



September 16, 2024

Linda Walker  
Director, Ecosystem Management Coordination  
United States Forest Service  
201 14th Street SW  
Mailstop 1108  
Washington, DC 20250-1124

*Submitted electronically via CARA*

<https://cara.fs2c.usda.gov/Public//CommentInput?Project=65356>

**Re: New Mexico Wild Comments on Land Management Plan (LMP)  
Direction for Old-Growth Forest Conditions Across the National  
Forest System**

Dear Director Walker:

These comments are submitted on behalf of the New Mexico Wilderness Alliance (New Mexico Wild). New Mexico Wild is a nonprofit organization dedicated to the protection, restoration, and continued enjoyment of New Mexico's wildlands and wilderness areas, with thousands of members across the state. We appreciate this opportunity to provide input on the Draft Environmental Impact Statement for Amendments to Land Management Plans to Address Old-Growth Forests Across the National Forest System (DEIS).<sup>1</sup> These comments are timely submitted by September 20, 2024.

We appreciate the stated purpose and need in the DEIS to maintain and develop old-growth forests across the National Forest System "while improving and expanding their abundance and distribution and protecting them from the increasing threats posed by climate change, wildfire, insects and disease, encroachment pressures from urban development, and other potential stressors."<sup>2</sup> This purpose and need is consistent with

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<sup>1</sup> U.S.D.A. Forest Serv., Amendments to Land Management Plans to Address Old-Growth Forests Across the National Forest System, Draft Environmental Impact Statement (June 2024) [hereinafter DEIS].

<sup>2</sup> DEIS, p. 7.

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the intent Executive Order 14072 to “conserve America’s mature and old-growth forests on Federal lands.”<sup>3</sup>

Additionally, the DEIS appropriately recognizes the critical biological and cultural importance of old-growth forests as follows:

Old-growth forests support ecological integrity and contribute to distinctive ecosystem services—such as long-term storage of carbon, increased biodiversity, improved watershed health, and social, cultural, and economic values. Old-growth forests have place-based meanings tied to cultural identity and heritage; local economies and ways of life; traditional and subsistence uses; aesthetic, spiritual, and recreational experiences; and Tribal and Indigenous histories, cultures, and practices. Tribal and Indigenous practices have maintained resilient forest structure and composition of forests that harbor high structural and compositional diversity, with particular emphasis on understory plants and fire-dependent wildlife habitat.<sup>4</sup>

We are pleased that the DEIS recognizes the essential functions and values of old growth trees and forests.

We are concerned, however, that the preferred Alternative 2 will fail to meet either the intent of Executive Order 14072 or the stated purpose and need of the nationwide forest plan amendment. Specifically, preferred Alternative 2 retains broad discretion to log and commercially sell old-growth trees, both within and outside old-growth stands or forests. Proposed Standard 2.a allows “vegetation management” for the “purpose of proactive stewardship” within old-growth forests, which may include timber harvest of old-growth trees.<sup>5</sup> Standard 2.b allows the “cutting or removal of trees in old-growth forest for purposes other than proactive stewardship . . . when (1) incidental to the implementation of a management activity not otherwise prohibited by the plan, and (2) the area – as defined at an ecologically appropriate scale – continues to meet the definition and associated criteria for old-growth forest after the incidental tree cutting

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<sup>3</sup> Exec. Order No. 14072, Strengthening the Nation’s Forests, Communities, and Local Economies, 87 Fed. Reg. 24,851, 24,851 (Apr. 27, 2022) (“E.O. 14072”).

<sup>4</sup> DEIS, p. 19.

<sup>5</sup> DEIS, p. 29.



or removal.”<sup>6</sup> Finally, Standard 2.c allows timber harvest for additional purposes.<sup>7</sup> Together, these standards provide unnecessarily broad discretion to log and sell old-growth trees. By adopting this broad discretion in nationwide policy, Alternative 2 would reinforce the status quo regarding management of old growth in the National Forest System.

Alternative 3 provides a better approach to protecting old-growth trees and forests, but it needs improvement to become a meaningful old-growth conservation policy. To bring the proposed nationwide forest plan amendment in line with the stated purpose and need, we recommend that the Forest Service adopt a modified version of Alternative 3 that accomplishes the following:

- Prohibit the commercial exchange of old-growth trees from all forest types;
- Prohibit the non-commercial logging of old-growth trees subject to narrow exceptions to address imminent public safety threats, traditional or cultural uses, and legal compliance; and
- Create a distinction between frequent-fire old-growth forests, in which commercial timber harvest of younger trees may be permitted to achieve proactive stewardship goals, and infrequent-fire old-growth forests, in which no commercial timber harvest is permitted.

These modifications would address a shortcoming in the proposed version of Alternative 3, Standard 3. As written, Standard 3 would prohibit all commercial timber harvest in all old-growth forests in all forest types, including proactive stewardship in frequent-fire forests. The Forest Service should focus protections more specifically on old-growth trees everywhere, and on protection of infrequent-fire old-growth stands. Adopting these plan components would allow sound proactive stewardship and some commercial logging of younger trees in frequent-fire stands, which often serve as surface and ladder fuels. This approach would maximize the ecological values of old-growth trees and forests, as detailed in the DEIS, and would also help preserve the critical role of dead (standing or fallen) old-growth trees in the ecosystem.

Additionally, we are dismayed that none of the alternatives include standards to protect mature trees and forest. Based on data from the Forest Service, New Mexico has very

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<sup>6</sup> DEIS, p. 30.

<sup>7</sup> DEIS, p. 32.



little identified old-growth forest, but does have a high degree of mature forest.<sup>8</sup> Mature trees and forests in New Mexico and elsewhere are critical for providing carbon storage and sequestration and benefiting ecosystems, biodiversity, and hydrological function. New Mexico Wild is actively working to protect key regions with significant mature-growth forests, including:

- Gila National Forest: A high degree of mature forest overlaps with the area proposed for Wild and Scenic River protections,<sup>9</sup> as well as a moderate degree of old-growth forest.
- Upper Pecos River Watershed: A high degree of mature forest is present in the area under consideration for mineral withdrawal as part of the Pecos Watershed Protection Act and the Thompson Peak Wilderness.<sup>10</sup>
- Caja del Rio: A moderate degree of mature forest exists on the Caja del Rio plateau, a landscape in need of immediate, durable protection for invaluable cultural, historical, and biological resources .<sup>11</sup>

The Forest Service should adopt protective standards to protect these mature trees and forests in New Mexico and across the National Forest System. Mature-growth forests, if allowed to flourish, will become the old-growth of tomorrow, contributing to biodiversity, climate resilience, and acting as a potent natural climate solution.

We strongly recommend that the Forest Service adopt an improved version of Alternative 3 with standards that protect old-growth trees, whether or not they are within old-growth forest stands, yet allows responsible proactive stewardship, including cutting of younger trees, in frequent-fire forest. Additionally, the Forest Service should add effective, enforceable plan components aimed at protecting mature-growth trees and forests. With these modifications, the Forest Service could adopt a policy that

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<sup>8</sup> U.S. Forest Service - Climate Risk Viewer (1.0.4) - Mature and Old-Growth Forest Map, *available at* <https://experience.arcgis.com/experience/37cb7e33db6949c79f1f87f87968e51a>

<sup>9</sup> See S. 776, M.H. Dutch Salmon Greater Gila Wild and Scenic River Act (118<sup>th</sup> Cong.), <https://www.congress.gov/bill/118th-congress/senate-bill/776>; H.R.1611, M.H. Dutch Salmon Greater Gila Wild and Scenic River Act (118<sup>th</sup> Cong.), <https://www.congress.gov/bill/118th-congress/house-bill/1611>.

<sup>10</sup> See S. 3033, Pecos Watershed Protection Act (118<sup>th</sup> Cong.), <https://www.congress.gov/bill/118th-congress/senate-bill/3033>; H.R. 5943, Pecos Watershed Protection Act (118<sup>th</sup> Cong.), <https://www.congress.gov/bill/118th-congress/house-bill/5943>.

<sup>11</sup> See generally <https://cajadelrio.org/>.



provides significant protections for our Nation's oldest trees and forests and helps meet the objective of Executive Order 14072.

Sincerely,

Sally Paez  
Staff Attorney  
New Mexico Wild  
[sally@nmwild.org](mailto:sally@nmwild.org)

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