

12-623 UNITED STATES FOREST SERVICE V. PACIFIC RIVERS COUNCIL

DECISION BELOW: 689 F.3d 1012

LOWER COURT CASE NUMBER: 08-17565

QUESTION PRESENTED:

1. Whether respondent Pacific Rivers Council (PRC) has Article III standing to challenge the Forest Service's 2004 programmatic amendments to the forest plans governing management of 11 Sierra Nevada Forests when PRC failed to establish that any of its members was imminently threatened with cognizable harm because he or she would come into contact with any parcel of forest affected by the amendments.

2. Whether PRC's challenge to the Forest Service's programmatic amendments is ripe when PRC failed to identify any site-specific project authorized under the amended plan provisions to which PRC objects.

3. Whether the National Environmental Policy Act required the Forest Service, when adopting the programmatic amendments, to analyze every type of environmental effect that any project ultimately authorized under the amendments throughout the 11 affected forests might have if it was reasonably possible to do so when the programmatic amendments were adopted, even though any future site-specific project would require its own appropriate environmental analysis before going forward.

CERT. GRANTED 3/18/2013