

Potential Solutions

	<p>2.11 Issue/ impediment – –Management that restores natural processes and large scale dynamic ecosystems are constrained by legal, economic, and administrative forces and stakeholders are frequently resorting to litigation to challenge projects while managers feel frustrated in their ability to manage these dynamic ecosystems.</p>	
1	<p>The purpose of activities should be focused on restoring ecological processes. With clear and enforceable goals for the restoration of dynamic processes through landscape-level management plans that are highly prioritized, based on the place and utilized the best available science federal managers must be facilitated to take action to <u>increase landscape resiliency.</u></p>	<p>For the long-term we need to create enabling conditions for the best practices that respect the rule of science, law and agency competence. In terms of active management, we need proactive management, not reactive management.</p>
2	<p>Commission a review focused on the current state of northwest forest law as it has been implemented by the federal agencies, challenged by interest groups through litigation, and interplayed with the difficult financial system that constrains federal agencies. The goal of the review would be to obtain an independent assessment informed by input from practitioners and specialists in this field to determine what on-the-ground issues are driving the litigation and whether there are significant patterns that inform the understanding of the general public, not a legal audience, on how the courts and people participate in the management of the nation’s public lands.</p>	<p>The goal here is to assess the state of the law and specific Court decisions in a complete fashion to allow the greater public to learn something. The issues are fairly well-defined and have been discussed in various sources. Litigation summaries are generally available, but the reasons why interest groups litigate is perceived to be different than what has been litigated. Some people claim that the region has the highest standards for NEPA requirements due to litigation, but is that really true? What about appeals? The review would not study the issue, but look for gaps and overarching conclusions from the existing state of knowledge.</p> <p>What structural and institutional issues in the judicial system and the US constitution is part of understanding these issue, but what is more interesting is how Courts have sought ground-based data, checked tools to determine old growth habitat needs for dependent species, scrutinized data that has been pooled. Commissioning a study is time consuming, so this review would look at existing date, but it may also generate new or supplementary date. The focus of this review would be on identifying and promoting best practices to avoid litigation.</p>
3	<p>The federal agencies need to invest in creating and then acting on learning opportunities. They should invest in research (pilot projects) to address the scientific uncertainties and benefits of controversial dual-purposes management practices. Pilot projects need to be able to test key hypothesis with guaranteed long term funding and localized</p>	<p>The federal agencies should increase the use of “Options Forestry” to create and act on learning opportunities. “Options Forestry” expands the range of management options and actions selected in controversial Environmental Impact Statements. (The Siuslaw National Forest’s Five Rivers Project provides an example where</p>

	<p>impacts that may provide long-term restorative benefits. The federal agencies should become strong partners in the Watershed Research Cooperative paired watershed studies to establish cause and affect relationships among physical and biological parameters.</p>		<p>multiple strategies, proposed by different constituent groups, were selected as part of an alternative.) This approach includes an upfront assessment of the scientific uncertainties, and selects a variety of management options all designed to reach the same goal, The approach structures monitoring in a rigorous statistical design to test the effectiveness of each option at meeting the project's goals. The federal agencies are taking action, investments are being made, but there is a need to increase the level of coordination with local groups (watersheds councils).</p>
<p>4</p>	<p>Federal land management agencies and federal and state regulatory agencies should work together to assess existing water quality standards to ensure they reflect knowledge of dynamic ecosystem processes and ensure landscape resiliency. These standards should consider disturbance and resultant variability of conditions across the landscape.</p>		<p>Land management agencies could better integrate innovative forest management approaches that look beyond land uses and ownerships by participating innovative collaborative processes, development of IMAP methodologies, and integrating OWEB watershed assessment protocols that support the "Oregon Plan for Salmon and Watersheds." These processes should recognize opportunities for enhanced water management, through water storage, and an overall net reduction of the negative hydrologic impacts of roads. TMDL process is doing this right now and these need to include suggestions for restoration (forest health and road work) at a landscape scale.</p>