FOREST BRIDGES
THE O&C FOREST HABITAT PROJECT

MARCH 6, 2025 VERSION

08/10/1936 U.S. Forest Service
National Archives, Seattle

Cinnabar Peak Fire Lookout Site
Elevation 3,750 feet, 16 miles WSW of Ashland, Oregon

09/23/2022 John F. Marshall
Financial Assistance- Forest Bridges

Forest Bridges' Western Oregon O&C Lands Legislative Concepts:

Proposed Elements of an O&C Lands Forest Sustainability Act of 2025

forestbridges.org

Front Cover Photo: *Before and after panoramic photos on Cinnabar Peak, SW Oregon illustrating changes in dry forest composition and density. On top: 1936 photo (part of the Osborne Panoramas Historical Collection, Seattle, Wa.) shows large Douglas-fir and ponderosa pine trees in the foreground along with some very substantial oak trees. At bottom: 2022 panoramic replication by John Marshall. Gone are the large conifers along with the oaks. In general the hardwood component of the forest has been reduced, while conifers have proliferated and are now at a greater density, but younger age classes than in 1936. In the background at left, in the contemporary view we see conversion of forest to shrublands as the result of large-scale high intensity fires occurring following the long period of fire exclusion, exacerbated by a changing climate. Significant density reduction through commercial thinning that retains existing legacy and species diversity is necessary to prevent this contemporary forest from being consumed by an inevitable high-intensity wildfire. Forest Bridges has supported John Marshall's historic photographic replication work in southwest Oregon.*

Table of Contents

Introduction

This Legislative concepts package for the 2.9 million acres of western Oregon's O&C Lands was developed by Forest Bridges: The O&C Forest Habitat Project, a grassroots 501(c)(3) nonprofit collaborative. Forest Bridges has been intentional in seeking and successfully receiving a balance of funding support from timber/O&C County interests on the one hand, and conservation/tribal/community/foundation interests on the other.

Developed around the Forest Bridges Principles of Agreement, Forest Bridges has distilled these concepts from 10 years of collaboration engaging Forest Bridges' Friends, supporters, Advisors, Ecocultural and scientific experts and the land management agencies (see www.forestbridges.org). The largely forested O&C Lands are arranged in an alternate section square mile "checkerboard" pattern of ownership and are governed by the O&C Act of 1937 and several other laws and regulations. The O&C Lands are unique among Federal Forest lands, being located generally as a buffer between solid federal forest and private ownerships. The extensive checkerboard, with private lands and independent jurisdictions, makes their management unique. Furthermore, these lands have a mandate of responsibility to the citizens and counties in which they reside, including a revenue formula for the counties that should continue. These Legislative Concepts-- *indeed all of the work of Forest Bridges*--have been undertaken with a focus on the O&C Lands of western Oregon. Even so, under the emergency provisions of Executive Order #14225 [Immediate Expansion of American Timber Production], application of these principles beyond the O&C Lands – e.g., for more widespread management with sustainability of habitats in the Douglas-fir westside forests of the Pacific Northwest -- could be given wider consideration.

These legislative concepts are intended to address management barriers and facilitate the development of sustainable forest and habitat management plans, at a time of climate warming and increased wildfires that continue to degrade the O&C Lands. The entry of European explorers, trappers and disease in the 1700's, the removal of Indigenous stewardship in the 1800s, coupled with 115 years of Fire suppression and 50 years of off-limit management areas for wildlife (with the passage of ESA in 1973), have had unintended consequences of wildfire and must be addressed at the root of the problem. Active Conservation Management (defined on page 9) is a solution. These provisions, with a focus on forest and wildlife sustainability, shall apply to all O&C Land use allocations (and perhaps more broadly) except certain excluded areas such as federally designated Wilderness Areas and Recreation sites. We suggest not totally excluding currently designated Wild and Scenic Rivers where combustible fuel and density reduction measures may be needed. The concepts also include the benefit of reduced wildfire severity, which would aid the shift from defensive wildfire suppression to Active Conservation Forest Management. Ecosystem services for the public would increase, while supporting rural communities and their jobs infrastructure. While solving the Wildland Urban Interface burn issues is a high priority, we must also address the heart of the wildfire issue -- in the O&C forests themselves, which function as a buffer between solid Forest Service and solid private land ownerships – and are never very far from private land and urban settings. More widespread application by the US Forest Service and the BLM could be considered, if other habitat-sustaining alternatives are not forthcoming.

While aimed at the O&C Lands, this is not an amendment to the O&C Act but would result in stand-alone legislation. These legislative concepts aim to clarify some areas of the O&C Act and give guidelines for determining, rather than redefining, sustained yield in management plans. Consistent with court precedent (*Murphy Co. v. Biden*, 65 F.4th

1122 (9th Cir. 2023))[1], timber will not be referred to as the dominant use. Rather, timber is an integrated use with sustained yield harvest, driven by habitat management, in accordance with new forest plans as a principal tool in sustaining forests, multi-species habitats and in increasing wildfire- and climate-resilience. What follows are policies for management that are intended to withstand the test of time and represent a positive step forward to overcome decades of strife in forest management.

The Legislative Concepts in Summary Form:

1. **A Vision for the Forest.** A legislated vision for the forest itself is intended to reflect the inherent value of forests and to provide accountability when accompanied by forest plan targets**.** Legislation would require the development of local forest density, composition and seral stage targets around Forest Bridges harvest strategies and localized **pre-contact Indigenous Period forest conditions** (prior to 1750 for western Oregon O&C Lands area) and pre-contact Indigenous Period fire history. Indigenous life in the O&C forests persisted through millennia, adapting to the changing warm and cool climate cycles and forest conditions, providing hope for the future. Through new forest plans, the Secretary shall develop programmatic specifications around Forest Bridges' harvest and thinning specifications in Legislative Concept #3 below. These targets are intended to **both drive and limit forest activity** on frequent, moderately-frequent and infrequent-fire forests of the O&C Lands. They add certainty and predictability to management, accountability for acres treated, and meaningful targets for monitoring and collaborated Plan amendments. Mid-plan amendments are encouraged. Opportunities which arise to achieve as many of these concepts as possible in legislation will lower the barriers to sustainable Active Conservation Management. Involving Tribes in co-management opportunities with the land management agencies, as well as including Tribal goals and objectives, may provide the best opportunity for full implementation of these concepts on the O&C lands, as well as the best path to achieving the pre-contact Indigenous Period forest conditions and burn severities.

2. **Sustainable Forest Management Regulations for the O&C Lands:** For the O&C Lands of western Oregon, Forest Bridges raises the importance of forests and their active conservation management to the level of law, similar to clean air, clean water, and endangered species, This includes legislating harvest management requirements and limits to increase trust and management certainty. Equal levels of value should be placed on the forest itself relative to wildlife and forest resource sustainability, clean air and clean water, and public use and recreation, using harvest and other resource outputs as tools to actively manage forest densities, composition and fuel loads to these ends, consistent with what would have been present in the pre-contact Indigenous Period. This is particularly important in addressing vulnerability to wildfire beyond the extent it existed in the pre-contact Indigenous Period. The Secretary shall not discriminate with respect to one resource value over another.

3. **Harvest requirements and limits.** The following concepts supplemented by additional specifications below (starting on page are intended to both prescribe and limit harvest activities. They shall be incorporated into one or more of the planning alternatives and outcome/cost modeling and given strong consideration for the preferred alternative. These specifications, developed according to dry, moist and transitional forest types[2], are

[1] https://cdn.ca9.uscourts.gov/datastore/opinions/2023/04/24/19-35921.pdf

[2] Each of these forest types is described in detail in the following Forest Bridges paper: https://admin.brizy.io/customfile/ed27181a03503103ea4b23611889af25.pdf

intended to create sustainable forests, including wildfire resistance/resilience, wildlife habitat with native plant and animal species, and the control and eradication of non-native species, such as invasive weeds, across the O&C Lands of western Oregon. Anticipation of managing stand replacement burned forests in the forest plan shall also be a common planning aspect for all three forest types. The agencies shall prepare new draft forest plans consistent with the terms of these legislative concepts, within two years of their enactment into law. Budget authorization and appropriation are especially important in the early years of the plan. (See LC 13 for proposed demonstration areas, as a step forward in the implementation of these concepts.)

a. **Dry, Frequent Fire Forests of SW Oregon**. Evaluate and thin, with a consistent annual program, all Dry Forest O&C Lands over a 30-year timeframe to achieve 95% of acres resistant/resilient to low to moderate intensity fire, tolerating 5% of acres in severe stand-replacement wildfire in burned Dry forests. These targets for severe and low to moderate intensity fire are the principal targets around which the other Forest Bridges dry forest technical specifications are designed. These targets are intended to be consistent with what we believe were pre-contact Indigenous period forest densities, structures, compositions and distribution of seral stages. Forest relative density shall be used as the benchmark to thinning densities along with group selection, unharvested skips and openings as further described in the specifications below. Minimally manage, if at all, any mature and old-growth stands not previously managed silviculturally. Thin and provide skips to retain the best legacy trees. Restore and maintain fire resistant/resilient meadows, savannas and riparian areas within the landscape.

b. **Moist Forests in the NW and Coast Range of Oregon.** Achieve quality, early seral conditions, with legacy, and promote a range of seral stages and composition within the Moist Forest over time. The Forest Plan shall prescribe Variable Retention Regeneration Harvest (VRRH) of merchantable stands with annual even flow harvest, retaining 25-40% quality legacy trees, as well as other features, and limited in acreage as follows: the maximum allowed annual amount VRRH shall allow gradual increase toward, and then maintain, 50% structurally-complex-old-growth moist forest acres of O&C Land over time to create structural resilience. VRRH in moist forests or thinning in older stands shall be allowed for the purposes of achieving the goal of 50% Structurally Complex old growth forest, as well as reducing potential wildfire severity to an amount within the historical range of variability that existed during the pre-contact Indigenous Period. In addition to VRRH amounts, variable density thinning prescriptions, including prescribed fire, shall also be developed for moist forests that include recent Oregon Coast Range scientific work on Indigenous Period burn intervals to maintain fuel loads within the historic range of variability, to achieve sooner the goal of 50% Structurally complex old growth forest.

c. **Transitional (Mixed Moist-Dry Mosaic) Forests in central western Oregon.** Management will be adapted to the intermediate local forest types and historical fire frequency, characterized by areas where vegetation mosaics of moist forests and dry forests exist. In a warming climate, thinning densities and fuel management providing resilience to inevitable fire is necessary for sustainability of Transitional Forests, where stand replacement fires were typically at an intermediate frequency (50-200 years).

4. **With harvest requirements and limits in place (LC 3 above), remove the Land Use Allocations** across the 2.9 million acres of western Oregon O&C Lands as in the pre-contact Indigenous Period and apply Active Conservation Management strategies to support forest successional development throughout the O&C Lands over time, as outlined here and in Forest Plans. Exceptions to the removal of Land Use Allocations are federally

designated Wilderness areas and recreation sites. Forest Bridges includes in its management proposals existing Wild and Scenic Rivers in light of patterns and impacts of wildfire, since 2015, on forest sustainability.

5. **Green and Burned forest flexibility.** Forest Plans shall be drafted for implementation in green forests--and shall also be applicable to burned forests when they occur--using similar thinning or harvest designs. Forest Plans shall call for the substitution of burned for green forest projects in up to 50% in the dry forests, and up to 75% in the moist forests, with exceptions approved by the Secretary. Burned forest projects shall be completed within 15 months in all areas where severe fire has created 90% or greater crown mortality, exceeding 200 acres in size. Residual tree pattern and density will be adjusted to reflect local wildfire patterns, which will provide adaptive management opportunities for refining silvicultural approaches (e.g., reforestation of riparian areas).

6. **Checkerboard ownership and neighbors**. Alternate section ownerships or jurisdictions, like the O&C Lands, require care for neighbors in addressing fuel and fire spread risk. For O&C Lands silvicultural projects encourage mechanical piling, burning and removal of snags in areas along property boundaries as needed to eliminate most risk of the spread of fire. Encourage snag retention in central portions of ownership where broadcast burning can be safely used for fuels reduction. For operations conducted in good faith, or in the case of naturally-caused fires inadequately suppressed, the Secretary shall balance the liability of both federal and nonfederal parties for escaped fire with equitable compensation and parity to the damaged party in each case.

7. **Long-term programmatic targets** for forest management are necessary to develop and retain business climate certainty for manufacturing and workforce infrastructure to service the O&C Lands of western Oregon. The magnitude of forest work over the 2.9 million acres of this actively growing forest drives repeated 30-year thinning program cycles as well as the annual Variable Retention Regeneration Harvest program in moist forests, which continues permanently. The business climate for wood products manufacturing capacity in western Oregon needs to remain favorable in order to service these forests and provide Ecosystem Services to the public.

8. **Shift of funding focus, budget and inclusion of Tribes.** Over time, these legislative concepts are intended to decrease seasonal fire suppression costs and increase Active Conservation Management projects on O&C Lands (carried out by the private sector under the respective oversight of the agency/tribes). As mutually agreed, land management agencies shall include and fairly compensate Tribes in the forest planning implementation and monitoring process for projects on lands under agency jurisdiction. Supplemental federal forest budget investments in the short-term to manage fuels and achieve pre-contact Indigenous Period forest conditions, as outlined in these legislative concepts, provide long-term gains in wildlife habitat, public health, wildfire reduction and greatly improved public Ecosystem Services.

9. **Distribution of Receipts**. It is the intent that 50% of all receipts from the sale of forest products derived from treatments conducted pursuant to these Legislative Concepts continue to be distributed first to the 18 O&C Counties (i.e., according to the formula found in the O&C Act of 1937 and the Coos Bay Wagon Road Act of 1939 (43 U.S. Code § 2601), with the remaining Federal share of receipts deposited into a special account to be used by the Bureau of Land Management, or by the U.S. Forest Service in the case of Controverted Lands, for the purpose of planning, preparing, and implementing future projects. These funds are authorized to be used without further appropriation until expended. Receipts from Stewardship (End Result) Contracts, authorized by Title VI of the Healthy Forest Restoration Act of 2003 (16 U.S. Code §6591 (as amended by §8204)) currently do not fall

under the receipt distribution formula of the O&C Act. The Agencies lack authority to provide receipts to the counties. This provision should be amended to authorize the Agencies to estimate timber harvest revenue and share 50% of these estimated revenues with the O&C Counties according to the O&C Act formula, with the remaining Federal share retained by the Agency to be used without further appropriation for future stewardship contracts.

10. **Critical Habitat and the Endangered Species Act.** For the O&C Lands, the Secretary shall align Forest Plans and ESA critical habitat designation to be consistent with the local pre-contact Indigenous Period attributes of forests, including forest density, fire resiliency and structure. The extent and nature of Critical Habitat designations for terrestrial species under the Endangered Species Act shall be structured for the purpose of achieving Active Conservation multi-species goals with available land and habitat allocations. (Forest Bridges has left the treatment of aquatic species and riparian areas to the land management agencies and their respective forest plans. We believe the current Bureau of Land Management riparian management practices are a good place to start.

11. **Revise the Clean Air Act** to allow and incentivize increased flexibility for the timing of controlled broadcast burning and pile burning including in mechanical operations outside fire season. The pre-contact Indigenous Period was characterized by widespread presence of low levels of smoke in western Oregon and beyond.

12. **Legal Consistency Principle.** For the western Oregon O&C Lands, traditional litigation shall continue at the Forest Plan level. At the project level, Endangered Species Act and other professional consultation shall continue. Litigation at the project level under controlling statutes shall be limited to questions of consistency with the Plan or issues not considered by the Plan. This principle is intended to significantly shorten the timeline for implementation of forest projects.

13. **Active Conservation Management Demonstration Areas.** As part of implementing their respective new forest management plans on O&C Lands**,** the agencies shall establish demonstration sites on moist, dry and transitional forest O&C lands to model and test Forest Bridges' Active Conservation Management treatments as per LC #3.

14. **Improved Access and Communications**. Improved public and emergency access road systems and cell phone communication coverage across the O&C Lands generally shall be a goal, supported by funding for on-the-ground human presence to increase public safety capacity, road use monitoring and emergency fire and public emergency communications.

15. **Monitoring Program.** Each forest plan shall contain wide-ranging effectiveness monitoring programs, in addition to implementation monitoring programs that include progress toward the program goals in LC 3, among others. The forest management strategies outlined above lend themselves to straightforward annual progress monitoring. These results shall be published and reported to the public. An authorization for the monitoring and reporting program shall be written into the legislation as an integral part of plan implementation.

Additional Legislative Technical (LC) Specifications

The following specifications are integral to the guidance provided in the summary of Legislative Concepts above; the numbers below correspond to the Legislative Concepts (LCs) accordingly.

Introduction

"O&C Lands" defined. Forest Bridges includes in its proposals for "O&C Lands" all O&C lands managed in western Oregon as well as certain affiliated lands: The O&C lands managed by the Bureau of Land Management, as well as the Coos Bay Wagon Road and all public domain lands managed by the BLM all in western Oregon, and the Controverted O&C lands managed by the US Forest Service. Based on historical deeds, much of this land is NOT in contiguous holdings, but in an alternate section-by-section checkerboard pattern. There are 2.9 million acres total O&C Land, divided more or less evenly between Moist and Dry forest, with a substantial portion of each characterized as part of a Transitional forest area. Application of these Legislative Concepts beyond the O&C Lands is up to the discretion of policymakers, lawmakers and the agencies.

O&C Act of 1937 Multi-Use Management Mandate: As affirmed by the courts, these lands shall be managed for the broad set of purposes outlined in the O&C Act of 1937 – i.e., *"the O&C Lands shall be managed for permanent forest production, in conformity with the principle of sustained yield, [the level of which is defined in accordance with applicable law and pertinent forest plans]. These lands shall provide a permanent source of timber supply, protect watersheds, regulate stream flow and contribute to the economic stability of local communities and industries, and provide recreational facilities. Nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law."*

Forest Bridges' interpretation of the above: *These lands shall provide wildlife habitat in a diversity of stand densities, amounts and compositions consistent with what would have been present in the pre-contact Indigenous Period.*

In addition to the O&C Act of 1937, the O&C Lands are governed by the 1976 Federal Land Policy & Management Act (FLPMA), the 1976 National Forest Management Act (NFMA), the 1970 National Environmental Policy Act (NEPA) & Clean Air Act (CAA), the 1972 Clean Water Act (CWA), the 1973 Endangered Species Act (ESA), et al.

Active Conservation Management Defined: Active forest management used for forest habitat sustainability (rather than harvest for harvest's sake) in the dry, moist and transitional forests of the O&C Lands of western Oregon that integrate western science-based ecological forestry/silviculture-based methods and Indigenous Knowledge and Practices for managing forests and ecosystems. Current fixed location reserves are replaced with an all-lands approach that applies metered, monitored harvest strategies and prescribed fire (See LC #8 below) to achieve specified habitat diversity goals, including legacy and structurally complex old growth habitats.

LC #3: Harvest Requirements and Limits, supplementing the vision statements, and other implementation considerations. The limits set by these harvest goals and requirements allow the land use allocations to be removed without risk of adverse consequences. While Forest Bridges has used existing scientific literature and professional knowledge to gain a basic understanding of the areas of moist, dry and transitional forests, we recommend requiring the agencies to develop clear definitions of moist and dry forests, and supplement this with demarcation to the raster level on a GIS layer.

a. **Dry, Frequent Fire Forests (Estimated to be approximately 1.4 million acres, including the acreage within transitional forest)** Evaluate and thin within 30 years (3.3% per year) all Dry Forest O&C Lands to achieve no more than 5% acreage loss to severe stand replacement wildfire, given trends in the fire weather. Thin to 15-25% relative density (20-30% in more moist areas) over 60-75% of the O&C Land area, with the remaining 25-40% as skips and gaps. Conduct monitoring of progress on relative density and fire severity. Collaborated adaptive management adjustments of relative densities to be applied every 10 years toward achieving the maximum 5% severe wildfire goal and treated acreage goal which are reported annually. Retain the highest quality legacy trees within the relative density limits. The "best legacy trees"

are those oldest, largest trees in the stand that provide the best habitat and/or sustainability. In the interest of achieving pre-contact Indigenous Period forest densities, there shall be no age limit for individual trees or stands treated in the thinning of dry forests as part of a forest habitat sustainability plan, as long as all the requirements for retaining legacy contained herein, are followed. Skips can be entered for density and fuel management purposes. Minimally manage, if at all, old-growth stands not previously managed silviculturally, only to the extent that no action keeps them at high risk for stand replacement fire. Previously undisturbed old growth stands shall comprise skips where they exist. Stand densities and derived relative density measures in forest inventory surveys shall reflect (the ever more prevalent) structurally diverse stands by utilizing the protocol for Ray's Additive Stand Density Index[3]

b. **Moist Forests (Estimated to be approximately 1.4 million acres, including the acreage within transitional forest).** The annual harvest acreage is determined by the zero-age, or y-intercept, of an idealized negative logarithmic extinction curve (reverse-J) of total acres by age of O&C Moist Forest Land stands. While the median age of 160 years for dominant and co-dominant trees has been used as the midpoint in Forest Bridges' graphical representations, the actual midpoint of the curve shall be the local age of onset of structurally complex old growth, which will vary from one location to another, as determined by forest inventory and forest characteristics for the forest planning process. The age of stands harvested with VRRH can vary, within the limits of merchantability of stands, with no upper limit. Repeated younger stand harvests allow other stands to continue growing. Stands targeted for VRRH may come from any 10-year age classes where the acreage exceeds the idealized negative exponential curve and be of lower habitat quality. VRRH from project to project and over years within a single BLM district should be aggregated within single watersheds or drainages to mimic larger fires and minimize edge effects. Harvest shall not include intact stands characterized as exceeding the midpoint of the local curve and contributing to structurally complex old growth until such time as 50% of structurally complex old growth has been achieved in the local area as well as across the whole moist forest area of the O&C Lands. Stands that have burned in stand replacement fire (in excess of 90% crown consumption) shall be recharacterized to the age of the year of the burn and no longer be characterized as old growth. The actual amount of 50% structurally complex old growth shall be the sum of acres in excess of the midpoints of the localized curves. This total shall include the acres of nonpermanent reserve areas within harvest units, as well as riparian areas with structurally complex old growth age classes. Once achieved, the goal is to maintain 50% structurally complex old growth over time. This harvest strategy is moderate by historic standards and is the result of collaboration to create certainty and set broadly acceptable limits on the acreage of Moist Forest Variable Retention Regeneration Harvest. The 25-40% retention of quality legacy trees (as well as other features) should be measured by basal area within the harvest boundary. Generally the largest, oldest trees will be retained as individuals, clumps and patches, including riparian areas, but the selection of the best quality legacy for retention should be determined on site by the silviculture layout team.

c. **Transitional Forests.** Transitional forest is defined as any section or contiguous area of O&C Land, where the land management agency identifies both moist and dry forest stands co-existing within the same section or parcel of property, or between adjacent sections or parcels. This Forest type reflects mosaics of varied vegetation as a result of moist and dry conditions on different aspects, such as north and south facing slopes. Targets are needed for relative density thinning standards and fuel removal in transitional forests, which may vary by slope to provide for achieving similar outcomes for thinning and fuel removal standards appropriate to the transitional forest and modeled after the dry forest proposals. Includes VRRH procedures for moister slope areas.

[3] Ray, D., Seymour, R., Fraver, S., Berrill, J-P., Kenefic, L., Rogers, N., and Weiskittel, A., 2023. Relative Density as a Standardizing Metric for the Development of Size-Density Management Charts. Journal of Forestry 121: 443-456.
chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.fs.usda.gov/nrs/pubs/jrnl/2023/nrs_2023_kenefic_001.pdf

d. **Implementation Timeframe:** Forest Plans built around these harvest requirements shall remain in place for 30 years unless the results of monitoring suggest alternative adaptive management recommendations to achieve the goals herein. Such recommendations shall be submitted to an O&C Agency collaborative modeled after Forest Bridges (see LC 13 above).

LC #5: Green and burned forest flexibility. Following timber receipt payments to the counties, funds from burned forest restoration sales on the O&C Lands shall be available to the agencies without further appropriation, subject to use for further burned forest restoration under Plans following these Principles and Concepts.

LC #8: Shift of funding focus, budget and Inclusion of Tribes. Budget source for Active Conservation Management: Seasonal Wildfire suppression costs are expected to decrease for the O&C Lands as Active Conservation Management activity approaches the stand density goals herein, and as built into the forest plans and effectively implemented by the agencies. A multi-year phase-in period is required while forest fire resilience builds, and suppression costs drop. The scale of non-commercial Prescribed Fire operations in frequent fire forests also needs to increase, in order to build forest wildfire resilience. These Active Conservation Management projects include prescribed fire (defined as fire trailing, mechanical and hand-piling, pile burning, broadcast burning and cultural burning), density management and monitoring work aligned with the targets for forests and fire outlined in various concepts herein. Year-round local workforces trained and funded to support all phases of pre- and post-fire mitigation and suppression activities are needed. Contracted private sector crews already working in the vicinity of a fire start should be required to be prepared and to conduct initial response during to any fire season wildfire.

Managed suppression of wildfire (also called indirect fire management) shall not be an allowable practice during fire season on any O&C Lands including controverted lands managed by the US Forest Service. (Note: at present the BLM does not practice managed suppression, while this is a widespread practice on Forest Service lands, including the controverted lands.)

LC #10: Critical Habitat and the Endangered Species Act. Dense habitat, required by certain listed species, would be limited to the extent of localized historical forest densities present during the pre-contact Indigenous Period and consistent with these Forest Bridges Legislative Concepts and Specifications for Active Conservation Management and harvest practice specifications.

LC #11: Revise Clean Air Act. Prescribed Fire, like wildfire, shall be excluded from smoke management restrictions. The purpose is to place the focus on fuel moisture content for burns, so as to optimize for burn effectiveness while minimizing the risk of wildfire. Prescribed fire smoke levels spread smoke throughout the year in lesser amounts and are necessary to achieve pre-contact Indigenous Period burn severity goals.

LC #12: Legal Consistency Principle. Litigation at the project level around questions of consistency with the Plan or issues not considered by the Plan shall follow the "manifest abuse of discretion" standard. This Legal Consistency Principle emphasizes the increased role of professionals in consultation at the project level and should allow a shift within the managing agencies to a focus on silvicultural activity consistent with the habitat goals of the Plan. Every 10 years, the plan shall be subject to amendment and re-litigation, based on monitoring and adaptive management amendments. An examination of statutes impacting the litigation initiated by the public, and then appropriate exceptions as applicable, are needed, to allow for the legal consistency principle to be implemented. These laws include the ESA, ACC, AWA, NEPA, FLPMA, and APA.

LC #13: Active Conservation Management Demonstration Areas. For each of these three forest types (moist, dry and transitional), establish one USFS and one BLM test area distributed in infrequent moderate and frequent fire forest areas, at a minimum of 57,000 acres each (5 townships, alternate section acreage equivalent) – using watershed boundaries (6 total test areas) in cooperation with historically relevant tribes that wish to participate. Validate costs, outputs, and results through

modeling in these test areas while forest planning is underway or in the earliest stages of implementation. There would be an opportunity for Tribes to expand the Tribal management role significantly to additional lands, beyond the Modeling and Test areas, as they fit the Tribe's historical lands area – after monitoring demonstrates consistency between the goals and management guidelines herein. In areas of overlap, there may be opportunity for different Tribes to partner in this work together with the BLM or Forest Service.

LC #14: Improved Access and Communications. A sufficient presence of land management agency law enforcement shall be added to increase a sense of safety and to encourage landowners to voluntarily open gates for access.

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