

# Year in Review: Federal Forest Issues

---

Susan Jane M. Brown, Staff Attorney  
Western Environmental Law Center

---

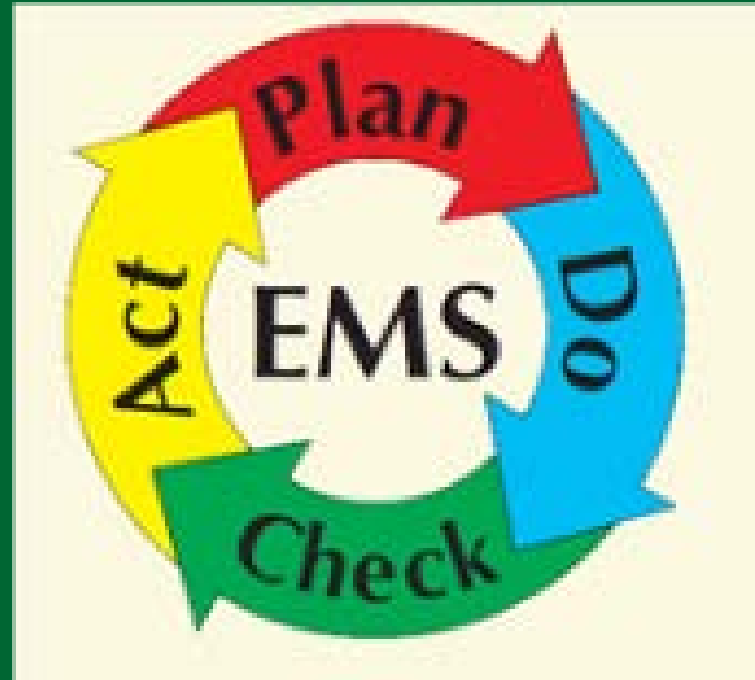
# Topics

- 2012 National Forest Management Act Planning Rule implementation
- Oregon & California lands update
- Forestry case law year in review



# 2012 NFMA Planning Rule

- Background
- Implementation
  - Early Adopters
  - FACA Committee
- Challenges
  - *FFRC v. Vilsack*
  - \$\$



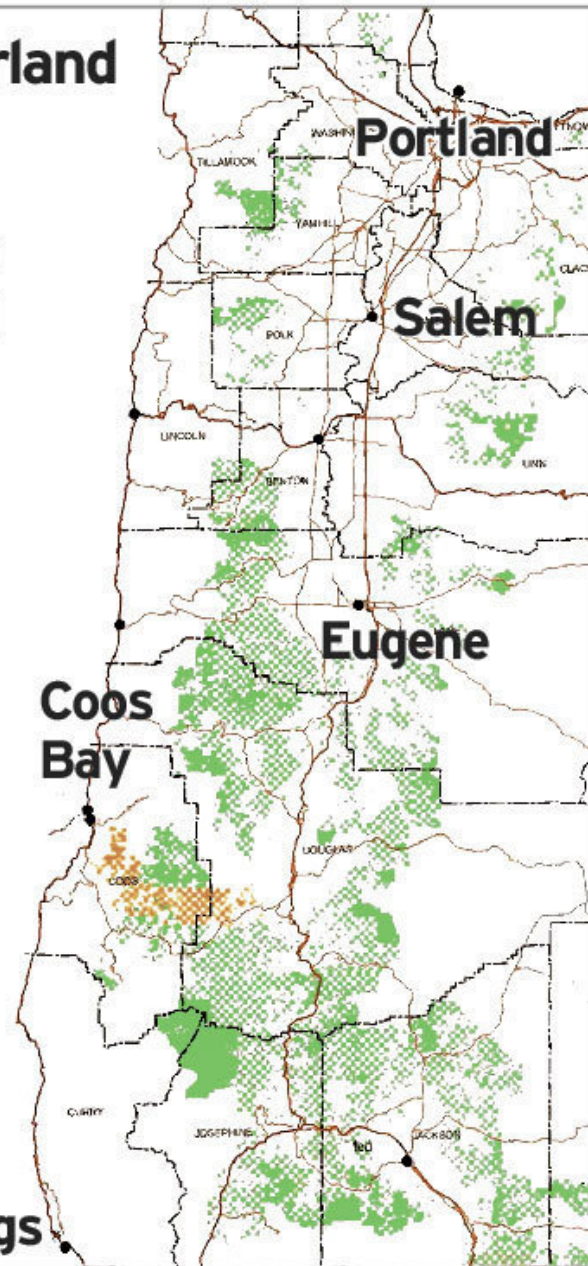
# Oregon & California Lands Update

- WOPR
- WOPR Jr.
- Secretarial Pilots
- Governor's Task Force
- Congressional action
- Litigation



 **O&C timberland**

2.6 million acres laid out in a checkerboard pattern across 18 western Oregon counties is a legacy from the failure of the Oregon and California Railroad early in the 20th century.



DAN AGUAYO/THE OREGONIAN

---

# Lightening Litigation



# Year in Review!

---

# *Jayne v. Sherman*, 706 F.3d 994 (9th Cir. 2013)

- Conservation org. challenge to Idaho Roadless Rule
- Standing, ripeness
- ESA, NEPA

# *Swanson v. Salazar*, Civ. No. 10-1843 (D. D.C. June 26, 2013)

- Timber industry challenge to “owl estimation methodology” and failure to offer for sale the annual sustained yield capacity from BLM lands
  - APA, O&C Act
  - Implications
-

# *Conservation Northwest v. Sherman*, 715 F.3d 1181 (9th Cir. 2013)

- Industry challenge to settlement between conservation Plaintiffs and federal government
  - Northwest Forest Plan's Survey & Manage program
  - Implications
-

# *Salix v. USFS*, 2013 U.S. Dist. LEXIS 69947 (D. Mont. 2013)

- Conservation org. challenge to failure to consult on forest plan amendment that affected lynx critical habitat
- Standing, ESA, relief
- Implications