

Dear Responsible Official:

Thank you for providing the opportunity to submit comments in response to the recently released scoping materials describing the proposed Telephone Gap Integrated Resources Project (IRP) on the Green Mountain National Forest (GMNF). Like you, I am a Vermonter who values the natural beauty and ecological richness of our state. Like you, I enjoy the time I spend on the GMNF year-round to fly-fish, hike, appreciate its unique and unparalleled aesthetics, and more. And like you, I am deeply concerned about the state of the forest, and its future in the coming decades and centuries. Accordingly, I submit the following for your consideration, and look forward to reviewing the project's draft decisional materials.

I. Context

Any decision the GMNF makes now, at either the programmatic or project-level, is made in the context of anthropogenic planetary-scale ecological overshoot.¹ The catastrophic symptoms of overshoot are now well-documented.² The principle overshoot symptoms bearing most directly on the GMNF are anthropogenic climate heating, collapsing biodiversity, and disrupted hydrological cycles.³

It is undisputed that North America's remaining forests are integral for humans and nonhumans to adapt to the exponentially accelerating "ghastly future,"⁴ in part because total plant biomass--and thus plants' total capacity to sequester carbon--has been halved by humans since the start of human civilization.⁵ In addition to mature forests' well-documented

¹ See, e.g., Bradshaw et al., *Underestimating the Challenges of Avoiding a Ghastly Future* (2019), <https://www.avoidingghastlyfuture.org/articles/underestimating-the-challenges-of-avoiding-a-ghastly-future/> (last accessed March 2, 2023); see also The Stockholm Resilience Institute, *The Nine Planetary Boundaries*, <https://www.stockholmresilience.org/research/planetary-boundaries/the-nine-planetary-boundaries.html> (last accessed March 2, 2023).

² See, e.g., IPCC, *Climate Change 2021: The Physical Science Basis*, <https://www.ipcc.ch/report/sixth-assessment-report-working-group-i/> (last accessed March 3, 2023).

³ See IPCC, *Climate Change 2021*; see Bar-On et al., *The Biomass Distribution on Earth* (2018), <https://www.pnas.org/doi/10.1073/pnas.1711842115> (last accessed March 2, 2023); see Aron et al., *Stable Water Isotopes Reveal Effects of Intermediate Disturbance and Canopy Structure on Forest water Cycling*, <https://agupubs.onlinelibrary.wiley.com/doi/10.1029/2019JG005118>; see VT ANR, *2015 Vermont Forest Fragmentation Report*, at 12-13, https://fpr.vermont.gov/sites/fpr/files/About_the_Department/News/Library/FOREST%20FRAGMENTATION_FINAL_rev06-03-15.pdf (last accessed March 2, 2023).

⁴ Bradshaw et al., *Underestimating the Challenges*.

⁵ Bar-On, *The Biomass Distribution on Earth*.

capacity to store carbon, they provide habitat corridors to a host of nonhumans.⁶ The legal framework governing project planning requires the GMNF to consider these factors, all of which are well-supported.⁷

I. Early Successional Habitat Creation on the GMNF

Pursuant to the GMNF's now 17-year-old Forest Plan and accompanying programmatic National Environmental Policy Act (NEPA) documents, the GMNF has identified that the creation of early successional habitat (ESH) is an appropriate management activity.⁸ In the recent past, it has separately approved a logging project creating ESH through a controversial decisionmaking process that likely circumvents NEPA's site-specific analysis requirements. That project will eventually result in cutting more than 10,000 acres in locations yet to be determined or analyzed. The reasons GMNF provides justifying ESH creation are principally that such areas benefit neotropical migratory passerines, ruffed grouse, American woodcock, deer, and promote the growth of desirable tree species.⁹ However, since the promulgation of the 2006 Forest Plan and programmatic environmental impact statement (EIS), which are now outdated as a matter of law--see the National Forest Management Act's (NFMA) implementing regulations at 36 C.F.R. 219.7 and the NEPA's implementing regulations at 40 C.F.R. 1502.9(d)--significant new scientific findings have revealed that such assumptions are not compatible with the historical record and do not enjoy widespread scientific consensus.

An article published in January 2023 calls into question the prevailing land-management paradigm in eastern forests which holds that ESC must be arbitrarily maintained in light of its (entirely natural) reduction to precolonial distributions.¹⁰ The article demonstrates that the historical record does not support the numbers of ESH proposed by GMNF (nor does, for example the, 2016 Vermont State Wildlife Action Plan, Chapter 6), that sufficient ESH already exists in human-created landscape features such as roads and powerline easements,

⁶ See generally *2016 Vermont State Wildlife Action Plan*, <https://vtfishandwildlife.com/about-us/budget-and-planning/wildlife-action-plan> (last accessed March 3, 2023).

⁷ See, e.g., 36 C.F.R. 219.3 ("The responsible official [on a National Forest] shall use the best available scientific information to inform the planning process required by this subpart for assessment; developing, amending, or revising a plan; and monitoring."), www.ecfr.gov; Endangered Species Act, 16 U.S.C. § 1536 (agencies must use "best scientific and commercial data available"), <https://uscode.house.gov/>.

⁸ See 2006 Forest Plan, 2.2.2, Goal 2, <https://www.fs.usda.gov/main/gmfl/landmanagement/planning>.

⁹ See ESHCP DN & FONSI, June 2019. Project materials at <https://www.fs.usda.gov/projects/gmfl/landmanagement/projects>.

¹⁰ Kellett et al., *Forest Clearing to Create Early-Successional Habitats: Questionable Benefits, Significant Costs* (2023), <https://www.frontiersin.org/articles/10.3389/ffgc.2022.1073677/full> (last accessed March 3, 2023).

and that natural forces such as wind and winter-precipitation loads create all the ESH that is necessary. Furthermore, the authors demonstrate that ESH in particular benefits game species, such as ruffed grouse, American woodcock, and deer, all of which have been either been present in abnormally high numbers due to radical changes to Vermont's forest cover over the past two centuries, or, in the case of whitetailed deer, are expressly managed to remain above carrying-capacity for sport hunters. As a fisherwoman myself, I recognize that the long-term health of the ecosystem depends on leaving landscapes to return to their precontact condition to the extent possible.

II. Telephone Gap IRP

A. Northern Long-Eared Bat (NLEB)

On November 30, 2022, the U.S. Fish & Wildlife Service published a final rule listing the NLEB as an endangered species under the Endangered Species Act (ESA).¹¹ The rule takes effect in March 2023. The GMNF concedes that the NLEB exists throughout the project area, and that a portion of the project area is within five miles of a known NLEB hibernaculum. GMNF also concedes that it will need to consult with USFWS pursuant to Section 7 of the ESA prior to completing its project analysis with respect to the NLEB.¹² I urge the GMNF to proceed with caution until the NLEB's critical habitat has been designated. As the final rule notes, one of the main drivers of the species' collapse--other than white-nose syndrome--is habitat fragmentation, and great care should be taken to not reduce the NLEB's habitat any further in the service of benefiting game species and maintaining ahistorical forest-types. Moreover, I can find no evidence that NLEB prefers clear cuts to mature forest understory. The final rule does note that management "result[ing] in heterogenous habitat" may benefit bats, including the NLEB. However, it notes that management practices that leave large snags can meet NLEB's roosting requirements--at least in part. Because the GMNF can no longer rely on the 2016 NLEB 4(d) Rule, and because the NLEB exists throughout the project area, it should slow down and proceed with caution.

B. Wilderness-Quality Inventoried-Roadless Areas (IRA)

Logging in IRAs, whether protected under the 2001 Roadless Area Conservation Rule or not, is a poor use of public forests. Though apparently GMNF decided not to recommend the Pittenden IRA for wilderness designation in 2006, that does not mean it may not now be appropriate for recommendation as wilderness in the overdue forest plan revision. I strongly

¹¹ 50 C.F.R. 17, <https://www.fws.gov/press-release/2022-11/northern-long-eared-bat-reclassified-endangered-under-endangered-species-act>.

¹² Note that the NLEB is just one sensitive and protected species in the project area. According to USFWS' IPaC mapping tool, the endangered Indiana bat exists in the area, though GMNF represents it occurs only on the western slopes of the Greens. The Monarch butterfly, a candidate species also occurs in the project area, along with a variety of state-listed species.

urge you to reconsider logging in this area, and instead preserve this large IRA for future recommendation to be designated wilderness. Wilderness designation would surely satisfy President Biden's goal of conserving thirty percent of United States' lands and waters by 2030.¹³

Relatedly, and though not yet an approach widely accepted in the Forest Service, I urge you to consider rewilding principles in an effort to effectuate the thirty-by-thirty goal. Rewilding does not necessarily mean that human activity is prohibited on the landscape. It does however mean that human management decisions are aimed at leaving large landscapes to autonomously reproduce themselves.¹⁴ Fundamental to rewilding is to leave large landscapes intact and connected. To this end, my back-of-the-napkin analysis reveals likely overlap with Interior Forest Blocks and Connectivity Blocks as defined and mapped by the Vermont Conservation Design report issued in 2018.¹⁵ I would appreciate more clarity on how the project will interact and overlap with those areas in the projects draft materials.

III. Halt New Projects Until New Programmatic-Planning Documents Are Released

New logging and other management projects should be paused during the pendency of the GMNF's revision of its outdated programmatic forest plan and NEPA statements. The pressing threats of climate change and biodiversity loss are barely mentioned in either document, and certainly the 2006 programmatic EIS contains no current, relevant analysis of either issue. Continuing to green light new projects while relying on outdated analyses is unwise at best, and impermissible at worst.

We all find ourselves at an inflection point. The earth system is changing rapidly. From the decadal storms that impacted Vermont in the course of one December Week in 2022, to an extreme cold event at the beginning of February 2023, to the wild swings in the hydrological cycle Vermont has experienced over the past decade, we are experiencing now the very real effects of a half-century of inaction in the face of evidence demonstrating we must change. It is incumbent upon you, as community members charged with stewarding and protecting the GMNF, to slow down and do the tough work of analyzing the emergent effects on the GMNF for the next fifteen years. Until then, business-as-usual planning and management of the forest is nothing more than tendentious guesswork.

Best regards, /s/ Sarah Owens

¹³ See Executive Order, January 27, 2021, section 216, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

¹⁴ See, e.g., Ripple et al., *Rewilding the American Ist* (2022), <https://www.biologicaldiversity.org/programs/biodiversity/pdfs/Rewilding-American-Ist-Report-2022.pdf> (last accessed March 3, 2023).

¹⁵ See <https://vtfishandwildlife.com/conserve/vermont-conservation-design> (last accessed March 3, 2023).