



CALIFORNIA  
NATIVE PLANT SOCIETY

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Protecting  
California's native  
flora since 1965

February 2, 2024

United States Department of Agriculture  
Forest Service  
Pacific Southwest Region  
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United States Department of Agriculture  
Forest Service  
Pacific Northwest Region  
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**Re: Scoping Comments for Northwest Forest Plan Amendment #64745 (Document Citation: 88 FR 87393, Page: 87393-87398, Document Number: 2023-27747)**

Dear Ms. Eberlien and Ms. Berger,

The California Native Plant Society (“CNPS”) is a non-profit environmental organization with over 12,000 members in 36 Chapters across California and Baja California, Mexico. CNPS’s mission is to protect California’s native plant heritage and preserve it for future generations through the application of science, research, education, and conservation. We work closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices.

As a state-wide organization focused on the California floristic province, CNPS’s comments are directed at the Pacific Southwest Region (Region 5), which includes the Klamath, Six Rivers, Shasta, Modoc, Lassen, and Mendocino National Forests in the Northwest Forest Plan (NWFP).

**Strengthening the capacity of NWFP ecosystems to adapt to the ongoing effects of climate change -  
Species of Conservation Concern -**

We would like the update of the NWFP to include the development of a species of conservation concern (SCC) list for the Klamath, Mendocino, Shasta-Trinity, Six Rivers, Lassen, and Modoc National Forests. As an analog, the California Environmental Quality Act (CEQA) requires the consideration of impacts to many taxa considered to be rare, threatened, or endangered in California. At present, there is a huge gap between the species that are required to be analyzed for a project going through CEQA analysis versus a project on federal land that is reviewed by the National Environmental Protection Act (NEPA). Despite the protections set forth in California through the California Endangered Species Act (CESA), and the California Native Plant Society (CNPS) Rare Plant Inventory (RPI) through statutes of CEQA (which requires the analysis of RPI list 1 and 2 species, and some list 3 and 4 species, as defined in section 15380) there is little recourse to advocate for the protections of plants that have been well documented to be rare, threatened, or endangered in California on federal lands. This regulatory gap means that despite California’s best efforts many plant species on the huge number of acres managed by federal agencies are not considered in plan development and could be adversely impacted by federal projects. For California’s efforts to protect its natural diversity to be effective the regulations guiding project development and planning on federal land. We would strongly recommend that the development of a SCC list incorporate

taxa listed under CESA as well as the incorporation of information from the California Natural Diversity Database (CNDDDB) maintained by the California Department of Fish and Wildlife (CDFW) in coordination with CNPS, as well as information from the CNPS RPI. Given that NEPA offers no avenue for the consideration of taxa that don't appear on Species of Conservation of Concern lists I it is up to federal agencies, such as the USFS and BLM, to develop internal regulations to ensure that their actions do not lead to the ESA listings of species determined by states to be at risk.

The current Sensitive Plant Species List (SPSL) for the six National Forests in California covered by the NWFP includes 135 taxa when fungi are excluded. There are 26 taxa listed as threatened or endangered under the Endangered Species Act (ESA), and 12 additional species considered rare, threatened, or endangered under CESA not included on the SPSL. In contrast, the CNDDDB includes 469 taxa and the CNPS RPI contains 689 taxa that occur in the counties covered by the NWFP, and while some of these taxa may not be present on USFS land they do have the potential to occur and should be analyzed for possible impacts during project planning and NEPA analysis.

In addition to the consideration of species listed as rare by CDFW and CNPS during project planning and the NEPA process, we would like to see an expansion of the vascular plant species to be surveyed and managed for under the revised NWFP. Given increased pressure from climate change, wildfire, and other human activities, monitoring a diverse array of plant populations across the planning area is crucial to ensuring the persistence of California's biodiversity. This is especially important for rare taxa with limited habitat or those already pushed to the extreme edges of their suitable climatic range.

### **Improving fire resistance and resilience across the NWFP planning area**

Many recent largescale forest resilience and fuel reduction projects across California have included treatments in large areas of chaparral habitat. While treatment of chaparral may be necessary in the WUI to reduce the risk to human infrastructure CNPS is generally opposed to treatment in chapparal habitat outside of the WUI. Chaparral has evolved to burn infrequently at high severity. Depending on the habitat, a natural fire return interval in chaparral could range from 30 to 150 years. It is not uncommon for fire in chaparral to be stand replacing, where all aboveground vegetation is lost, some species recovering from a dormant seedbank triggered to germinate by fire, others resprouting from belowground carbohydrate stores. In many cases treatments in chaparral to reduce fire intensity have no benefit to the plant community that is adapted to high severity fire, and often treatment activities create areas for invasive annual species to establish<sup>1</sup>. These invasive species produce easily ignitable fuels that can greatly increase the chance of ignition and the frequency of fire events<sup>2</sup>. If fire events occur before obligate seeding species can replenish the seed bank, then these species can be lost, with repeated short interval fires species that resprout from underground structures can deplete their stores and become unable to regenerate post fire<sup>3</sup>. In these habitats any treatments outside of the WUI need to be carefully considered to weigh the lack of benefit to the plant community and the risk of vegetation type conversion associated with treatments.

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<sup>1</sup> Alexandra D. Syphard A D , Jon E. Keeley B C and Teresa J. Brennan B, 2011, 'Comparing the role of fuel breaks across southern California national forests', *Forest Ecology and Management*, vol. 261, no. 11, pp. 2038-2048

<sup>2</sup> Syphard, A.D., Brennan, T.J. and Keeley, J.E., 2019, Extent and drivers of vegetation type conversion in Southern California chaparral, *Ecosphere*, vol. 10, no. 7, pp. E02796.

<sup>3</sup> Pratt, R.B., 2022, Vegetation-type conversion of evergreen chaparral shrublands to savannahs dominated by exotic annual herbs: causes and consequences for ecosystem function, *American Journal of Botany*, vol. 109, no. 1, pp.9-28.

**Improving conservation and recruitment of mature and old-growth forest conditions, ensuring adequate habitat for species dependent upon mature and old growth ecosystems and supporting regional biodiversity**

President Biden issued Executive Order 14072 (2022)<sup>4</sup> which calls for the United States Forest Service (“USFS”) and Bureau of Land Management (“BLM”) to recruit, sustain, and restore old-growth and mature forests. CNPS believes that by incorporating this executive order into the NWFP amendment the Forest Service will be able to achieve several co-benefits, such as promote fire resilience, improve habitat for the Northern Spotted Owl (“NSO”, *Strix occidentalis caurina*) and increase the amount of mature and old-growth forest ecosystem throughout the Pacific Northwest. To meet EO 14072, we request that so that all remaining late-seral forests and individual late-seral trees, and other trees with high habitat value to species such as the NSO be spared in all NWFP lands allocations and expanding reserves and matrix land to include mature and old growth forests that are currently not protected.

In April of 2023, the USFS and BLM published their working definition and national inventory of all mature and older growth forests as required by EO 14072, Section 2(b). We believe the definitions presented offer a comprehensive understanding of mature and old-growth forests that incorporate social, cultural, and natural resource values reflective of the land managed by the BLM and USFS. Generally, late seral, old and mature forests have referred to a forest stand or landscape that can provide habitat for species that prefer or require late successional forest conditions to carry out ecological functions<sup>5</sup>.

**Incorporating Indigenous Knowledge into planning, project design, and implementation to achieve forest management goals and meet the agency’s general trust responsibilities.**

CNPS strongly supports the USFS in incorporating indigenous knowledge into planning, project design and implementation. We also strongly encourage the USFS in having ongoing consultation and collaboration with Tribes that includes data sharing, providing parity to indigenous knowledge and Native ways of knowing as Western science, and adapting collaborative land management plans over time.

Thank you for the opportunity to comment on the Northwest Forest Plan Amendment and look forward to working with Forest Service staff as it develops the plan amendment.

Sincerely,

Álvaro Palacios Casanova

Conservation Program Specialist

California Native Plant Society

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<sup>4</sup> <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/04/22/executive-order-on-strengthening-the-nations-forests-communities-and-local-economies/>

<sup>5</sup> [https://pubs.usgs.gov/dds/dds-43/VOL\\_1/VI\\_C06.PDF](https://pubs.usgs.gov/dds/dds-43/VOL_1/VI_C06.PDF)