HARDWOOD FEDERATION

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August 30, 2022

Mr. Jamie Barbour
Assistant Director, Ecosystem Management
U.S. Department of Agriculture, Forest Service
201 14th Street, SW
Washington, DC 20227

RE: Request for Information on Federal Old Growth and Mature Forests (Executive Order 14072) #NP-3239

Dear Mr. Barbour:

On behalf of the membership of the Hardwood Federation, we appreciate the opportunity to provide comments regarding the Request for Information (RFI) related to Old Growth and Mature Forests (87 Federal Register 42493 - 42494) and (87 Federal Register 50119 – 50120), extending the comment period to August 30, 2022. Companies and employees engaged in the U.S. hardwood economy firmly believe that the sustainable forestry practices used to grow our raw materials and the products derived from harvest of hardwood trees are an essential part of the solution to problems associated with atmospheric carbon sought by the President and his Administration.

The U.S. hardwood sector is a fully integrated industry from logging to the manufacture of finished consumer goods which touch upon every aspect of American life including flooring, cabinets, furniture and moldings in our homes. The vast majority of jobs supported by the sector are located in rural and underserved areas and are essential to the local economies. Strengthening and expanding the domestic and international markets for U.S. hardwood products is key to both maintaining the health of our public and private forestlands and to reducing the levels of carbon in our atmosphere.

American hardwoods support carbon storage and sequestration, reducing atmospheric CO^2 and storing carbon throughout its life cycle from growth, standing, and use in forest products, aiding the world's climate. Demand for American hardwood finished goods promotes healthy forests, protects water resources, and supports critical habitat and wildlife diversity, while also producing safe and environmentally conscious products that create employment opportunities for our rural communities and supply chains. When there is a steady demand for fiber and the resulting wood products, hardwood operations ensure that forests will remain as forests in the future and are a key element of increasing carbon sequestration levels. The Biden Administration and congressional leaders acknowledge that the American forest system is vital to reducing atmospheric carbon, offsetting 12-15 percent of U.S. carbon emissions each year.[i]

It is important to recognize that the carbon benefits of the forests do not end with tree growth. Markets for products derived from trees are an important piece of the solution as well. Wood products make up 47% of all industrial materials in the U.S. but consume only 4% of the total energy to manufacture those materials. In addition, wood products are 50% carbon by weight, continuing to store carbon for the life of the product.[2] Making products from aluminum, glass, plastic, cement, or brick can require as much as 126 times more energy than making them from wood[3].

Public Policy - Background:

Shortly after taking the oath of office, Presided Biden issued Executive Order (E.O.) 14008 "Combatting the Climate Crisis" and tasked all federal agencies to identify strategies to combat the impacts of climate change.[4] Within the context of the E.O., the Administration made it clear that it would support "climate smart forestry practices" that decrease wildfire risk and promote carbon sequestration. Following up on E.O. 14008, on April 22, 2022, the Administration issued E.O. 14072, "Strengthening the Nation's Forests, Communities and Local Economies" [5] This document forms the basis of the RFI and underscores the Administration's "policy to pursue science-based, sustainable forest and land management." Furthermore, the E.O. highlights the importance of current forest management activities, "including [those] in the sustainable forest products sector" (See 87 FR at 24581). Collectively, these authorities beg the question, how does the RFI support efforts to combat climate change, including the Administration's twin objectives to promote carbon capture and reduce wildfire risk?

The Hardwood Federation enjoys a long-standing partnership with the U.S. Forest Service (USFS) to develop programs that promote sustainable management of federal forest land, maximizing the carbon benefits of harvested timber that is in turn manufactured into long-lasting wood products. That said, the hardwood industry is concerned that the agencies' RFI could result in the unintended consequences of exacerbating climate change and the threat of wildfires. The RFI could pave the way for promulgation of an overly broad definition of "mature forests" that would be unworkable and therefore create uncertainty for federal agencies and the regulated community. This could include litigation, creating a tool that some stakeholders might use to advance policies that ultimately setback sustainable forest management by imposing a blanket ban on the harvest of all old growth and mature timber. Ultimately, if used to remove acreage from harvesting, the definition would undermine carbon capture by applying "one size fits all" criteria to resources as biologically and geographically diverse as our nation's forests.

In addition to the Administration's Executive Orders, the hardwood sector is also concerned that the RFI is inconsistent with the Administration's and Congress' objectives very recently laid out in the "Infrastructure and Investment Jobs Act of 2021," a statute also cited as guiding policy for E.O. 14072. This landmark and bipartisan law, for which the Hardwood Federation and its members advocated, requires the Secretaries of Agriculture and Interior to establish a 10-year strategy to reduce the risk of wildfire and publish a report outlining tactics to reach its

stated goals. The agencies' report on the strategy mandated by the infrastructure law, published in January 2022, highlights the importance of harvested timber and wood products to reduce atmospheric carbon and mitigate wildfires.

The report states that "the wood products industry has been and will remain an important partner for helping achieve [forest] restoration outcomes and reduce wildfire risk." The report further states that "new and innovative uses of wood ... can not only support restoration and risk reduction outcomes but also sequester large quantities of carbon."[6] See Wildfire Crisis Strategy Implementation Plan (usda.gov). To further underscore the high priority placed on wildfire mitigation, the infrastructure law also authorizes $600 million to fund salaries for federal wildland firefighters[7] (See Public Law 117-58, November 15, 2021, Sec. 40803, Wildfire Risk Reduction). To provide further insights into the diverse and ever-changing characteristics of "old growth and mature forests," the Hardwood Federation provides the following information in response to the agencies' RFI.

Response to Agency Questions:

1. *What criteria are needed for a universal definition framework that motivates mature and old-growth forest conservation and can be used for planning and adaptive management?*

   The hardwood sector cautions that attempts to apply a "universal definition framework" for "old growth" forests could result in a standard that will reduce the harvest of timber and increase disease and decay in our nation's forests. This will release more carbon into the atmosphere and create more kindling for wildfires, undermining two of the Administration's most important environmental and natural resources policy goals. Any exercise to quantify a single or "universal definition" of old growth or mature forests also fails to recognize the regional, biological and climate diversity of the nation's vast public timberlands. The long-standing practice of the USFS to resort to regional definitions of "old growth forests" illustrates the necessity to allow individual foresters to acknowledge attributes that reflect different types of trees and forests. Applying multiple and flexible regulatory definitions that reflect regional and other variability is essential to allow federal agencies to develop effective forest management plans. To illustrate the diversity of already existing definitions of "old growth forests," the Hardwood Federation incorporates by reference comments submitted by the National Council for Air and Stream Improvement (NCASI) identifying 16 technical reports from the USFS that define mature growth for "specific forest ecosystems."

   That said, the agencies are considering a metric as seemingly straightforward as the median age of trees within a specific "stand" or community of contiguous trees as a benchmark that may identify "old growth" within a forest. This metric, however, illustrates significant variability, and becomes unworkable when attempting to adopt a "uniform framework" and should therefore be rejected. For example, a USFS study of southern forests in USFS Region 8 published in 1993 identified old growth within a community of South Florida Slash Pine as 80 years old. A similarly situated stand of Conifer-Northern Hardwood, however, logged in

at 140 years old, illustrating a 60-year gap between two types of trees within the same region. [8]

2. *What are the overarching old-growth and mature forest characteristics that belong in a definition framework?*

Again, any attempt to insert "overarching" characteristics as criteria for a universal definition of "old growth forests" risks failure as a matter of public policy and science. The Hardwood Federation points to research conducted by the Federal Forest Resource Coalition (FFRC) outlining the challenges associated with developing a single standard or framework for a system that "spans humid, subtropical pine flatwoods in the Florida Panhandle to Boreal forests" in the Great Lakes region. The FFRC's global review of "old growth definitions" revealed more than 11,000 results. The Hardwood Federation believes that the agencies can best leverage their resources by pursuing standards that incorporate forest management best practices, especially through regular and responsible timber harvests and thinning.

The disparate ecological health that distinguishes public from private forestland is instructive, especially when viewed through the lens of wildfire risk and carbon capture, which constitute the Administration's overarching natural resources objectives. Private forest lands are carbon sinks and are much more resistant to fire. Conversely, according to FFRC's survey of data from the National Interagency Fire Center Situation Report Archive and Harvest Trends on the National Forest System, forests are deemed to be net carbon sources rather than carbon sinks in every state where more than one-half of timberland falls under national forest jurisdiction.[9] Comments developed by the National Alliance of Forest Owners (NAFO) is also instructive. According to NAFO, while privately owned, working forests account for 47% of U.S. forestland, they deliver disproportionate carbon benefits by sequestering 80% of the net carbon captured by all U.S. forests. Rather than developing arbitrary criteria and definitions that do little to promote forest health, the Hardwood Federation advocates for initiatives that continue to promote sustainable forest management practices. Likewise urge policymakers to avoid undermining best practices and guidelines that have been decades in the making, and which have received the imprimatur of these same agencies.

3. *How can a definition reflect changes based on disturbance and variation in forest type/composition, climate, site productivity and geographic region?*

The RFI cites many variables within the context of this question and therefore underscores the challenges associated with development of a universal framework or definition of "old growth and mature forests." That being said, the high frequency and sheer volume of "disturbances" - defined as events such as wildfires, natural disasters and commercial development, among others, that alter the growth trajectory of a forest – demonstrates the difficulty of coming up with a workable definition for old growth. To put it plainly, the unpredictability and variability of "disturbances" shows that any definition of "old growth forests" constitutes a moving target. It also illustrates the near futility of attempting to move forward with an accurate inventory, the next step to follow an attempt to establish a "uniform framework."

FFRC's analysis of conditions in the Willamette National Forest is nstructive here. According to FFRC, tree communities within the Willamette National Forest experience "temperature variation of up to 17.5 degrees Celsius, based solely on elevation." This doesn't account for unknown, future variables such as the impacts of climate change.

Variability by geographic region also complicates the task of developing a universal framework. It's well-established that wind events such as hurricanes, especially those in the southeastern U.S., disproportionately impact older growth trees, making the task of developing an accurate inventory even more problematic. The frequency and impact of such disturbances would render obsolete any comprehensive inventory arising from a "universal framework." Also, the Hardwood Federation would like to echo concerns raised by the American Forest and Paper Association, pointing out that the one-year deadline in which to complete an inventory is "aggressive." It's unrealistic, given the amount of time needed for individual forests to come up with similar definitions for "old growth."

4. *How can a definition be durable but also accommodate and reflect changes in climate and forest composition?*

For a definition of "old growth forests" to be "durable," it must apply to static or unchanging conditions, which clearly do not exist within the context of forest management. Because of the impacts of climate change, among other "X" factors, the agencies should be promoting adaptive forest management practices now more than ever. Adaptive forest management practices – especially those allowing for harvested timber - also promote biodiversity by fostering tree community structures that allow fragile species such as the Gopher Tortoise, to cite one example, to thrive.

5. *What, if any, forest characteristics should a definition exclude?*

The Hardwood Federation would like to remind federal officials that more than half the forestland managed by the agencies is already subject to restrictive land-use regulations that hinder the harvest of timber. The facts are clear. Harvesting timber constitutes a key pillar for any responsible environmental stewardship strategy based on science. According to statements from the current Administration, including those in the January report from USFS on a strategy to mitigate wildfires, pursuing policies that hinder responsible timber harvesting and the manufacture of wood products would undermine the agencies' major objectives and mandates.

Conclusion:

The Hardwood Federation appreciates the opportunity to provide information related to a proposed definition of old growth and mature forests. In this case, however, the Administration falls short of establishing how developing a universal framework for a definition

of "old growth" would advance the overarching policy goals of increasing carbon sequestration and reducing the risk of wildfires. It is our position that pursing such a framework would have the opposite effect. As the industry's comments demonstrate, there are multiple layers of diversity and variability of traits that characterize old growth forests which should dissuade regulators from pursuing a "one size fits all" approach. For more information related to these comments, please contact me at Dana.Cole@hardwoodfederation.com or Bryan Brendle at Bryan.Brendle@hardwoodfederation.com.

Sincerely,

Dana Lee Cole, Executive Director
Hardwood Federation

Hardwood Federation Member Associations

Allegheny Hardwood Utilization Group
American Hardwood Export Council
Appalachian Lumbermen's Club
Appalachian Hardwood Manufacturers Inc.
Decorative Hardwoods Association
Empire State Forest Products Association
Hardwood Distributors Association
Hardwood Manufacturers Association
Indiana Hardwood Lumbermen's Assn.
Kentucky Forest Industries Association
Lake States Lumber Association
Maple Flooring Manufacturers Association
Missouri Forest Products Association
National Hardwood Lumber Association
National Wood Flooring Association
National Woodland Owners Association
North Carolina Forestry Association
Northeastern Loggers Association
Ohio Forestry Association
Pennsylvania Forest Products Association
Penn-York Lumbermen's Club
Railway Tie Association
Southern Cypress Manufacturers Assn.
Southwest Hardwood Manufacturers Club
Tennessee Forestry Association
Virginia Forest Products Association
Virginia Forestry Association
West Virginia Forestry Association
Western Hardwood Association
Westside Hardwood Club
Wood Component Manufacturers Assn.

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[1] National Alliance of Forest Owners, Forests and Climate Change for Policymakers 101. Forests and Climate Change for Policymakers 101 | National Alliance of Forest Owners (nafoalliance.org).
[2] WoodWorks. Carbon Footprint. https://www.woodworks.org/why-wood/carbon-footprint
[3] Michigan State University College of Agriculture & Natural Resources. Facing the Facts. https://www.canr.msu.edu/news/facing-the-facts
[4] Executive Order (E.O.) 14008, "Combating the Climate Crisis at Home and Abroad," January 27, 2021
[5] Federal Register, Vol. 87, 24581-24855.

[6] "Confronting the Wildfire Crisis, A Strategy for Protecting Communities and Protecting Resilience of American Forests," USDA, January 2022.
[7] See Public Law 117-58-Nov. 15, 2021, Sec. 40803, Wildfire Risk Reduction. PUBL058.PS (congress.gov).
[8] See "Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Region," Table 1, USDA Forest Service, 1993.
[9] National Interagency Fire Center Situation Report Archive, Geographic Area Coordination Center (GACC) Website Template (nifc.gov)