



Allegheny Forest Alliance
PO Box 88
Ridgway, PA 15853
AFAaction@gmail.com

September 20, 2024

Director, Ecosystem Management Coordination
201 14th Street SW, Mailstop 1108
Washington, DC 20250-1124

Re: Draft EIS Comments regarding Land Management Plan Direction for Old-Growth Forest Conditions across the National Forest System

Director,

On December 20, 2023, the U.S. Department of Agriculture (USDA) published a notice of intent to prepare an environmental impact statement (EIS) in connection with its proposed nationwide amendments to all 128 land management plans for the National Forest System (Forest Plan Amendments). 88 Fed. Reg. 88042 (Dec. 20, 2023) (Scoping Notice). The Scoping Notice states that the Forest Plan Amendments would impose uniform requirements on the long-term management of all national forests for the purpose of maintaining and expanding old-growth forest conditions throughout the National Forest System (NFS). *Id.* at 88044. The Allegheny Forest Alliance (AFA) submitted comments via letter ID 65356-5590-6385.

On June 20, 2024, the USDA published its Draft Environmental Impact Statement (DEIS) for the proposed amendment. The following comments are submitted in response.

- 1) We must first object to the timeline of the amendment process. EO 14072¹ was issued on April 22, 2022; the Inflation Reduction Act² was signed into law on August 16, 2022; the Scoping Notice was published on December 20, 2023³; and the Draft EIS was published on June 21, 2024. It is understood that the agency is under pressure to complete this effort in response to the EO and Congressional intent. However, we are concerned that the scope is too large to avoid

¹ <https://www.federalregister.gov/documents/2022/04/27/2022-09138/strengthening-the-nations-forests-communities-and-local-economies>

² H.R.5376/Public Law No: 117-169: [https://www.congress.gov/bill/117th-congress/house-bill/5376?q={\"search\"%3A\"inflation+reduction+act\"}&s=5&r=1](https://www.congress.gov/bill/117th-congress/house-bill/5376?q={\)

³ <file:///C:/Users/jmkel/Downloads/20231220FederalRegisterNotice.pdf>

sacrificing accuracy and having significant local level impacts while expediting the process (such as lack of local data and outreach/collaboration).

Given the volume and scope of the Amendment and the DEIS documents, the public – many of which are not forestry professionals and have limited staff capacity – was not given adequate time to review and digest the hundreds of pages of these reports and compile meaningful comments. Public comments with relevant research/data from a wide range of entities of all types and sizes, who represent a broad range of perspectives, are critical to the Final DEIS, but will be lacking.

As an example, our organization represents four counties, seven school districts, and 34 municipalities, as well as individuals and businesses of the Allegheny National Forest region, advocating for sustainable multiple-use management of the ANF and economic stability for our schools and communities. We do this with one part-time staff member and an operating budget of less than \$30,000. While 90 days may seem from your perspective as though it should be enough time, I can tell you as one of those small entities, it was not, and our comments are limited because of it. **We suggest that the comment period be extended to allow for additional, in depth comments to be submitted to better inform your decision on this matter.**

- 2) We also object to the timeline for Unit implementation of the Amendment's Objectives 1, 2 and 3. Preparation of an *Adaptive Strategy for old-growth forest Conservation* within one year of the Amendment, initiation of at least three proactive stewardship projects within one year of the *Adaptive Strategy*, and initiation of at least one co-stewardship project with interested Tribes within two years of the *Adaptive Strategy* is unrealistic considering Unit capacity.

Knowing how hard the ANF's staff work to implement their existing LMP, limited by staffing changes, temporary assignments and vacancies, we anticipate and are very concerned that they would be forced to defer their current plan of work to meet the Amendment's objectives, with negative effects on forest health and age class imbalances. This means 25% Fund payments to our communities and schools would also suffer for at least the next three to four years.

As the ANF's 2007 EIS states (p.3-141), "old growth conditions are estimated to take at least 250 years to develop (Spies 2004)", there is, surely, no reason for the great rush to implement these projects. **We would suggest that Objective 2 be revised to change the number of proactive stewardship projects/activities to be initiated in the first year following creation of the Adaptive Strategy from "at least three" to "at least one".**

- 3) The data used in the DEIS documents is at regional and national levels. We disagree that this "birds-eye-view" of national and regional level data can accurately inform the DEIS and Amendment.

A review of Headwaters Economic Profile System data for the four ANF host counties⁴ will make it clear that, even when compared to our Eastern Region 9 (Draft Social, Economic and Cultural Impacts Analysis Report, p. 118), there is a significant difference. Region 9 includes 20 states and 15 forests, and Pennsylvania has very different demographics and economic conditions compared to many of the states within our region (i.e. Delaware, DC, New Jersey, Connecticut, Maryland). Even within our four ANF host counties, there are some significant differences in this data. **We suggest that a Unit level assessment take place to inform the EIS before a decision is made to approve the Amendment.**

- 4) The ANF's 2007 LRMP⁵ and its EIS⁶ (Chapter 3) provided extensive consideration and management direction to "maintain and allow further development of mature forest conditions in management areas that feature mature or late structural forest conditions". All alternatives considered would have maintained and allowed further development of mature forest conditions in management areas that feature mature or late structural forest conditions. (EIS, p. 3-136) MA 2.2 was added as a new management area with a primary objective to "maintain connectivity between existing remnant old growth and other core areas managed for late structural conditions".

While the 2007 Plan included increased "Late Structural/Transitional Old Growth" (141-300 yrs) and "Old Growth" (301+ yrs), it also increased the 0-20 (Seedling/Sapling) and 21-50 (Pole-sized) age classes. This was, in part, responding to local concerns about the "long-term forest health and maintaining forest cover as large areas of the ANF progress to older ages, particularly when interfering plants dominate the understory and tree seedlings are sparse." (EIS, p-139)

As of 2022, the latest data available (Appendix A), the ANF's age class distribution is both below and above the 2007 Plan's projected outcomes for decade 2 (EIS, p. 3-137). The 0-20 age class dropped from 8% to 3.4%, well below the 8% goal. The 21-80 age classes dropped from 32% to 9.5%, well below the 19% goal. The 81-140 age class increased from 60% to 74.3%, exceeding the 68% goal. The >141 age class increased slightly from the <1% in 2006 to >1%, which has been achieved in the 1.2% reported as of 2022.

The 2007 EIS stated, "uniform, mature second growth forest is vulnerable to damage from repeated natural stresses, which may impact forest health more readily than a forest comprised of a more balanced age class distribution. Landscapes consisting of stands of similar sized and aged trees are more vulnerable to damage from a particular pest than if the landscape were composed of stands and forests of a variety of size and age classes (Waring and O'Hara 2005). Alternatives A, B, and Cm place a greater emphasis on improving structural-age class diversity across the ANF by establishing younger, more vigorous age classes than Alternative D." (p.3-137)
**Alt. Cm was the chosen alternative for the 2007 LRMP.*

⁴ Data selected for Elk, Forest, McKean, and Warren Counties hosting the Allegheny National Forest: <https://headwaterseconomics.org/apps/economic-profile-system/42123+42053+42047+42083>

⁵ https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5044088.pdf?

⁶ https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5044089.pdf?

In light of these (and more) concerns, we ask that the Secretary use **Alt. 1 (No Action)** rather than **Alt. 2. If Alt. 1 (No Action) is not used, we request that the Final EIS include additional research to:**

- 1) **Provide NFS host counties with Unit level estimates of changes the Amendment will create in their 25% Fund, SRS, and PILT payments based on anticipated differences between current management and proactive stewardship management** – these communities must be prepared for changes in the funding they depend on to balance their already tight budgets.
- 2) **Assess mill and workforce capacity at the Unit level and address how those needs will be funded** – Will existing mills need different equipment? Do existing mills have the capacity to meet the anticipated need? How will labor needs change, how will those workers be trained and recruited? If mills cannot meet the need created by this Amendment, resulting in “no bid” sales for these projects, how will proactive stewardship be accomplished to ensure those acres do not see deferred management?
- 3) **Address what will happen to acres prioritized under this Amendment if Congress fails to fund the Amendment’s management actions in the future** – How will proactive stewardship be ensured, or will the acres revert to their previous management guidelines?

Addressing these questions and concerns would be a step toward restoring the trust of the NFS host communities, which has been compromised by this Amendment process and other recent federal agency proposals/actions.

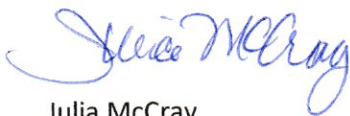
Finally, we caution you regarding the opportunity for objections and lawsuits to delay or halt proactive stewardship projects. According to the Draft Biological Evaluation for National Old-Growth Amendment⁷, the Eastern Region alone has 1,027 SCCs identified by the Regional Forester. Of these, only 63 were listed as NI (no impact). Groups who will be encouraging use of the DEIS’ most restrictive Alternative 3 will be opposed to any vegetation management on the areas prioritized for old-growth and will not hesitate to use SCCs as a reason to object to and even bring legal action against NFS units and the USFS to prevent proactive stewardship on those lands.

We anticipate that the Amendment is a “can of worms” that will result in objections and, potentially, litigation that will prevent your agency from achieving prompt treatment to reduce the threats of fire, insects, and disease on old-growth forests.

Consider establishing a Categorical Exclusion for proactive stewardship projects to pre-empt these objections and potential lawsuits. It would also protect the host communities who will be dependent on the funds received from timber sold as a result of proactive stewardship projects.

Thank you for your consideration of our comments on the Old-Growth Plan Amendment Draft EIS.

Respectfully,



Julia McCray
Executive Director

⁷ <https://usfs-public.app.box.com/v/PinyonPublic/file/1566817818645>

APPENDIX A

Age Class Distribution by Management Area on the Allegheny National Forest (FY22)

AGE CLASS DISTRIBUTION BY MANAGEMENT AREA																			
MA	DESCRIPTION	PLAN ACRES	MA % OF ANF	0-20		21-40		41-60		61-80		81-100		101-120		121-140		140+	
				ACRES	%	ACRES	%	ACRES	%	ACRES	%	ACRES	%	ACRES	%	ACRES	%	ACRES	%
7.0	Early Structural Habitat	7,937	1.6	19	0.2	1,180	14.9	749	9.4	1,588	20.0	3,232	40.7	807	10.2	42	0.5	-	-
2.1	Uneven-Aged Management	2,837	0.6	12	0.4	487	17.2	82	2.9	36	1.3	519	18.3	1,501	52.9	98	3.5	-	-
2.2	Late Structural Linkages	121,176	23.9	1,561	1.3	5,888	4.9	3,157	2.6	7,144	5.9	42,474	35.1	46,084	38.0	9,701	8.0	831	0.7
3.0	Even-Aged Management	287,380	56.7	15,253	5.3	28,597	10.0	17,469	6.1	12,889	4.5	78,733	27.4	101,962	35.5	20,563	7.2	1,313	0.5
5.1	Designated Wilderness Area	8,979	1.8	-	-	429	4.8	6	0.1	223	2.5	1,952	21.7	5,578	62.1	488	5.4	-	-
5.2	Wilderness Study Area	12,379	2.4	331	2.7	362	2.9	346	2.8	445	3.6	3,579	28.9	5,253	42.4	1,735	14.0	43	0.3
6.1	Late Structural Habitat	16,421	3.2	196	1.2	594	3.6	813	4.9	1,401	8.5	4,875	29.7	5,602	34.1	1,585	9.6	99	0.6
6.3	Buzzard Swamp WMA	1,122	0.2	-	-	31	2.8	5	0.4	99	8.9	224	20.0	276	24.6	2	0.2	-	-
7.1	Developed Recreation Areas	1,772	0.3	-	-	-	-	7	0.4	133	7.5	733	41.4	368	20.8	73	4.1	-	-
7.2	Remote Recreation Areas	9,075	1.8	27	0.3	171	1.9	228	2.5	473	5.2	3,535	39.0	3,494	38.5	900	9.9	62	0.7
8.1	Wild and Scenic River Corridor	9,250	1.8	20	0.2	364	3.9	47	0.5	114	1.2	2,145	23.2	4,882	52.8	991	10.7	99	1.1
8.2	National Recreation Area	20,152	4.0	-	-	-	-	-	-	300	1.5	8,859	44.0	10,287	51.0	661	3.3	-	-
8.3	Scenic Area	2,115	0.4	-	-	546	25.8	-	-	-	-	-	-	-	-	-	-	1,569	74.2
8.4	Historic Area	306	0.1	-	-	-	-	-	-	-	-	47	15.5	82	26.9	-	-	-	-
8.5	Research Natural Area	2,111	0.4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,111
8.6	Kane Experimental Forest	3,463	0.7	299	8.6	306	8.8	390	11.3	-	-	570	16.5	1,457	42.1	415	12.0	-	-
TOTAL		506,474	100	17,718		38,955		23,297		24,844		151,479		187,633		37,256		6,127	

Blue Fill = Suitable for scheduled timber harvesting