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September 20, 2024

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue S.W.
Washington, D.C. 20250

RE: Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System #65356

Dear Secretary Vilsack:

I write today to submit comments regarding the Amendments to Land Management Plans to Address Old-Growth Forests Across the National Forest System (National Old-Growth Amendments) Draft Environmental Impact Statement (DEIS).

For several years, I have followed the development of this national old-growth forest policy with significant concern. On February 6, 2024, joined by the Governors of Utah, Idaho, Wyoming, South Dakota, and Nevada, I sent a letter to you and President Joe Biden detailing my concerns over many aspects of the proposal, including the flawed process and the inconsistency of this initiative with existing State Forest Action Plans that were developed in partnership with the U.S. Forest Service.¹ Unfortunately, not much has changed since sending that letter. My staff and state agencies have been stonewalled from fully cooperating on the development of this DEIS. It has also come to my attention that the eventual Final Environmental Impact Statement for the Old-Growth Amendments may not even be shared with states and other cooperating agencies.

From the beginning, the National Old-Growth Amendments initiative was ill-conceived and haphazard. The April 20, 2023, inventory of forests with old-growth characteristics initially included large swaths of *state* forests, private property, farmland, and even municipalities. Such egregious errors could have been avoided by working *with* states, instead of shutting them out of the process. This flawed process has now produced flawed policy and a flawed DEIS.

The Montana Department of Natural Resources and Conservation (DNRC) has compiled a list of serious concerns with the DEIS and the National Old-Growth Amendments and I encourage you

¹ Governors' Letter to President Biden and Secretary Vilsack, see Appendix 1.

to seriously consider each of the concerns contained within its comment letter, which I have attached and submitted along with this letter.

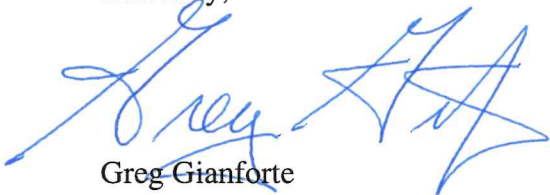
As a general matter, the very idea that a one-size-fits-all concept of “old-growth” could apply across the entire nation is problematic. Forest management needs to be tailored to address the site-specific, local challenges facing each forest in each state. This top-down approach injects further complexity into an already needlessly complex and interminable forest planning process and creates new and fertile ground for litigation.

Perhaps most frustrating is the time and effort spent on this policy at a time when our ongoing forest health crisis remains largely unaddressed. The time and resources spent on this initiative could have been spent on fighting catastrophic wildfires, supporting state Good Neighbor Authority programs, implementing mechanical treatments, and carrying out appropriate prescribed burns. Time and expertise that could have been spent on assisting states and regions with their individual challenges have been spent creating new challenges. In fact, old-growth forest conditions can already be protected through existing policy tools and the existing forest planning process.

This proposal is a solution in search of a problem at a time when existing problems abound: rising insurance costs, suffocating wildfire smoke, and disappearing mills and timber jobs plague our forest communities. These proposed amendments will only exacerbate these problems by making active forest management more difficult and more susceptible to activist lawsuits.

I urge you to select the “no action” alternative, and by doing so, create the opportunity to set a new course to address the systemic forest health crisis facing our country. I also ask that you release the Final Environmental Impact Statement, in full, to cooperating agencies. Montana continues to stand ready to work with the U.S. Forest Service to make progress in this battle against dangerous forest health conditions.

Sincerely,



Greg Gianforte
Governor

cc: Randy Moore, Chief, U.S. Forest Service
Linda Walker, Director, Ecosystem Management Coordination, U.S. Forest Service
Leanne Marten, Regional Forester, Region 1, U.S. Forest Service