



How we watch the U.S. Forest Service

An overview of the NEPA public comment process & our work

The laws that affect our work

The activities of the United States Forest Service are governed by a series of laws, the most important of which are the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA). NEPA was signed into law by Richard Nixon in 1970 and NFMA by Jimmy Carter in 1976. NEPA requires the Forest Service to solicit public opinion concerning proposed activities and to analyze the human and natural effects of these projects. NFMA requires the Forest Service to create Resource management plans and limits the extent and methods used to harvest timber.

Over many years, Georgia ForestWatch has acquired a great deal of experience with NEPA, NFMA and the other laws and Executive Orders that regulate Forest Service activities. Agencies most directly affected by these laws must write the rules and regulations implementing them. Over time, regulations affecting forest management have grown to a level of mind numbing complexity. Adding even more confusion to the process has been efforts by federal officials to gut NEPA and NFMA, changes that thwart the original intent of Congress.

Knowing our stuff

Understanding the forest itself is equally important as understanding the laws. Georgia ForestWatch District Leaders possess unparalleled forest knowledge, including ecological, cultural and scientific information. This real world know-how is invaluable as temporary and often transferred Forest Service personnel increasingly have only a limited understanding of our forests. Using our on-the-ground approach and sophisticated GIS mapping capabilities we are able to halt or adjust poorly planned management proposals.

Taking action using the NEPA process

NEPA requires that the Forest Service announce proposed projects and request comments and concerns from the public. The agency must then analyze the responses and develop several alternative courses of action with one of these chosen as their “preferred alternative.” For significant actions the Forest Service is required to document the environmental consequences or impacts of these alternatives with either an Environmental Analysis or a more robust analysis, an Environmental Impact Statement. At this point if the public disagrees with the selected alternative they have 30 days to file an administrative appeal. The appeal period lasts 45 days during which time the project cannot proceed.

During the appeal, if no relief is granted and no compromise agreement can be reached and the matter is considered serious enough the appellants can file a lawsuit in federal court. Georgia Forest Watch is fortunate in having established working relationships with two of the nation’s finest environmental law firms skilled in the administrative law pertaining to the Forest Service. The Southern Environmental Law Center and WildLaw have provided crucial and expert assistance to Georgia ForestWatch in our efforts to protect forests through legal action.

Over the last 25 years environmental groups around the country have filed many lawsuits against the Forest Service and won a substantial number of cases. Frequently Federal judges have noted that the Forest Service’s actions showed a greater interest in advancing the interests of the Agency than in protecting the public’s forest. Timber sales for instance can result in a flow of funds not only to the United States Treasury but back to the agency itself. This and other incentives have led to many damaging projects across the nation. Though we would rather find sensible solutions to bad forest management proposals here in Georgia, we have not hesitated to use our legal options to halt destructive forestry.