

Sublette County, Wyoming Public Land Use Policy Process

US Forest Service's statutory framework

The National Forest Management Act of 1976, [16 U.S.C. §§1600 et seq.] requires the USDA Forest Service to develop management plans that “provide for multiple use and sustained yield of the products and services obtained therefrom in accordance with the Multiple-Use, Sustained-Yield Act of 1960, and in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness; and timber, watershed, wildlife and fish, and wilderness.”

NFMA requires the Forest Service to consult with other interested governmental departments and agencies on certain actions, and calls for public participation in the “development, review, and revision of land management plans.”

The National Forest System is in the process of revising its regulations regarding planning processes. What role local governments may have in planning remains unclear. The federal regulations for implementing the NFMA are found at 36 CFR Part 219. The proposed revisions to the regulations were published August 23, 2007 and do include the following pertinent provisions concerning collaboration:

“The responsible official must use a collaborative and participatory approach to land management planning, in accordance with this subpart and consistent with applicable laws, regulations, and policies, by engaging the skills and interests of appropriate combinations of Forest Service staff, consultants, contractors, other Federal agencies, federally recognized Indian Tribes, State or local governments, or other interested or affected communities, groups, or persons.”

“The responsible official must provide opportunities for the coordination of Forest Service planning efforts undertaken in accordance with this subpart with those of other resource management agencies. The responsible official also must meet with and provide early opportunities for other government agencies to be involved, collaborate, and participate in planning for National Forest System lands. The responsible official should seek assistance, where appropriate, from other State and local governments, Federal agencies, and scientific and academic institutions to help address management issues or opportunities.”