finalized. It is my objective to see that they provide for safe, efficient, and affordable public access of public forests in a manner that protects long-term land health.

Again, thank you for your continued interest in the road management issue. I look forward to your involvement as we continue with the process.

Sincerely,

MIKE DOMBECK  
Chief







DECISION MEMORANDUM FOR THE SECRETARY

FROM: Mike Dombeck  
Chief

DEC 12 2000

SUBJECT: Sudden Oak Death Funding Request

ISSUE:

Request for the Secretary to approve an emergency transfer of \$3.5 million from the Commodity Credit Corporation (CCC) to support science and technology critical to the detection, understanding, and management of the emerging threat of Sudden Oak Death in California. The transfer would be from the CCC to Forest Service Research & Development at the beginning of fiscal year (FY) 2001, pursuant to the Secretary's authority for the emergency transfer under Section 442a of the Plant Protection Act (7 U.S.C. 7772).

BACKGROUND:

Tanoak (*Lithocarpus densiflorus*), coast live oak (*Quercus agrifolia*), and black oak (*Quercus kelloggii*) trees are dying in epidemic proportions in five coastal counties of northern California. The mortality has reached alarming proportions in a number of areas within the past 18 months as 1000s of trees have died. A newly recognized disease syndrome incited by a previously undescribed species of *Phytophthora* fungi, which is possibly a recent introduction, appears to be responsible for most, if not all, of the new mortality. The pathogen is capable of killing mature, otherwise healthy trees in a matter of weeks. Thus, the disease is an acute one. Further, risk assessment by Forest Health Protection, Forest Service using the evaluation process established by the North American Forest Commission in its exotic Forest Pest Information System for North America rated Sudden Oak Death as a high risk disease. Infected trees exhibit crown dieback or wilting, stem bark lesions, basal cankers, and reddish to dark brown exudations typical of other species of *Phytophthora*. In laboratory culture this *Phytophthora* produces numerous deciduous sporangia, which may suggest a mechanism for air-borne dispersal, as well as prolific thick-walled chlamydospores, which may provide the organism with the ability to survive adverse conditions for long periods of time in soil or wood.

Approximately 60 species of *Phytophthora* are known worldwide, many of which have caused serious epidemics in agricultural crops (the infamous Irish potato famine in the 1840s) and forests (*Eucalyptus* in Australia, Port-Orford cedar in Oregon). We do not know if the previously undescribed species of *Phytophthora* associated with Sudden Oak Death in California is a newly introduction pathogen, a suddenly emerging native organism, or a recent hybrid between other species of *Phytophthora*. Initial results from preliminary genetic tests indicate an affinity with *P. lateralis*, which causes the catastrophic decline and mortality of Port-Orford cedar in Oregon and Northern California. While this cedar *Phytophthora* has been known for 50 or more years, its origin never has been determined.



There is considerable social, economic, and environmental concern with Sudden Oak Death. California's 10 million acres of at risk oak woodlands support ranching/grazing operations worth over \$1.3 billion and contain 4.8 billion cubic feet of wood valued at over \$275 million. The 5.8 billion cubic feet of oaks in nearby, likely susceptible California timberlands are worth over \$500 million for forest products alone. The potential threat to commercial timber production in the United States is in excess of \$30 billion if the oaks and possibly other species in the Eastern deciduous forests prove susceptible to this organism.

The epidemic is also changing forest structure and composition in ways that likely will alter ecosystem structure and function, primary productivity, biodiversity, wildlife habitat, water regimes, susceptibility to exotic invasion, and hill slope stability. Thus, there is potential for a serious ecological crisis. Public and private land managers recognize the critical need for more knowledge regarding this emerging threat if quarantine, containment, and other methods of control are to be effective. Clearly, the desires to mitigate the potential impacts of Sudden Oak Death through various quarantine procedures or other control actions are seriously hampered by our lack of a fundamental understanding of the causal organism and disease dynamics. Despite that drawback, in August of this year, the Chief of the Forest Service requested a quarantine of the movement of tanoak and oak wood, nursery stock and field-grown transplanted trees.

While studies on the cause of the mortality by research scientists at the Davis and Berkeley campuses of the University of California have identified this new *Phytophthora* as the probable cause of the malady, accelerated priority research is needed to further characterize the organism, such as determining its origin, mode(s) of infection and disease progression, survival mechanisms, and means of local and long distance spread. It is also critical to more clearly determine the tree species and localities currently affected and those potentially at risk in California and elsewhere. Furthermore, understanding the possible roles of climate, soil type, and historic and ongoing anthropogenic disturbances as well as potential ecological ramifications of Sudden Oak Death (e.g., impacts to productivity, biodiversity, wildlife habitat, water regimes, susceptibility to exotic invasion, and hill slope stability) are critical to development of effect quarantine procedures, control strategies, and management options to mitigate impacts of the disease.

#### Forest Service Funding Issues

During FY 2000, the Forest Service, primarily through Forest Health Protection (FHP) in the State and Private Forestry program, has participated with the Animal and Plant Health Inspection Service (APHIS) and officials of State and county agencies and universities in California to investigate Sudden Oak Death. To date this effort has focused on detection of mortality and identification of cause. Further, Forest Service Research & Development provided some inventory information for the initial assessment on distribution and spread of Sudden Oak Death and helped identify priority knowledge gaps. The work for Forest Service Research &

Development reflects these prioritized needs and will be fully coordinated and integrated with other efforts ongoing through APHIS, the Agricultural Research Service (ARS), FHP, various universities, private organizations, and the Research Committee of the California Oak Mortality Task Force.

The Forest Service Research & Development FY 2001 appropriated funding request contained no funds for research on Sudden Oak Death. Forest Health Protection provided \$85,000 in FY 2000 for initial investigations regarding cause of the syndrome and determining its extent and distribution. In FY 2001, FHP will be providing \$160,000 to support monitoring, technology, development, and suppression of Sudden Oak Death. The State of California is developing a funding package to assist with investigations on causes, extent, and consequences of the mortality.

Requested funds will be used by the Pacific Southwest and Pacific Northwest Research Stations to pay salary and expenses of employees, including scientists, technicians, and post-doctorates. Funds will also support cooperative agreements, contracts with partner investigators in other Federal agencies, state and county governments, universities and private organizations, travel to sites throughout California and southern Oregon to conduct research and collect data, and to support costs associated with quarantine research. Meeting these key research needs reflects an integrated approach for studying Sudden Oak Death that will be coordinated with ARS, APHIS, and other partners.

#### Cause and Disease Dynamics

3 Scientist Years; \$ 1,500,000

Forest Service Research & Development will focus on augmenting and accelerating ongoing investigations into the origin and nature of this new species of *Phytophthora*. These studies will include investigations on the genetics of the pathogen, its cultural characteristics and attributes, mechanisms of survival, spread, and intensification. Initial studies on the disease will include disease diagnosis and detection, mechanisms of infection, disease development and individual host responses, susceptibility of host species within and beyond California, tree-to-tree spread and intensification, and determination of associated conditions and organisms (including the possibility of vectors). Forest Service Research & Development will coordinate with FHP, ARS, APHIS, and other partners on all aspects of these investigations. Results of these studies are essential for development of effective quarantine procedures and other control options and must be initiated without delay.

#### Ecological Impacts of Mortality

2 Scientist Years; \$ 1,000,000

Forest Service Research & Development will take the lead on investigating the various direct and cascading effects of this unprecedented level of oak mortality on ecosystem structure and function. These investigations will include studies and evaluations on the effects of mortality on: fire hazard and risk; productivity; biodiversity; wildlife habitat; water regimes; susceptibility to exotic invasion; and hill slope stability. Forest Service Research & Development will interact with FHP, ARS, APHIS, and other partners on all aspects of these investigations. Results of these studies are critical to development of management actions and strategies to prevent and minimize impacts, particularly the immediate increases in fire risk, caused by Sudden Oak Death in forests, parks, gardens, and home sites.

# DECISION MEMORANDUM FOR THE SECRETARY

4

Disease Extent, Distribution and Hazard

2 Scientist Years; \$1,000,000

Forest Service Research & Development will assist ongoing efforts to determine at a landscape scale the geographic extent, distribution, and hazard of Sudden Oak Death, and to develop a map of the current distribution and potentially susceptible habitats in coastal California, southern Oregon, Cascade/Sierran ecosystems, and possibly elsewhere (pending results of pathogenicity tests). Methods also will be developed and implemented to constantly update this map with newly emerging information. This effort is essential for containment of spread to other regions and oak species by grounding management and regulation actions on timely information regarding geographic distribution and spread.

Total Forest Service Research & Development Program Budget: \$ 3,500,000

## RECOMMENDATION:

The Secretary's emergency transfer authority is the only viable option for funding this urgently needed research on Sudden Oak Death. We recommend that you transfer \$3.5 million from the Commodity Credit Corporation to Forest Service Research & Development at the beginning of fiscal year 2001, pursuant to the Secretary's authority for the emergency transfer under Section 442a of the Plant Protection Act (7 U.S.C. 7772).

## FISCAL YEAR 2001 SUDDEN OAK DEATH FUNDING REQUEST FOR FOREST SERVICE RESEARCH & DEVELOPMENT

Research Topic Requested	Scientists Years	Amount
Cause and Disease Dynamics	3	\$1,500,000
Ecological Impacts of Mortality	2	\$1,000,000
Disease Extent and Distribution	2	\$1,000,000
Total	7	\$3,500,000

These funds will allow us to address the current situation in California and respond to possible future occurrences of the disease in other locations. Upon your decision, we will prepare any additional documentation required by the Office of Management and Budget.

DECISION BY THE SECRETARY:

Approve \_\_\_\_\_

Date \_\_\_\_\_

Disapprove \_\_\_\_\_

Discuss with me \_\_\_\_\_

Reviewed by: \_\_\_\_\_



INFORMATIONAL MEMORANDUM FOR THE SECRETARY

FROM: Mike Dombeck  
Chief

DEC 12 2001

SUBJECT: Forest Service Recommendations for the National Invasive Species  
Management Plan

ISSUE:

The Forest Service recommends additions and changes to the Management Plan "Meeting the Invasive Species Challenge".

DISCUSSION:

This memorandum conveys recommendations from the USA Forest Service (FS) for the Management Plan "Meeting the Invasive Species Challenge", which is mandated by Executive Order 13112 and currently listed in the Federal Register for public comment.

The Forest Service has a unique capacity within the USDA for the full range of actions required for management of invasive species and in support of the Animal and Plant Health Inspection Service (APHIS) eradication efforts. Accordingly, we have actively participated in prior, interim steps to develop and evaluate the Management Plan. We recognize improvements in the October 2, 2000, iteration of the plan and appreciate the opportunity to help shape our Nation's response to the many threats associated with invasive species.

Specific recommendations are enclosed for each section of the Management Plan. Some of these items of particular concern to the Forest Service and our partners are:

- The Management Plan does not adequately address monitoring as a critical component of action on invasive species. Accordingly, the Forest Service recommends that a section be added to the Management Plan specific to monitoring. The FS mission requires an aggressive response to new, high threat invasions, as well as longer-term management action on high impact, invasive species. Our land management rests on monitoring information that is both regional and species-specific. Further, the FS monitoring information on invasive species is used to evaluate impacts from management actions. As written, the



Management Plan does not reflect the range of needs for this integrated use of monitoring, nor does the plan adequately convey that monitoring is a key area for adaptive management on the land and for interagency coordination. Further, the plan should stress that monitoring of invasive species is formative in system design and development, and requires enhanced resources for fuller development and implementation.

- The descriptions of FS roles for invasive species research and technology development, technical assistance, and operations are often inaccurate, incomplete or missing in the Management Plan narrative and Appendix 2.
- Specific measures of success are not clearly identified in the Plan. Measures of success should be based on ecological outcomes, new scientific knowledge or technology, rather than in numbers of plans or analyses conducted.
- The Management Plan does not effectively convey the imperative for Council agencies to seek enhanced and sustained funding as well as enhanced coordination, if we are to make measurable progress with the action items. In addition to sustained and increased funding for core programs, the FS needs and supports the establishment of an emergency contingency fund for rapid response activities.
- Executive Order 13112, Section 5 (b), requires the first draft of the Management Plan to document baseline Federal budget and program needs, including those for research in support of prevention and control. The Management Plan poorly or inconsistently provides this documentation. In response, we have asked that such information be appended or abstracted when available, particularly the inclusion of information from the National Science and Technology Council, Committee on Environment and Natural Resources report on science and technology needs, and the Forest Service Strategy for Control of Noxious and Invasive Weeds.
- The FS requests emphasis of a number of items critical to implementation of an effective rapid response effort: (a) multi-disciplinary teams, (b) establishment of emergency contingency funds, and (c) identifying criteria for streamlining NEPA. The rapid response approach is analogous to the Incident Command System used to guide interagency response to fire and other disasters.
- The Management Plan should describe gaps in FS authorities that must be addressed. We need the following: (a) expanded State and Private Forestry (S&PF) authorities that allows use of S&PF appropriations for activities on invasive plants, (b) permanent National Forest System (NFS) authority that allows use of NFS appropriations for activities on non-Federal lands, and (c) legislation that would establish contingency funds for a FS agency-wide (e.g., research & development, technical assistance, operational and international) response to emerging invasive species threats—especially as a component of rapid response.

- The Management Plan does not adequately convey the need for international project level activity in non-native invasive species source-countries to meet domestic information and technology gaps.

SUMMARY:

The Forest Service provides recommended changes and additions to the Management Plan "Meeting the Invasive Species Challenge", and asks in particular for consideration of changes and additions to expand information on monitoring programs and needs, the need for sustained and enhanced funding including contingency funds, baseline program information, rapid response teams, FS authorities for non-native invasive species research and technology development, technical assistance and operations, international activities, and the integrated pest management approach for invasive species management.

Enclosure



File Code: 7700

Date: **DEC 12 2000**

The Honorable Bud Shuster  
Chairman on Committee on Transportation  
and Infrastructure  
United States House of Representatives  
2165 Rayburn House Office Building  
Washington, DC 20515-6256

Dear Mr. Chairman:

This is in further response to your February 14, 2000, letter regarding a proposal to establish a network of Public Forest Service Roads (PFSR) to be managed by the USDA Forest Service. Since receiving your letter, we have gathered the information you requested on this proposal. Enclosed are an "Executive Overview" of the PFSR proposal and a detailed report entitled "Public Forest Service Roads."

The intent of the PFSR program is to provide a "seamless" transportation system that will connect national forest destinations to the National Highway System and Interstate System via the existing Forest Highways and other state and local routes. It will ensure "seamless" access to the national forests to satisfy the growing recreation demand. No more than 60,000 miles of the 386,000 mile national forest transportation system will be designated as PFSRs. The goals of the PFSR program are to:

- Provide safe and efficient access to and through the national forests.
- Encourage economic development of rural communities through quality recreation and tourism experiences.
- Provide a better "seamless" system of roads for the traveling public.
- Reduce erosion and improve water and air quality.

Over 1.7 million vehicles access the National Forest System daily, most of which is for recreational purposes. This extensive recreational use accounts for the Agency being the Nation's lead in providing quality dispersed outdoor recreation. The amount of recreational traffic is growing at a significant rate, well beyond the capacity to provide safe and environmentally sound access. In the last 10 years, over 9,200 miles of passenger car roads degraded to the point where only high clearance vehicles were passable. This trend is continuing due to insufficient funding. Without a safe and efficient infrastructure, the Forest Service's ability to continue providing quality recreational experiences for the American public is in jeopardy.

The Honorable Bud Shuster

2

If you have questions or require additional information, we would be please to talk with you. In addition, your staff may feel free to call Mr. Vaughn Stokes, Forest Service Director of Engineering at (202) 205-1400, or Mr. Arthur Hamilton, Federal Lands Highway Program Manager, at (202) 366-9494, to continue discussing these matters.

Sincerely,

A handwritten signature in cursive script that reads "Mike Dombek".

MIKE DOMBECK  
Chief  
USDA Forest Service

KENNETH R. WYKLE  
Administrator  
Federal Highway Administration

Enclosures



United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

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

File Code: 1700

Date: DEC 12 2000

Mr. Robert Stanton  
Director, National Parks Service  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Dear Mr. Stanton:

Thank you for your letter of August 25, 2000, requesting USDA Forest Service to help fund the National Hispanic Environmental Council's (NHEC) "Minority Youth Environmental Training Institute." The Forest Service continues to take positive measures to expand its diversity and address Hispanic underrepresentation.

The Forest Service also partners with NHEC and has agreed to be a sponsor of the Minority Youth Institute. I have assigned Luz Parris-Sweetland (202) 205-1695 and Wanda Hawman (202) 205-0824 to work with NHEC in the implementation of the Institute for the Forest Service.

Ms. Parris-Sweetland will also contact Dianne Spriggs, National Park Service (NPS) EEO Manager, regarding areas of collaboration in this worthwhile project. Thank you for inviting our participation in this effort.

Sincerely,

MIKE DOMBECK  
Chief





DECISION MEMORANDUM FOR THE SECRETARY

FROM: Mike Dombeck  
Chief

DEC 19 2000

SUBJECT: Recommending Approval of the Record of Decision  
For the Final Environmental Impact Statement and Bison Management  
Plan for the State of Montana and Yellowstone National Park

FILE CODE: 2600

ISSUE:

To decide whether or not to approve the Record of Decision (ROD) involving the Department of the Interior (USDI), the Department of Agriculture (USDA), and the State of Montana which affects bison management on lands on the Gallatin National Forest and the Yellowstone National Park.

This decision is the product of two USDA agencies--the Animal and Plant Health Inspection Service (APHIS) and the Forest Service (FS)—and one USDI agency—the National Park Service (NPS). The cooperating interagency partners in this decision, as coordinated through the U.S. Department of Justice, have determined that the appropriate authority for the approval and signing of this ROD resides with the respective Secretaries.

There is agreement with the State of Montana, through a court-ordered mediation process, on activities necessary for managing this bison population. The State, under Montana statute, will issue its own ROD concurrently with the decision of the Secretaries.

BACKGROUND:

Public controversy over bison management in Yellowstone National Park and the State of Montana has existed for many years. Moreover, bison management has been the subject of numerous lawsuits. One of the major issues related to bison management is risk of brucellosis transmission between bison and cattle.

Agencies from the U.S. Departments of Agriculture and the Interior have prepared a ROD for the Final Environmental Impact Statement (EIS) and Bison Management Plan for the State of Montana and Yellowstone National Park. The ROD and the Bison Management Plan that it addresses are the result of more than 10 years of effort. In 1992, the NPS, FS, APHIS, and the State of Montana entered into a Memorandum of Understanding (MOU) to develop a management plan and an EIS to manage bison exiting Yellowstone National Park into Montana. In June 1998 the federal agencies and Montana issued a draft EIS (DEIS).



After reviewing public comments on the DEIS, the federal agencies prepared a modified preferred alternative that incorporated an adaptive management approach. Under this alternative, there would be increasing tolerance of untested bison outside the park, with spatial and temporal separation of bison and cattle as the primary means of preventing brucellosis transmission from potentially infectious bison to cattle. The federal agencies negotiated with Montana regarding the modified preferred alternative, trying to prepare a management plan acceptable to all.

Unfortunately, toward the end of 1999, State and federal agencies reached an impasse in the negotiations, largely over the conditions for allowing untested bison outside the park in Montana. The federal agencies then withdrew from the MOU and proceeded with completing a federal final EIS. The state sought a court injunction to prevent the federal withdrawal from the MOU. The court denied the injunction but strongly urged all parties to engage in mediated negotiations.

Mediation involving the federal agencies and the State of Montana began in late April 2000, and continued through November 2000. Representatives from all agencies were involved in the mediation discussions, which ultimately led to the Joint Management Plan (JMP) which is similar to the Modified Preferred Alternative in the DEIS. The JMP is the chosen action in the ROD.

#### OPTIONS:

Option 1: Approve the ROD for the Final EIS and Bison Management Plan for the State of Montana and Yellowstone National Park.

#### Pros:

1. This option will demonstrate the commitment the Forest Service has to provide habitat for bison, while managing the impacts on public land livestock grazing on the Gallatin National Forest.
2. Through this option the Forest Service will demonstrate their willingness to cooperate with the NPS, APHIS, and the State of Montana to fully manage the Yellowstone bison herd.

#### Cons:

1. This option may be viewed as management that is too intensive for a free-ranging bison herd on National Forest lands.

Option 2: Do not approve the ROD for the Final Environmental Impact Statement and Bison Management Plan for the State of Montana and Yellowstone National Park.

#### Cons:

1. The Forest Service will be viewed as unwilling to redeem its responsibilities for cooperative bison management and employ an adaptive approach to bison management.

DECISION MEMORANDUM FOR THE SECRETARY

3

RECOMMENDATION:

Choose Option 1—to approve the ROD for the Final EIS and Bison Management Plan for the State of Montana and Yellowstone National Park, as recommended by the Gallatin Forest Supervisor and the Regional Forester for Region 1.

DECISION BY THE SECRETARY:

Approve \_\_\_\_\_ Date \_\_\_\_\_

Disapprove \_\_\_\_\_

Discuss with me \_\_\_\_\_

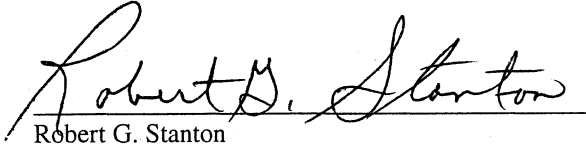
Enclosures

Reviewed by: \_\_\_\_\_

## D. Signatures

By signing this Record of Decision together, we exercise our respective authorities over only those portions relevant to our authority.

### Recommended:



Robert G. Stanton  
Director, National Park Service

12/18/2000  
Date

Craig A. Reed  
Administrator, Animal and Plant Health Inspection Service

Date



MIKE DOMBECK  
Chief, U.S. Forest Service

12/19/2000  
Date

### Approved:



Bruce Babbitt  
Secretary of the Interior

DEC 20 2000

Date

Daniel Glickman  
Secretary of Agriculture

Date



United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

DECISION MEMORANDUM FOR THE SECRETARY

THROUGH: Michael V. Dunn  
Under Secretary  
Marketing and Regulatory Programs

FROM: Craig A. Reed *Craig A. Reed*  
Administrator  
Animal and Plant Health Inspection Service

December 19, 2000

Mike Dombeck  
Chief  
Forest Service

*Mike Dombeck*

DEC 19 2000

SUBJECT: Recommending Approval and Signing of the Record of Decision (ROD) for the Final Environmental Impact Statement (EIS) and Bison Management Plan for the State of Montana and Yellowstone National Park

ISSUE:

Decision as to whether the ROD involving the Department of the Interior and the Department of Agriculture, and the State of Montana which affects the management of bison potentially infected with brucellosis on lands on the Gallatin National Forest, Yellowstone National Park, and surrounding areas of Yellowstone National Park in the State of Montana should be approved and signed.

BACKGROUND:

The Yellowstone bison herd has been affected with brucellosis since at least the beginning of the twentieth century. Bison from this herd often migrate from the Park into Montana during the winter. When these bison leave the Park they pose a risk of brucellosis transmission to cattle in Montana. Montana has been brucellosis class free since 1985. *Brucella abortus*, the causative organism of brucellosis, has been nearly eradicated from domestic livestock in the United States because of the National Brucellosis Eradication Program, an effort that began in the 1930's and has cost several billion dollars.

Public controversy over bison management in Yellowstone National Park and the State of Montana has existed for many years. Moreover, bison management has been the subject of numerous lawsuits.



Agencies from the U.S. Departments of Agriculture and the Interior have prepared a ROD for the Final Environmental Impact Statement (EIS) and Bison Management Plan for the State of Montana and Yellowstone National Park. The ROD and the Bison Management Plan that it addresses are the result of more than 10 years of effort. In 1992, the NPS, FS, APHIS, and the State of Montana entered into a Memorandum of Understanding (MOU) to develop a management plan and an EIS to manage bison exiting Yellowstone National Park into Montana.

In mid-1998 the Federal Agencies and Montana issued a draft EIS (DEIS). After reviewing public comments on the DEIS, the Federal Agencies prepared a modified preferred alternative that incorporated an adaptive management approach. Under this alternative, there would be increasing tolerance of untested bison outside the Park, with spatial and temporal separation of bison and cattle as the primary means of preventing brucellosis transmission from potentially infectious bison to cattle. The Federal Agencies negotiated with Montana regarding the modified preferred alternative, trying to prepare a management plan acceptable to all.

Unfortunately, toward the end of 1999, the State and Federal Agencies reached an impasse in the negotiations, largely over the conditions allowing untested bison outside the Park in Montana. The Federal Agencies then withdrew from the MOU and proceeded with completing a Federal final EIS. The State sought a court injunction to prevent the Federal Agencies from withdrawing from the MOU. The court denied the injunction but strongly urged all parties to engage in mediated negotiations.

Mediation involving the Federal Agencies and the State of Montana began in late April 2000, and continued through November 2000. Representatives from all Federal and State Agencies were involved in the mediation discussions, which ultimately led to the Joint Management Plan (JMP) which is similar to the Modified Preferred Alternative in the DEIS. The JMP is the chosen action in the ROD. The State, under Montana statutes, will issue its own ROD concurrently with the decision of the Secretaries of Agriculture and the Interior.

Brucellosis in the Yellowstone bison herd has added great complexity that would otherwise not have been present in developing a management plan. While APHIS has neither an interest in managing wild, free ranging bison in Yellowstone National Park nor a mandate to do so, the Agency does have responsibility for protecting American agriculture from infectious livestock diseases. APHIS has an interest in how Yellowstone bison are managed because of the risk of transmission of brucellosis from the bison to cattle in Montana. Therefore, although this plan is not a brucellosis eradication plan, it does include elements important to APHIS in that it demonstrates the commitment by the Agencies to work toward the eventual elimination of brucellosis in bison and other wildlife.

The principal role of the Forest Service in implementing the Joint Management Plan is to provide habitat for bison. No decision by the Gallatin National Forest, USDA Forest Service, is required to implement the Forest Service roles of providing habitat and cooperating with other agencies in the management of bison and disease. The 1997 Land and Resource Management Plan for the

Gallatin National Forest is sufficient to guide proposed actions and activities in facilitating implementation of the Joint Management Plan.

This is the product of three Federal Agencies, the Animal and Plant Health Inspection Service (APHIS), the Forest Service (FS), and the National Park Service (NPS), and the State of Montana. The cooperating Federal interagency partners in this decision, as coordinated through the U.S. Department of Justice, have determined that the appropriate authority for the approval and signing of this ROD resides with the respective Secretaries.

#### OPTIONS:

**Option 1:** Approve and sign the ROD for the Final EIS and Bison Management Plan for the State of Montana and Yellowstone National Park.

##### Pros:

1. This option will demonstrate the commitment of USDA to provide habitat for bison, while managing the impacts on public land of livestock grazing on the Gallatin National Forest and will provide USDA with a role in managing brucellosis in wild free-ranging bison and in minimizing the risk of transmission to cattle through such means as: bison and cattle testing, vaccination of bison and cattle, and temporal and spatial separation.
2. Through this option USDA will demonstrate its willingness to cooperate with and support the NPS and the State of Montana in implementing the JMP, which will facilitate Montana preserving its brucellosis class free status and NPS maintaining a wild and free ranging bison herd.

##### Cons:

1. Members of the livestock industry may seek to have sanctions imposed on Montana cattle before the cattle could be permitted to move in interstate commerce.
2. This option may be viewed as management that is too intensive for a free-ranging bison herd on National Forest lands.

**Option 2:** Do not approve or sign the ROD for the Final Environmental Impact Statement and Bison Management Plan for the State of Montana and Yellowstone National Park.

##### Pros:

1. USDA will not be viewed as attempting to manage the wild, free ranging bison in Yellowstone National Park.
2. This is a bison management plan, and APHIS has no interest in managing the wild, free ranging bison herd in Yellowstone National Park. APHIS is concerned primarily with the steps taken to control the potential spread of brucellosis from infected and exposed bison.

DECISION MEMORANDUM FOR THE SECRETARY

4

Cons:

1. USDA would be failing to implement bison management actions that have been agreed to in a coordinated Federal and State forum.
2. USDA will be viewed as unwilling to participate in a cooperative bison management plan that employs an adaptive management approach for potentially brucellosis infected or exposed bison.

RECOMMENDATION:

Choose Option 1 – Approve and sign the ROD for the Final EIS and Bison Management Plan for the State of Montana and Yellowstone National Park, as recommended by the Administrator of APHIS and the Chief of the Forest Service.

DECISION BY THE SECRETARY:

Approve \_\_\_\_\_

Date \_\_\_\_\_

Disapprove \_\_\_\_\_

Discuss with me \_\_\_\_\_

Reviewed by \_\_\_\_\_



United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

14<sup>th</sup> and Independence  
P.O. Box 96090  
Washington, DC 20090-  
6090

File Code: 2390

Date: DEC 19 2000

Route To:

Subject: Announcement of the National Winner of the Gifford Pinchot Award for  
Excellence in Interpretation

To: Regional Foresters and Northeastern Area Director

On November 9, 2000, Dennis Bschor, Director of Recreation, Heritage, and Wilderness Resources, announced the national winner of the Gifford Pinchot Award for Excellence in Interpretation. The award was presented in conjunction with the National Association for Interpretation Workshop in Tucson, Arizona, where hundreds of interpreters from across the country had gathered to celebrate outstanding achievements in the field of interpretation.

The interpretive team from the Medicine Bow-Routt National Forests was presented the national award. Employees on the team were Denise Germann, Public Affairs Officer; Lynne Drogosz, Public Affairs Specialist; Diann Pipher, Public Affairs Specialist; Sharon Kyhl, Interpretive Services Specialist; and Frank Cross, Resource Leader. The team was recognized for its innovative interpretive program on the large-scale disturbance of more than 13,000 acres of wind-fallen trees and the resource management issues generated by the event. The team's efforts demonstrate how an interpretive program can be instrumental in communicating a significant forest management issue to a community and providing key messages on watersheds, wilderness, and recreation access.

During the ceremony, regional winners of the Gifford Pinchot Award for Excellence in Interpretation were also recognized for their accomplishments. The regional winners are:

Gwen Beavans, Francis Marion and Sumter National Forests, South Carolina, for her leadership skills used to create high-tech exhibits at the Sewee Visitor and Environmental Education Center.

Nancy Brunswick, Dixie National Forest, Utah, for her sustained leadership and outstanding performance in interpretive planning, writing, and designing interpretive sites.

Rita Cantu, Prescott National Forest, Arizona, for her creative contributions to the interpretive and educational components of the Red Rock Pass program, including an original song for the Governor's Tourism 2000 Conference.

Doug Jenkins, Wenatchee National Forest, Washington, for his work with school children and fostering an appreciation for heritage resources through his "Copper City Historical Horseback Tour" where participants take a ride through history.

David Lacy, Green Mountain/Finger Lakes National Forests, Vermont, for his well-known summer camp "Relics & Ruins" where campers conduct archaeological research.



Sandy Skrien, Tongass National Forest, Alaska, for her high quality performance in developing educational materials for the Gold Rush Centennial, Rufus Hummingbird Festival, and ecosystems activity guides.

Roberta Burzynski, Teri Heyer, and Michael Majeski, Northeastern Area State and Private Forestry, for their development and production of the *Help Woodsy Owl Keep the Water Clean* segment for the FOX-17 Planet Patrol Adventure series seen by the youth of Iowa.

Congratulations to all of the interpretive award recipients.

A handwritten signature in black ink, appearing to read "Mike Dombek". The signature is fluid and cursive, with the first name "Mike" and last name "Dombek" clearly distinguishable.

MIKE DOMBECK  
Chief



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1230/1920

Route To:

Date: **DEC 19 2000**

Subject: Delegation of Authority to Sign the Sierra Nevada Framework on Behalf of the  
Regional Forester, R-4

To: Brad Powell, Regional Forester, R-5

In a December 8, 2000, letter, Regional Forester Jack Blackwell requested that I delegate to you the authority to sign the Record of Decision (ROD) for the Sierra Nevada Framework on behalf of the Intermountain Region (INT). Regional Forester Blackwell based the request on the fact that only 6.5 percent of the National Forest System lands covered by the Framework are in the Intermountain Region and those lands are in only two ranger districts of the Humboldt-Toiyabe National Forest. He also noted that you had, at his request, already been representing his Region in the development of the Framework.

Having considered his request, I am hereby delegating to you the authority to sign the Framework ROD on behalf of the Regional Forester, INT.

Please note this delegation in the ROD so that all interested and affected parties are aware that you have the authority to sign on behalf of the Regional Forester, INT. Also be sure this delegation letter is placed in the official record for the Framework planning effort.

MIKE DOMBECK  
Chief





United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

201 14<sup>th</sup> & Independence, SW  
Post Office Box 96090  
Washington, DC 20090-6090

File Code: 1910-1

Date:

DEC 26 2000

Mr. Robert Stanton  
Director  
National Park Service  
1849 C Street, Northwest  
Washington, D.C. 20240

Dear Mr. Stanton:

*Bob*

I wish to express my appreciation for the generosity shown by the National Park Service in sharing the talents of five dedicated employees who have assisted the Forest Service's National Roadless Team with the Roadless Area Conservation rulemaking. This is not only a commendation for five individuals, but also an endorsement of the interagency cooperation exemplified by their participation. The work these five National Park Service employees performed with Forest Service employees exemplifies the high degree of success that can be achieved when federal agencies work together to get a job done. Your employees provided us with a level of expertise in both internal and external communications that complemented the abilities of our full-time staff and demonstrated the importance of diversity of thought and experience. I appreciate their assistance and hope someday the Forest Service may return this favor to the National Park Service.

This summer, Grace McGrath came from Channel Islands National Park for a one-month detail. She proved so invaluable, the Team requested her services for an additional three months. Grace's administrative experience assisted the Public Involvement and Administrative Teams with detailer logistics, tracking, and budgeting. She was not only extremely helpful in operations planning, but in logistics and media relations as well. Grace got along easily with those she worked with and never hesitated to lend a hand in other functional areas.

From Mount Rushmore, Katie Van Alstyne accepted a detail to the Roadless Team in mid-October. Originally, her detail was to end on December 22 but was extended into January. The extension was requested to continue using her expertise and to provide consistency in the completion of correspondence and public involvement efforts during the rollout for the final rule. Katie is responsible for tracking controlled correspondence related to this rulemaking. Tracking this type of correspondence is extremely important, because its completion is directly accountable to the Department of Agriculture on a weekly basis. With her organizational and management skills, Katie has maintained an even flow of communication – internally and externally. In addition, her familiarity with many aspects of correspondence and public involvement has made Katie the daily work supervisor for up to nine other detailers.

June McMillen, from the Midwest Regional Office, served as the lead for the Public Involvement Team's Creative Team for five weeks in October and November. She had the primary lead in creating, editing, and revising a host of materials required during the rollout of the Final Environmental Impact Statement. These products included gathering and displaying information



DEC 26 2000

in a question-answer format, a handout for employees, a news release, and a PowerPoint presentation. June confidently handled a variety of research and writing projects requiring short time frames. Her abilities to effectively coordinate the work of her team, and her writing and interpretation skills were indispensable during a very high production period.

As a public affairs specialist from the Lyndon B. Johnson National Historic Park, Sherry Justus was detailed to the Roadless Team for two weeks during the rollout of the Final Environmental Impact Statement. Her experience with the media, along with her keen interpersonal skills, proved very helpful. Sherry provided the significant function of coordinating and reporting on a news conference, as well as an interest group briefing.

Eve Stocks came from Arches National Park in October and worked with the Roadless Team for three and a half weeks. Her detail was extended to provide assistance with rollout of the Final Environmental Impact Statement. This was an intense period, during which Eve assisted with logistics and preparation of materials and briefing packets for Forest Service leadership and employees. She also developed a comprehensive listing of over 1,000 people who worked on the project.

Since its inception, this project has been a major undertaking requiring countless long hours of dedicated work on the part of many people. Each of your employees forfeited personal time at home, several during the holiday season, to travel to Washington, D.C. and contribute their skills to this project. Grace McGrath, Katie Van Alstyne, June McMillen, Sherry Justus, and Eve Stocks were instrumental to our success in communicating the complexities and implications of the Roadless Area Conservation rulemaking to the public, our employees, and the media. These National Park Service employees exemplify the best cooperative spirit in Government.

Sincerely,



MIKE DOMBECK  
Chief



cc:

Mr. Tim J. Setnicka – Superintendent, Channel Islands National Park  
Ms. Grace McGrath – Channel Islands National Park  
Mr. Daniel N. Wenk – Superintendent, Mount Rushmore National Memorial  
Ms. Katie Van Alstyne – Mount Rushmore National Memorial  
Mr. William W. Schenk – National Park Service, Midwest Regional Office  
Ms. June McMillen – National Park Service, Midwest Regional Office  
Ms. Leslie Starr Hart – Superintendent, Lyndon B. Johnson National Historic Park  
Ms. Sherry Justus – Lyndon B. Johnson National Historic Park  
Mr. Alford J. Banta – Superintendent, Arches National Park  
Ms. Eve Stocks – Arches National Park





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1500

Date: December 27, 2000

Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
H-232 Capitol Building  
Washington, DC 20515-6501

Dear Mr. Speaker:

Pursuant to section 320 of Public Law 106-291, I am writing to inform you that Maitland Sharpe, Director of Policy Analysis will be the Forest Service representative on the Advisory Committee on Forest Counties Payments. Mr. Sharpe will bring broad expertise and experience to the Committee. He may be reached at 202 205-1775.

A similar letter is being sent to the President Pro Tempore of the United States Senate.

Sincerely,

MIKE DOMBECK  
Chief

cc: Chairman and Ranking Member, House Agriculture Committee  
Chairman and Ranking Member, House Resources Committee





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1500

Date: December 27, 2000

Honorable Strom Thurmond  
President Pro Tempore  
United States Senate  
S-237 Capitol Building  
Washington, DC 20510-7000

Dear Mr. President:

Pursuant to section 320 of Public Law 106-291, I am writing to inform you that Maitland Sharpe, Director of Policy Analysis will be the Forest Service representative on the Advisory Committee on Forest Counties Payments. Mr. Sharpe will bring broad expertise and experience to the Committee. He may be reached at 202 205-1775.

A similar letter is being sent to the Speaker of the House of Representatives.

Sincerely,

MIKE DOMBECK  
Chief

cc: Chairman and Ranking Member, Senate Agriculture, Nutrition, and Forestry Committee  
Chairman and Ranking Member, Senate Energy and Natural Resources Committee





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1010

Date:

JAN - 4 2001

The Honorable Albert Gore  
President of the Senate  
Washington, D.C. 20510

Dear Mr. Gore:

Enclosed is a copy of the final rule for Administration of the Forest Development Transportation System, which was sent to the Office of the Federal Register January 4, 2001. The rule will be effective on the date of publication. The Congressional rulemaking report accompanying this letter provides a summary of this rulemaking.

Because we are also publishing on the same day, in the same part of the Federal Register, the final administrative Forest Transportation System policy, we are including a copy of the final policy in this package as well.

Questions about this rule may be addressed to our Regulatory Officer, Marian Connolly, at (703) 605-4533.

Sincerely,

MIKE DOMBECK  
Chief

Enclosures (2)





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1010

Date:

JAN - 4 2001

The Honorable J. Dennis Hastert  
Speaker of the House of  
Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed is a copy of the final rule for Administration of the Forest Development Transportation System, which was sent to the Office of the Federal Register January 4, 2001. The rule will be effective on the date of publication. The Congressional rulemaking report accompanying this letter provides a summary of this rulemaking.

Because we are also publishing on the same day, in the same part of the Federal Register, the final administrative Forest Transportation System policy, we are including a copy of the final policy in this package as well.

Questions about this rule may be addressed to our Regulatory Officer, Marian Connolly, at (703) 605-4533.

Sincerely,

MIKE DOMBECK  
Chief

Enclosures (2)





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1010

Date:

JAN - 4 2001

Mr. Robert P. Murphy  
The General Counsel  
General Accounting Office  
Washington, D.C. 20548

Dear Mr. Murphy:

Enclosed is a copy of the final rule for Administration of the Forest Development Transportation System, which was sent to the Office of the Federal Register January 4, 2001. The rule will be effective on the date of publication. The Congressional rulemaking report accompanying this letter provides a summary of this rulemaking.

Because we are also publishing on the same day, in the same part of the Federal Register, the final administrative Forest Transportation System policy, we are including a copy of the final policy in this package as well.

Questions about this rule may be addressed to our Regulatory Officer, Marian Connolly, at (703) 605-4533.

Sincerely,

MIKE DOMBECK  
Chief

Enclosures (3)





United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1010

Date:

JAN - 4 2001

The Honorable J. Dennis Hastert  
Speaker of the House of  
Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed is a copy of the final interpretive rule for National Forest System Land and Resource Management Planning; Review of Decisions to Amend or Revise Plans, which has just been sent to the Office of the Federal Register for publication. The rule will be effective on the date of publication. The Congressional rulemaking report accompanying this letter provides a summary of this rulemaking.

Questions about this rule may be addressed to our Regulatory Officer, Marian Connolly, at (703) 605-4533.

Sincerely,

MIKE DOMBECK  
Chief

Enclosures (2)



# LEGISLATIVE REPORT

Bill Number: 107<sup>7</sup> EO6

Track Number: 44025

Received by OBPA: 1/5/2001

Proposed Proclamations Entitled "National Monument Proclamations"

After signature, preparing agency makes and sends the following number of copies:

NOTE TO AGENCY: If Environmental Statement Sec. 102(2) (C) is required, is it attached?

PRIORITY RATING

YES

NO

1 ☒

2

3

Enrolled:

REMARKS: SPECIAL INSTRUCTIONS

FOR OBPA USE

DATE DUE	SEND TO	IN OUT	DATE DUE	SEND TO	IN OUT
	Tim DeCostner				
	FS 5th Fl Auditors Bldg				
	David Grahn				
	OGC 2036S				
	Eugene Johnson				
	OBPA 118E				



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

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

File Code: 1010

Date:

JAN - 4 2001

Mr. Robert P. Murphy  
The General Counsel  
General Accounting Office  
Washington, D.C. 20548

Dear Mr. Murphy:

Enclosed is a copy of the final interpretive rule for National Forest System Land and Resource Management Planning; Review of Decisions to Amend or Revise Plans, which has just been sent to the Office of the Federal Register for publication. The rule will be effective on the date of publication. The Congressional rulemaking report accompanying this letter provides a summary of this rulemaking.

Questions about this rule may be addressed to our Regulatory Officer, Marian Connolly, at (703) 605-4533.

Sincerely,

MIKE DOMBECK  
Chief

Enclosures (2)





*Planning Rule  
Tech. Amendment*

[3410-11]

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 219

National Forest System Land and Resource Management Planning; Review of  
Decisions to Amend or Revise Plans

AGENCY: Forest Service, USDA.

ACTION: Interpretive rule.

---

**SUMMARY:** The Department is adopting this interpretive rule to make explicit its intent regarding the procedure(s) that citizens and entities may use to appeal or object to plan revisions or amendments subsequent to the recent revision of the planning regulations at 36 CFR part 219 and the corollary rescission of the appeal regulations at 36 CFR part 217.

**EFFECTIVE DATE:** This interpretive rule is effective [insert date of publication in the Federal Register.]

**ADDRESSES:** Written inquiries about this interpretive rule may be sent to the Director, Ecosystem Management Staff, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090-6090.

**FOR FURTHER INFORMATION CONTACT:** Steve Segovia, Assistant Director for Appeals and Litigation, Forest Service; Telephone (202) 205-1066; Fax (202) 205-1012.

*4 Jan 2001  
Signed by  
HDS to  
transmit to  
Sec AG for  
his signature*

**SUPPLEMENTARY INFORMATION:** On November 9, 2000, the Secretary of Agriculture adopted a final rule which revised the land and resource management planning rules at 36 CFR part 219 and removed the administrative appeal of plan decisions at 36 CFR part 217 (65 FR 67514). The revised rule at 36 CFR part 219 establishes requirements for the implementation, monitoring, evaluation, amendment, and revision of land and resource management plans, and affirms sustainability as the overall goal for National Forest System planning and management. The intended effects of the rule are to simplify, clarify, and otherwise improve the planning process. To help achieve these intended effects, §219.32 of the recently revised planning rule establishes an objection process to replace the appeals process embodied in part 217. Section 219.35 of the recently revised rule provides direction to govern the transition from the previous planning process.

Questions have arisen regarding interpretation and application of administrative appeal and review processes in the context of the transitional language provided in §219.35. As a consequence, the Department is issuing this interpretive rule which adds a note to appear as an appendix to §219.35 to explain how these provisions operate together. A description of the matters addressed in this interpretive rule follows.

*Terminology.* Paragraph (b) of §219.35 uses the term “initiated” in the context of plan revisions or amendments under way prior to November 9, 2000. The Department is clarifying the term “initiated” to avert misinterpretation of the Department’s intended application of the rule. This interpretive rule clarifies that “initiated” refers to the published public notification of a proposed plan amendment or revision.

Options. Paragraph (b) of §219.35 grants an option to proceed at the responsible official's discretion either under the 1982 regulations in effect prior to November 9, 2000, or under the revised regulations. This interpretive rule makes clear that paragraph (b) specifically includes the option to select either the administrative appeal and review procedures of 36 CFR part 217 in effect prior to November 9, 2000, or the new objection procedures to complete a plan amendment or revision process initiated under the 1982 regulations.

This rulemaking consists of an interpretive rule and is issued by the agency to advise the public of the agency's preexisting construction of one of the rules it administers- that is, 36 CFR 219.35, in the context of National Forest System land and resource management planning. *See, e.g., Shalala, Secretary of Health and Human Services v. Guernsey Memorial Hosp.*, 514 U.S. 87, 99 (1995). Therefore, under 5 U.S.C. 553(b)(A), this rulemaking is exempt from the notice and comment requirements of the Administrative Procedure Act, and, pursuant to 5 U.S.C. 553(d)(2), this rule is effective immediately upon publication in the **Federal Register**.

### **Regulatory Impact**

It has been determined that this is not a significant rule. This interpretive rule will not have an annual effect of \$100 million or more on the economy, or adversely affect productivity, competition, jobs, the environment, public health or safety, or State or local governments. This rulemaking will not interfere with an action taken or planned by another agency, or raise new legal or policy issues. Finally, this rulemaking will not alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients of such programs. Accordingly, this rulemaking is not subject to Office of Management and Budget (OMB) review under Executive Order

12866. Moreover, this rulemaking has been considered in light of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). It is therefore certified that this rule will not have a significant economic impact on a substantial number of small entities as defined by the Act. This rule will not impose recordkeeping requirements; will not affect their competitive position in relation to large entities; and will not affect their cash flow, liquidity, or ability to remain in the market.

### **Environmental Impact**

This rulemaking has no direct or indirect effect on the environment, but merely clarifies the relationship of certain planning actions to their respective appeal procedures. Section 31.1b of Forest Service Handbook 1909.15 (57 FR 43180; September 18, 1992) excludes from documentation in an environmental assessment or impact statement rules, regulations or policies to establish Service-wide administrative procedures, program processes, or instructions. Based on the nature and scope of this rulemaking, the agency has determined that the interpretive rule falls within this category of actions and that no extraordinary circumstances exist which would require preparation of an environmental assessment or environmental impact statement.

### **No Takings Implications**

This rulemaking has been analyzed in accordance with the principles and criteria contained in Executive Order 12360, and it has been determined that this rule will not pose the risk of a taking of private property, as the interpretive rule is limited to clarification of the transition procedures in the new planning rule.

### **Civil Justice Reform**

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. The rule (1) does not preempt State and local laws and regulations that conflict with or

impede its full implementation; (2) has no retroactive effect; and (3) will not require administrative proceedings before parties may file suit in court challenging its provisions.

### **Unfunded Mandates**

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), which the President signed into law on March 22, 1995, the agency has assessed the effects of this rule on State, local and tribal governments and the private sector. This rule will not compel the expenditure of \$100 million or more by any State, local, or tribal government or anyone in the private sector. Therefore, a statement under section 202 of the Act is not required.

### **Controlling Paperwork Burdens on the Public**

This rule does not contain any recordkeeping or reporting requirements or other information collection requirements as defined in 5 CFR part 1320. Accordingly, the review provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et. seq.*) and implementing regulations at 5 CFR part 1320 do not apply.

### **List of Subjects in Part 219**

Administrative practice and procedure, Environmental impact statements, Forest and forest products, Indians, Intergovernmental relations, National forests, Natural resources, Reporting and recordkeeping requirements, Science and technology.

Therefore, for the reasons set forth in the preamble, part 219 of title 36 of the Code of Federal Regulations is amended as follows:

## **PART 219-PLANNING**

### **Subpart A- National Forest System Land and Resource Management Planning**

1. The authority citation for subpart A continues to read as follows:

**Authority:** 5 U.S.C. 301; and Secs. 6 and 15, 90 Stat. 2949, 2952, 2958 (16 U.S.C. 1604, 1613).

2. Add an appendix at the end of § 219.35 to read as follows:

#### **§219.35 Transition.**

\* \* \* \* \*

#### **APPENDIX A to § 219.35**

##### **Interpretive Rule Related to Paragraph 219.35(b):**

The Department is making explicit its preexisting understanding of paragraph (b) of this section with regard to the appeal or objection procedures that may be applied to amendments or revisions of land and resource management plans during the transition from the appeal procedures of 36 CFR part 217 in effect prior to November 9, 2000 (See CFR 36 Parts 200 to 299, Revised as of July 1, 2000), to the objection procedures of §219.32 as follows:

1. The option to proceed under the 1982 regulations or under the provisions of this subpart specifically includes the option to select either the administrative appeal and review procedures of 36 CFR part 217 in effect prior to November 9, 2000, or the objection procedures of 36 CFR 219.32.
2. The Department interprets the term "initiated," as used in paragraph (b) of this section, to indicate that the agency has issued a Notice of Intent or other public notification announcing the commencement of a plan revision or amendment as provided

for in the Council on Environmental Quality regulations at 40 CFR 1501.7 or in Forest Service Handbook 1909.15, Environmental Policy and Procedures Handbook, section 11.

\* \* \* \* \*

---

(dated)