

Wednesday, January 31, 2024

Subject: Strengthen safeguards for old-growth forests and mature forests and the species that depend on them -- Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System #65356

To Secretary of Agriculture Tom Vilsack and USFS Chief Randy Moore:

Thank you for starting a process to amend land management plans (i.e., Forest Plans) for each national forest across the country that I hope will end with meaningful protections for existing old-growth and mature forests and trees across the United States, and increase abundance and distribution of old-growth in the future. I am one citizen among millions of Americans who care deeply about mature and old-growth trees and forest conservation across all national forests. Protecting and recovering these natural climate solutions would be a key pillar of U.S. climate policy and reinforce United States' international climate leadership. I appreciate the opportunity to comment on the U.S. Forest Service's (USFS) proposal to conserve old-growth forests and manage them based on ecologically sound science and Indigenous Knowledge. This proactive step will help protect the country's oldest trees—but to truly safeguard their vital role in mitigating the climate crisis, you must make the amendment significantly stronger.

A strong old-growth conservation policy is vital because these ecosystems are so important for wildlife and people. Safeguarding and expanding carbon-rich forests on USFS lands is one of the most important, cost-effective, and timely approaches to fighting the climate crisis. Mature and old-growth trees store and continue to absorb large amounts of carbon in addition to providing the public with clean drinking water, habitat for hundreds of imperiled plant and animal species, and world-class recreational opportunities. Larger, older trees are also more fire resistant, and the protections would allow for necessary efforts to address the risk of fire.

Unfortunately, vital mature forests and the trees within them are currently threatened by numerous proposed and ongoing logging projects. We need to ensure both mature and old-growth trees and forests on federal lands, including our national forests, remain in place to mitigate climate change, and to maintain their natural benefits for future generations.

I urge the USFS to ensure its old-growth policy includes requirements to:

- Undertake on-the-ground identification of old-growth stands to ensure that the proposal's plan components are applied to the appropriate places;
- Conserve and increase old-growth forest ecosystems on our national forests for ecological health and integrity;
- Conserve mature forests as they transition to old-growth ecosystems;
- Advance the recovery and protection of threatened and endangered and other at-risk species dependent on old-growth and mature forests;

- Clarify when proactive management can occur to ensure that management is driven by forest health needs;
- Ensure robust engagement of the public and Tribes in developing local or regional Adaptive Strategies for Old-Forest Conservation;
- Monitor old- forests over time to make sure conservation and management action are benefiting at-risk species;
- Provide adequate resources to support the proposal’s monitoring requirements so that the efficacy of the management approaches can be assessed and adapted, as needed, to meet the proposal’s goals;
- Foster data transparency by publicizing information compiled through the National Old-Growth Monitoring Network, as well as information on vegetation management projects occurring either in old-growth stands or in priority fire sheds under the agency’s Wildfire Crisis Strategy; and
- Limit logging of old-growth and mature forests while the policy is being developed and finalized.

In the proposed rule, the USFS explains that the “intent is to foster the long-term resilience of old-growth forest conditions and their contributions to ecological integrity across the National Forest System.” [88 FR 88042](#). Sadly, the proposed action fails to fulfill this intent and, absent significant changes, may even weaken existing protections for mature and old-growth ecosystems. Even though the policy implies the USFS may adopt a ban on old-growth logging, the proposed action falls far short of actually ending the commercial exploitation of old-growth forests. For example, the proposed action includes a standard (the most enforceable provision in forest plans) that reads as follows:

“Vegetation management within old-growth forest conditions may not be for the primary purpose of growing, tending, harvesting, or regeneration of trees for economic reasons.” [88 FR 88047](#).

This leaves a significant loophole that would allow old-growth trees to be logged nationwide, undermining the contributions old-growth forests and trees make to climate resiliency and healthy ecosystems. Qualifying the standard with the term “primary” undermines any protections the plan amendment may provide, and causes one to question the USFS’s commitment to reigning in its timber sale program as it pertains to old-growth logging. In fact, the USFS provides a long list of exceptions that will allow the USFS to continue its “business as usual” approach to managing forests, especially since the proposed standards allow for “ecologically appropriate harvest” that are “proactive stewardship activities,” which include the “return of appropriate fire disturbance regimes and conditions.” [Id.](#)

In other words, the USFS will be able to log old-growth forests in order to artificially replicate fire disturbance conditions, which the USFS often provides as a rationale for its logging projects, including clearcutting. In fact, we often see USFS officials claim logging will mimic natural disturbances, but there are major differences between natural events and logging projects. Notwithstanding all the harmful ecological consequences that result from logging itself, and the associated impacts such as road construction,

chainsaws cannot replicate the actual benefits natural disturbances provide as Faison, Masino, and Moomaw explain in their scientific article "[The importance of natural forest stewardship in adaptation planning in the United States](#)":

“Natural forests (i.e., those protected and largely free from human management) tend to develop greater complexity, carbon storage, and tree diversity over time than forests that are actively managed; and natural forests often become less susceptible to future insect attacks and fire following these disturbances. Natural forest stewardship is therefore a critical and cost-effective strategy in forest climate adaptation.”

At a minimum, I urge the USFS to adopt a plan amendment that better protects existing old-growth forests and sets clear objectives for expanding old-growth ecosystems that will, at a minimum, support fish and wildlife species that depend on those conditions to thrive. Such an amendment would direct each forest to identify old-growth dependent species of conservation concern, and to monitor the population trends for each species to ensure their long-term viability.

More generally, it is crucial for the USFS to revise the proposed action in a manner that meaningfully addresses the severe loss of biodiversity and the worsening impacts of the climate crisis. Toward this end, I urge the USFS to analyze and adopt an alternative with significantly strengthened old-growth protections. As written, the amendment includes numerous unacceptable allowances for commercial logging of old-growth. The USFS should, with very limited exceptions, end all felling of old-growth trees everywhere and cutting of any trees in old-growth stands where fire is infrequent. In old-growth stands that evolved with frequent wildfire, the plan amendment must limit any cutting or removal to immature, small-diameter trees with the specific purpose of creating conditions that allow for future disturbance events (wildfire, insect, or disease) so they may safely serve their natural ecological role. Such limited tree cutting or removal may also facilitate the return of traditional cultural burning practices. Further, in all events, the amendment language must be strengthened to completely eliminate the commercial exchange of old-growth trees. Any financial incentive to log these trees will undermine the goals of the amendment and the desired climate and conservation outcomes of [EO 14072](#).

I also urge consideration of provisions to preclude reliance on arbitrarily restrictive definitions that artificially limit the amount of old-growth forests ultimately protected by the proposed action. The USFS should ensure the amendment requires definitions that are fully inclusive of all old-growth conditions, simple, and easily operationalized in the field. The current direction allows for regional variations that artificially limit the number of old-growth forests that would ultimately be protected by the proposed action.

And, consistent with the recognition in the notice of the importance of expanding the distribution and abundance of old-growth forests, I encourage you to consider and adopt a preferred alternative that ensures mature forests can develop into tomorrow's old-growth ecosystems.

And, consistent with the recognition in the notice of the importance of expanding the distribution and abundance of old-growth forests, I encourage you to consider and adopt in the EIS process an alternative for conserving the values of mature forests that ensures they can develop into tomorrow's old-growth ecosystems. Among other things, national forests in certain geographic areas, for example national forests east of the 100th meridian, have virtually no old-growth left due to logging which makes protecting mature forests all the more important. While there are certainly other threats to our older forests to be managed (such as wildfire), the agency-acknowledged threat of ecologically inappropriate logging remains wholly and directly under USFS's control.

The national forest plan amendment must also incorporate strong monitoring and accountability measures, both for tracking the abundance and distribution of mature and old-growth forests, and for ensuring their value as a natural carbon sink is optimized over time.

I appreciate the inclusion of Indigenous knowledge, Tribal co-stewardship and Tribal sovereignty in the proposed policy. I encourage you to strengthen this aspect of the policy, including recognition of Tribal treaty rights.

I am pleased that the USFS no longer proposes projects primarily for economic reasons. However, its logging projects are now disingenuously proposed for things like resilience and wildfire mitigation—these terms are too frequently misused to justify destructive logging and road-building projects. The agency should not sell old-growth trees. There's a deficit of old-growth trees and forests on federal lands. They should be left standing so they can store carbon, provide ecological integrity, increase biodiversity, improve watershed health, and enhance wildfire resiliency. I urge you to remove all language in the amendment that would allow old-growth trees and forests to be logged other than in "very rare" circumstances of imminent risk to public safety.

We need transformational change, not the status quo or incremental steps towards nebulous future outcomes. Done properly, this Nationwide Forest Plan amendment could have a meaningful, near-term impact on confronting the climate crisis and on addressing the loss of biodiversity if the USFS changes course and truly achieves the amendment's intent.

Again, thank you for the opportunity to provide feedback on this important effort. Given the outstanding role mature and old-growth trees and forests play in fighting the climate and biodiversity crises, it is vital that America establish the strongest possible safeguards for their conservation. I encourage the USFS to maintain its timeline for this amendment process, and robustly engage with Tribal Nations, the public, and other stakeholders.

Thank you for your consideration of my comments. Please do NOT add my name to your mailing list. I will learn about future developments on this issue from other sources.

Sincerely,
Christopher Lish
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