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United States General Accounting Office
Washington, DC 20548

August 31, 2001

The Honorable Larry Craig
Ranking Minority Member
Subcommittee on Forests and Public Lands
Committee on Energy and Natural Resources
United States Senate

The Honorable Scott McInnis
Chairman, Subcommittee on
Forests & Forest Health
Committee on Resources
House of Representatives

Subject: Forest Service: Appeals and Litigation of Fuel Reduction Projects

The nation's forests have undergone significant changes over the last century and a half. Human activities, especially the federal government's decades-old practice of suppressing all wildland fires, have resulted in the dangerous accumulation of hazardous fuel on federal lands. To help address this problem, the Congress appropriated over \$205 million to the U.S. Department of Agriculture's Forest Service for fiscal year 2001 to be used to reduce these accumulated fuels. In an effort to put as much of these newly appropriated monies on-the-ground as quickly as possible in fiscal year 2001, the Forest Service identified and funded those hazardous fuel reduction projects for which it had completed the necessary environmental analyses.

Concerned that appeals and litigation were delaying the implementation of these projects, you asked us to identify (1) the number of hazardous fuel reduction projects for which the Forest Service had completed the necessary environmental analyses and funded implementation in fiscal year 2001, (2) the number of these projects that had been appealed or litigated, and (3) who had appealed or litigated the project decisions.

To obtain the information, we asked officials in the Forest Service's headquarters and in each of the agency's nine regional offices to provide us with the number of hazardous fuel reduction projects, by national forest, that were identified for implementation in fiscal year 2001. We also asked them to provide the name of any project that had been appealed or litigated, the national forest where the project was located, the names of appellants or litigants, and the project's status.

The Forest Service's headquarters provided us with the number of hazardous fuel reduction projects by region and national forest that were identified for implementation in fiscal year 2001 as of July 18, 2001, the most recent date for which this information was available (see encl. I). Each of the agency's nine regional offices provided us with the names of projects that had been appealed or litigated, the national forest where the projects were located, the names of appellants or litigants, and the project's status as of early July 2001(see encl. II).

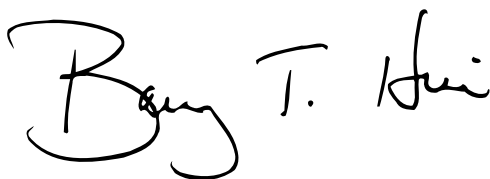
In summary, as of July 18, 2001, the Forest Service had completed the necessary environmental analyses and had decided to implement 1,671 hazardous fuel reduction projects in fiscal year 2001. Of these projects, 20 (about 1 percent) had been appealed and none had been litigated. Appellants included environmental groups, recreation groups, private industry interests, and individuals.

You asked that we provide you with the requested information as quickly as possible. Therefore, as agreed, we did not verify the information that the Forest Service provided to us.

We conducted our review in July and August 2001 in accordance with generally accepted government auditing standards.

We are sending copies of this letter to the Chairman, Subcommittee on Forests and Public Lands, Senate Committee on Energy and Natural Resources; the Ranking Minority Member, Subcommittee on Forests & Forest Health, House Committee on Resources; interested congressional committees; and the Chief, Forest Service. The letter is also available on GAO's home page at <http://www.gao.gov>.

Please call me at (202) 512-3841 if you or your staff have any questions about this letter. Key contributors to this letter were Charles Cotton and Alan Dominicci.



Barry T. Hill
Director, Natural Resources
and Environment

Enclosures (2)

Enclosure I

Forest Service Hazardous Fuel Reduction Projects With Completed Environmental Analyses, as of July 18, 2001

Region	Forest name	Fuel reduction projects with completed environmental analyses, as of July 18, 2001
1	Beaverhead	26
	Bitterroot	11
	Idaho Panhandle	14
	Clearwater	11
	Custer	8
	Flathead	13
	Gallatin	2
	Helena	35
	Kootenai	38
	Lewis And Clark	14
	Lolo	29
	Nezperce	16
	Dakota Prairie Grasslands	1
	Total Region 1	
2	Bighorn	15
	Black Hills	19
	Grand Mesa/Uncompaghre/Gunnison	19
	Medicine Bow/Routt	13
	Nebraska	10
	Rio Grande	9
	Arapaho-Roosevelt	7
	Pike-San Isabel	28
	San Juan	18
	Shoshone	11
	White River	12
Total Region 2		161
3	Apache-Sitgreaves	30
	Carson	13
	Cibola	24
	Coconino	21
	Coronado	24
	Gila	12
	Kaibab	16
	Lincoln	27
	Prescott	6
	Santa Fe	35
	Tonto	30
Total Region 3		238

4	Ashley	4
	Boise	8
	Bridger-Teton	12
	Dixie	15
	Fishlake	7
	Manti-La Sal	1
	Payette	3
	Salmon and Challis	7
	Sawtooth	7
	Targhee	6
	Humboldt-Toiyabe	8
	Uinta	3
	Wasatch-Cache	1
	Total Region 4	
5	Angeles	7
	Cleveland	13
	Eldorado	23
	Inyo	18
	Klamath	19
	Lassen	27
	Los Padres	9
	Mendocino	12
	Modoc	31
	Six Rivers	44
	Plumas	28
	San Bernardino	10
	Sequoia	17
	Shasta Trinity	10
	Sierra	26
	Stanislaus	33
	Tahoe	32
	Lake Tahoe Basin Mgmt Unit	30
Total Region 5		389
6	Deschutes	40
	Fremont	13
	Gifford Pinchot	1
	Malheur	22
	Mt Hood	0
	Ochoco	15
	Okanogan	12
	Rogue River	2
	Siskiyou	1
	Siuslaw	1
	Umatilla	15
	Umpqua	7
	Wallowa Whitman	27
	Wenatchee	13
	Willamette	2
	Winema	11
	Colville	9
Total Region 6		191

8	NFS Alabama	18
	Daniel Boone	20
	Chattahoochee and Oconee	11
	Cherokee	6
	NFS Florida	51
	Kisatchie	15
	NFS Mississippi	18
	George Washington/Jefferson	10
	Ouachita	26
	Ozark-St Francis	34
	NFS North Carolina	11
	Francis Marion and Sumter	13
	NF Texas	11
	Total Region 8	
9	Chippewa	10
	Huron Manistee	50
	Mark Twain	14
	Ottawa	3
	Shawnee	3
	Superior	5
	Hiawatha	12
	Hoosier	1
	Chequamegon-Nicolet	6
	Wayne	1
	Midwin National Tallgrass Prairie	5
	Allegheny	2
	Green Mountain	5
	Monongahela	7
White Mountain	20	
Total Region 9		144
10	Chugach	4
Total Region 10		4
Total in National Forest System		1,671

Source: GAO's analysis of Forest Service data.

Enclosure II

**Forest Service Fiscal Year 2001
Hazardous Fuel Reduction Projects
Appealed, as of Early July 2001**

Region	National forest	Fuel reduction project name	Appellant	Project status
1	Idaho Panhandle	Lakeface-Lamb	Ecology Center et al	Ready for implementation.
1	Kootenai	Foothills	Ecology Center et al	Ready for implementation.
1	Helena	Clancy-Unionville	Ecology Center et al, Native Ecosystem Council, Off-highway vehicle recreation groups	Environmental analysis requires more work and a new decision.
2	White River	Upper Blue	National Forest Protection Alliance, Colorado Wildlife, Breckenridge Ski Area	Withdrawn pending revision of the forest plan.
3	Coconino	Grand Canyon Partnership Assessment	Southwest Center for Biodiversity, Southwest Alliance, Forest Guardians	Withdrawn and replaced with smaller projects.
4	Salmon/Challis	Buck-n-Bird	Ecology Center	Being implemented.
4	Boise	Danskin	Ecology Center	Appeal withdrawn. Project to be implemented in fiscal year 2002 because current weather conditions prevent prescribed fire.
5	Plumas	Cold	Private Individual, Forest Conservation Council	Pending a decision of the appeal.
5	Plumas	Kingsbury Rush	Private Individual, Forest Conservation Council	Pending a decision of the appeal.
5	Plumas	Lower Slate	Forest Conservation Council	Pending a decision of the appeal.
5	Plumas	Upper Slate	Private Individual, Forest Conservation Council	Pending a decision of the appeal.
5	Plumas	Waters	Forest Conservation Council	Ready for implementation except on 500 acres of original 8,000-acre project.

5	Plumas	Stony Ridge	Forest Conservation Council, Plumas Forest Project, National Forest Protection Alliance	Ready for implementation.
5	Lassen	Pegleg A-21	Forest Conservation Council, National Forest Protection Alliance	Pending a decision of the appeal.
5	Tahoe	End-of-the-World	National Forest Protection Alliance, Forest Conservation Council, Private Individual	Ready for implementation.
5	Tahoe	Liberty Forest Health Improvement	Forest Issues Group, Sierra Nevada Forest Protection Coalition, Forest Conservation Council, National Forest Protection Alliance, Private Individual	Was revised and submitted as Project Liberty II.
5	Tahoe	Liberty II	Forest Issues Group, National Forest Protection Alliance, Forest Conservation Council, Private Individual	Ready for implementation.
8	Daniel Boone	Salvage Harvest Due to 1998 Storm Damage	Heartwood Group	Being implemented.
8	Sabine	Prescribed burning for wildlife habitat improvement and fuel reduction	Texas Committee on Natural Resources	Being implemented.
9	Chippewa	Storm 2000	Superior Wilderness Action Network	Ready for implementation.

Source: GAO's analysis of Forest Service data.

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