



To: Jennifer McRae, Forest Service Team Leader

September 20th, 2024

RE: Draft EIS for Amendments to Land Management Plans to Address Old-growth Forests Across the National Forest System

From: Doug Pollock, founder, Friends of OSU Old Growth (www.friendsosoldgrowth.org)

Dear Ms. McRae and Forest Service Planning Team Members,

I moved to Oregon in 1986 just as a stand of ancient trees (estimated to be over 1000 years old and thus nicknamed, "The Millennium Grove") was clearcut in the Willamette National Forest. This was my first exposure to the US Forest Service and its rapacious collaboration with the timber industry. I could not comprehend then or now how a public agency could actively participate in the liquidation of such amazing trees.

In the following years, it became painfully clear to me that federal forest managers prioritized timber production far beyond all other uses of our public forests. As I began to explore outside the boundaries of protected recreation areas in the Pacific Northwest, I discovered that enormous swaths of native forest had been converted to clearcuts and tree farms. I could see no plausible explanation as to how this egregious destruction of our ancient forests objectively met the National Forest System's multiple-use mandate. Destroying forest ecosystems that took millennia to develop was clearly at odds with any objective definition of sustainability and the public interest.

When I first learned that our federal forests provide only a small portion of our nation's timber supply (despite having a majority of the remaining old growth), I struggled to reconcile the apparent disconnect. Why should private companies that had chosen to liquidate their older forests be allowed to also destroy the tiny fraction of old growth remaining on public lands? More than 30 years later, I still struggle to understand why your agency feels justified in pandering to an extractive industry that is increasingly characterized by Wall Street ownership and record profits. Your DEIS states, "As of 2019, only 3 percent of national timber consumption originated from Forest Service lands." These figures confirm the folly of perpetuating what is basically a *welfare system* that exploits *public* resources for the benefit of *private* corporations.

It is important to recognize the enormity of the subsidies your agency has provided to the timber industry (at taxpayer expense). A great example is the Tongass National Forest in SE Alaska, where the Forest Service has historically operated at a significant financial loss. As Paul Koberstein wrote in his excellent book, "Canopy of Titans":

"From 1998 to 2018, the Tongass National Forest spent about \$632 million preparing timber sales, mostly for the construction of logging roads. Over that same time period, revenues barely reached \$34 million, for a total loss of almost \$600 million...Most of the logs cut from the Tongass are exported to foreign countries, where they fetch higher prices. A Forest Service rule says no more than half of each harvest can be exported, but in practice, sometimes all of the logs are exported...The Forest Service collects a premium for each log sent overseas."

In short, the US Forest Service has *subsidized* the (private, for-profit) timber industry in SE Alaska at the rate of ~\$30M/year for the past two decades. All of this has come at the expense of the greater public interest – and through the destruction of this ancient, ecologically-rich forest. Why should anyone trust your agency when you've routinely given away such irreplaceable public resources to private industry?

I am sure you all understand this did NOT happen by accident. This blatant subsidizing of private industry is a natural, predictable outcome of a system in which federal land managers have collaborated with the industries they are supposed to be regulating in a perverse and unethical manner for generations. As I like to say, the timber industry and the Forest Service have been in bed with each other for so long, they don't know whose ass they are scratching!

Catherine Mater, a well-respected forestry engineer from Oregon who has worked extensively with the Forest Service and its industry partners in the Tongass summarized the situation as follows:

"...the incredible depth and breadth of intentional deception [exercised by the Tongass National Forest managers with their industry partners] deserves to be fully exposed."

At the same time the Forest Service is subsidizing private industry (to the tune of \$600M) in the Tongass, our local Siuslaw National Forest managers struggle to cover even the basic maintenance costs of their extensive road network. Roads to popular recreation areas are nearly impassable and littered with abandoned and burned vehicles. Do any of you believe this exemplifies the USFS's "multiple-use mandate" and good stewardship of our public forests?

Another example of the Forest Service's overt bias in favor of timber production concerns implementation of The National Roadless Area Conservation Rule (commonly referred to as the "Roadless Rule"), which was adopted in January 2001. This rule, finalized under the Clinton Administration, protected 58 million acres of federal, roadless forests. A series of court challenges by the timber industry with support of the Bush Administration (including USDA Secretary Vilsack) tied up implementation of the Roadless Rule for roughly a decade. This culminated with a sweeping decision by a US District Court judge in 2011, who ruled:

"Because the reasons proffered by the Forest Service in support of the Tongass Exemption were implausible, contrary to the evidence in the record, and contrary to Ninth Circuit precedent, the court concludes that promulgation of the Tongass Exemption was arbitrary and capricious."

Even in more recent years, the USFS has actively tried to undermine or eliminate the 2001 Roadless Rule. As Paul Koberstein wrote:

"In 2018, the Forest Service aired its proposal to repeal the Roadless Rule at twelve public hearings from Sitka to Washington D.C. More than 33,000 people submitted written comments, the vast majority in favor of retaining the rule as is. But the Forest Service produced no audio or video recordings of any hearing."

How does your federal agency, which claims to be a fair and objective steward of our public forests, justify this kind of overt, proactive bias in favor of an extractive industry? How does it justify not making a single recording of any public hearing it hosted dealing with the proposed repeal of the Roadless Rule? Why would the Forest Service attempt, yet again, to overturn this important rule (which was first implemented 23 years ago)? The rule clearly has both broad public support and solid scientific justifications. Each time a regressive administration has attempted to roll back environmental protections, federal forest managers have been all too eager to oblige.

I've provided a few salient examples of the Forest Service's long history of blatant bias and economic subsidizing of the timber industry because I want you (and everyone reading these comments) to understand the Forest Service is in NO position to honestly implement President Biden's executive order dealing with mature and old-growth forests.

For generations, federal forest managers squandered our precious natural resources, enabling the logging and fragmenting millions of acres of ancient forests that can never be restored. They viewed old-growth forests as "decadent" and a waste of valuable timber. The Forest Service paid for the roads that allowed timber companies to cut trees for a small fraction of the market value. For many years, agency bureaucrats fought efforts to protect old growth forests, after their own scientists discovered the importance of intact old-growth ecosystems to threatened and endangered species. Timber production was prioritized over all other uses of these public lands, and that undercurrent of extraction continues to this day. And now we're supposed to believe it when these same folks tell

us they know how to “proactively steward” the older forests they so recently worked to liquidate?! Given this dark history, the public is rightfully skeptical of the motives and agendas of our federal forest managers.

If you are to have any chance of success and credibility, you must approach your work with exceptional humility, always mindful of the long, unethical history of collusion with your timber-industry collaborators. You must also acknowledge your obvious shortcomings and biases, and operate with full transparency. One glaring example concerns the lack of information about your planning team. Despite extensive on-line searching, I was unable to find the identities, qualifications and backgrounds of Forest Service staff working to implement this project. It is as if all personal information has been deliberately withheld. After quite a bit of work, I did manage to find that Ms. McRae (Ruyle) apparently studied “Soil and Water Science” at the the University of Arizona, and “Soil Resource Management” at the University of California, Berkeley. It is unclear from her posted information whether or not she got degrees, and I could not find any notable research publications. All of this leaves me wondering what basis she has for leading a team that is dealing with the complex and rapidly-evolving science of older forests and climate change. **If you wish to have public support, you absolutely need to tell us who was involved in this planning effort and what their qualifications are!**

I will not attempt a thorough technical critique of your DEIS, but I would like to add my support to comments submitted by Dr's. Jerry Franklin and K. Norman Johnson (shown in bold type below). In particular, I strongly support the following sections of their comments (submitted on September 15th, 2024):

“The approach proposed in the DEIS is strongly oriented toward enabling and encouraging active management of old-growth forests, leaving the impression that the vast majority of old-growth stands are going to need active intervention to *“improve their condition and increase their ability to accommodate fires and climate change.”* The DEIS repeatedly asserts that the concept of *“proactive stewardship”* meaning *“vegetation management”* will be appropriate for management of existing old forests.”

Your assumption that old-growth stands require active intervention displays a profound lack of understanding of the ecology of older forests – and an even greater arrogance. From the many misleading statements in the DEIS, it is clear that you folks lack relevant expertise in the ecology of older forests. From my perspective, it is your “proactive stewardship” approach (not wildfire) that is the biggest threat to our older forests. As Dr's. Franklin and Johnson wrote:

“There is no recognition in the DEIS that many existing old-growth forests do not require any active management and, in fact, would be degraded by many elements of *“vegetative management.”*”

I fully support their conclusion that in most cases, “no action” is the best (and only justifiable) stewardship option for mature and old-growth forests. It is exceptionally misguided for federal land managers to assume that humans know how to “accelerate” or “improve” old-growth characteristics. A great example concerns a current plan by Siuslaw National Forest managers to conduct a substantial thinning across more than 4,000 acres of this Oregon forest under the guise of restoring older forest ecosystems. Their 302-page planning document for the North Fork Smith River Restoration Project is rife with serious flaws. It dismisses the carbon impacts associated with the planned thinning by improperly citing research and making broad, unfounded assertions. It ignores the adverse impacts the thinning would have on the forest moisture and associated watersheds. It fails to consider impacts of the cutting on imperiled species. It makes false and contrary assertions about wildfire risk. The language of the Siuslaw plan, just like the language of your DEIS, exposes a profound bias in favor of an “active management” regime. This gives the strong impression of an agenda-driven ideology hiding behind a facade of pseudo science.

”The DEIS does not adequately explain the diversity of old-growth forests on the national forests, particularly the profound contrasts in appropriate policy and management approaches between forests that were historically subjected to frequent fire and forests that were not subject to frequent fire.”

By failing to articulate the important fundamental differences between the two primary types of forests (when it comes to the frequency of fire events), you have exposed a glaring lack of understanding of basic fire history and dynamics in Northwest forests. This calls into question your entire basis for making any statements about management activities you claim are necessary for reducing fire risk. This is really very basic, well-documented science. The historic fire intervals of “Westside” (i.e. forests west of the crest of the Cascades) and Coastal forests compared to the drier forests of the “Eastside” and Southern Oregon has been well-established. This leads one to ask, *“Who are your so-called “fire experts” and what are their credentials? Why should the public trust any management activities you promote relative to reducing fire risk when it appears you don't understand the fundamental science?”*

”The DEIS makes constant reference to analyses of existing old-growth forests with the view of conducting “vegetation management” to “improve” their quality or resistance to disturbances. In our opinion the Forest Service currently has relatively few technical staff on the national forests with the relevant expertise to assess the ecological conditions of old forests and make valid judgments about appropriate treatments. For example, most Forest Service silviculturists are trained to manage forests for wood production and more recently to reduce risks of destructive wildfire; they are not trained to assess ecological conditions in natural forests. While there are individuals, particularly in the research branch of the agency, that have knowledge relevant to assessing old-growth forests, most field units do not have such individuals.”

Dr's. Franklin and Johnson are arguably our nation's leading experts when it comes to older forests. They have worked extensively with federal forest agencies and were on the original team (of four) that developed the NW Forest Plan. It is hard for me to imagine anyone who has a better understanding of the science and your agency's competency (or lack thereof) when it comes to old-growth forests. Their insight about Forest Service silviculturists having been trained to manage forests for wood production (not to assess ecological conditions of older forests) is really quite an indictment of your agency. They are essentially saying the Forest Service is unqualified to even determine how old-growth forests should be stewarded.

”The Forest Service needs to undertake a major educational program to bring field personnel up to speed on the ecology of natural forest ecosystems, including mature and old forests. The agency also needs to undertake a major research effort aimed at increasing scientific knowledge of the structure, function, and biota of older forests.”

While I appreciate the intent of this recommendation by Dr's. Franklin and Johnson, I feel it is completely unrealistic. The USFS is a hugely bureaucratic entity with a long history of pro-timber bias and industry collusion. It would take a complete overhaul of the agency (purging all of the regressive managers and old-school foresters) in order to implement the necessary reforms. **The best solution would be for your planning team to acknowledge your lack of expertise with regard to older forests - and enlist the assistance of independent experts (like Dr's. Franklin and Johnson).**

”In this DEIS the USDA Forest Service appears to be trying to utilize the current national focus on older forests to create policies that will allow the agency to do essentially anything that it wants to do in existing older forests on the national forests...the document is strongly slanted toward the view that extensive active management (“proactive stewardship”) is going to be a universal need in stewarding these forests; it is not. The failures of the DEIS in this regard are numerous and important, some of which are discussed below...The phrase “proactive stewardship” should be replaced with a more neutral term; every time we see it, we imagine we can hear the chain saws starting up!”

I strongly agree with this assessment. The Forest Service clearly has “control issues” when it comes to the public forests it manages. One senses a glaring lack of humility at all levels of the agency. The many profound errors in the DEIS indicate USFS managers lack the basic knowledge needed to responsibly steward older forests and implement President Biden's executive order.

”In its current form the DEIS does not serve its most prominent need – the conservation of existing old-growth forests. In fact, conservation of existing old-growth forests is not even listed as one of the purposes of the proposed action! The intent to “conserve existing old-growth forests” might be inferred from one or another of the other “purposes” listed but we believe it needs to be explicitly identified as one of the purposes in the final EIS.”

How is it that your planning team failed to even clarify the primary need you were tasked with addressing (the conservation of existing old-growth forests)?! It is hard to imagine a more telling and appalling shortcoming in your planning document.

”This issue is also relevant to one of the standards that was present in the Notice of Intent (NOI) but dropped in the DEIS: The NOI standard 1 was: “*Vegetation management activities must not degrade or impair the composition, structure or ecological processes in a manner that prevents the long-term persistence of old-growth forest conditions within the plan area.*” To help make clear the importance of conserving old forests this standard needs to be reincorporated into the final EIS along with a very direct statement that conserving old forests and trees on the national forests is the primary goal/objective for the development of the EIS.”

What possible justification do you folks have for omitting this standard from the DEIS? This would seem to be yet another egregious example of exceptional bias.

”Recommendation: Include “Conservation of existing old-growth forests” as one of the purposes of the proposed action in the section on the Purpose and Need for this amendment (p. S-4). In fact, it should be the very first purpose listed! All of the other good words (purposes) are fine, but we need to know that the goal of conserving existing old-growth forests is at the top of the list.”

The lack of an over-arching goal (e.g. conserving existing old-growth forests) is a fundamental omission from your DEIS that absolutely needs to be addressed. Your plan cannot have integrity without it.

”This DEIS does not ever directly acknowledge that many old-growth forests do not need (and would actually be degraded by) active vegetative management and the phrase “*proactive management*” does not lead one to believe that passive management is ever acceptable. We view it as imperative to prominently include language in the EIS making clear that “no active management” is an acceptable management approach to old-growth forests.

Managers need to understand that “*no active management*” is an appropriate decision under the “*proactive stewardship*” concept (or, better yet, create a clearly more inclusive phrase to substitute for “*proactive stewardship*”). The fact that there are extensive areas of old-growth forest that do not require active management and should not undergo such treatment needs emphasis in the final EIS.

Recommendation: The final EIS needs to repeatedly make clear that active management will not be needed in many existing old-growth forest stands and that decisions to forego active management are appropriate decisions under the concept of “proactive stewardship”.

These are critically important points. The language of the DEIS and reliance on “active vegetative management” and “proactive management” set the stage for potentially decades of unnecessary and ecologically-devastating management activities (and litigation) across millions of acres of mature and old-growth forests on federal lands. The DEIS appears to imply a level of understanding and competency that the Forest Service clearly lacks when it comes to older forests. Your planning team should show some humility and admit that active management is not needed (and is potentially very destructive) in older forests.

”Technical Staff to Analyze Old-Growth Forests. The Draft EIS frequently refers to analyses of existing old-growth forests with a view toward “improving” their quality or resistance to disturbances by silvicultural interventions. In our opinion few of the Forest Service field units have technical staff that have the expertise to assess ecological conditions in old forests and judge the appropriateness of specific treatments.

Most Forest Service silviculturists are trained in the science of wood production, and more recently in fuels reduction, not in how to achieve and maintain the structure and function of old growth or any other natural forests. Consequently, they see a fire-infrequent mature or old forest in terms of excessive tree densities and competition and interpret them as being too dense and lacking spatial uniformity. (The classic silviculture mantra is “room to grow and none to waste!”) When encountering clusters of old trees, they often propose thinning some of them to reduce competition, despite the fact that members of these clusters have been living together for centuries! In fact, clusters of trees 200 to 600 years old are almost certainly collaborating, rather than competing with each other, through integrated belowground systems of roots and mycorrhizae.

Similarly, traditional silviculturists see dominant and co-dominant tree mortality as indicating excessive tree density and poor stand health, rather than processes that build and maintain coarse woody debris, which is important in sequestering carbon and providing habitat for biota. Fuels specialists are even less appropriate than silviculturists for assessing the ecological conditions of old-growth forest. In any case few specialized staff on forests and districts have any academic or practical training in the structure, function and composition of natural forests, including old-growth forests.”

This section of critique by Dr's. Franklin and Johnson is highly relevant. I wonder how many of your staff have read, “Finding the Mother Tree: Discovering the Wisdom of the Forest” by Dr. Suzanne Simard. Her research findings (which have now been confirmed and expanded by many others) have radical implications for forestry. Do your scientists and managers understand and accept this new understanding of the interconnected nature of trees and microorganisms in the soil? If so, how are you changing your traditional approach to forestry? How has this science informed your approach to protecting mature and old-growth forests? Can you point to anything in the DEIS which reflects the importance of the soil and the mycorrhizal relationships?

”Mature Forests. The DEIS does not deal in any meaningful way with policies regarding mature forests. This is not acceptable. Policies regarding mature forests are critical to any comprehensive program for management of old-growth forest ecosystems. Mature forests are many things, including the most obvious as replacements to old forests as they are lost, and to fill in critical gaps in distribution of older forests. They store large amounts of carbon and provide significant older forest wildlife habitat...

Recommendation: Every region needs to be directed to aggressively address the critical role of mature forests in a comprehensive strategy for sustaining and increasing the amount of old-growth forests.”

Similarly, the famous Oregon conservationist Andy Kerr described the failure to address mature forests in the DEIS as follows:

“The Biden executive order addressed both “mature” and “old-growth” forests and trees equally. Conservation strategies were to address the threats to both. However, the USFS has failed to address mature forests in the NOGA, other than to note that some mature forests might later be drafted to become old growth. In essence, the agency choked on the M in MOG when it discovered how much M forest exists. Saving mature forests would mean the agency’s logging sandbox would be substantially diminished. The USFS is also banking on the public placing less value on mature as compared to old-growth forests.”

Your failure to deal with policies regarding mature forests clearly constitutes a major omission! How does your planning team justify this sort of egregious mistake? These kinds of errors really undermine public support for your agency. Mature forests are the future old-growth. You must have a proactive policy to protect and promote mature forests if your plan is to have any credibility.

"Using the old-growth definitions as standards or goals for management would be managing to the minimums, not the characteristic or desired levels to be found in such forests. There is a real danger here. It is not unusual for a forester to look at a stand and conclude that it does qualify as an old-growth forest but that it has many more old trees than the definition required and, therefore, some of those trees excessive to the definition can be removed.

Recommendation: The final EIS should be explicit that old-growth definitions should not be used to set standards for what is appropriate or desirable in an old-growth forest. Almost all old-growth stands would be expected to exceed those minimal standards and should be managed with that goal as an objective."

Mr. Kerr described your approach to minimum standards as follows:

"If the Forest Service definition of old growth for a particular forest type is a minimum of eight large trees per acre, then an acre that includes twelve such large trees can be shorn of four of those large trees and still be classified as old growth. If an acre has only seven large trees, then screw it, according to the Forest Service...To whatever question or challenge the Forest Service faces, its answer is logging. When your only tool is a chainsaw, every tree looks like a standing log."

While Mr. Kerr's assessment may seem humorous, it points to an appalling disconnect in the Forest Service's approach to stewardship of forest resources. When you have an agency that is full of foresters and managers who have been indoctrinated to believe in the righteousness of actively managed forests, who have been rewarded and programmed to prioritize the production of wood fiber over all other values of our public forests, then minimum standards may seem to make sense.

I hope at least some of you are smart enough to appreciate the pigheaded bias that is demonstrated by attempting to manage a complex, natural ecosystem using these kinds of artificial and thoroughly inappropriate metrics. It reminds me of how Anglo-European settlers could not begin to fathom the deep connections that Native Americans had with the natural world. The very idea of negotiating land purchases through treaties was incomprehensible to Native Americans. Despite this fundamental disconnect, government representatives used these treaties to appropriate (steal) the land you now steward. Your plan seems to use the same flawed thinking that fails to recognize and respect the connections and richness of the natural world. Just because you think you can monetize older forests doesn't mean you should (or that you have any right to do so)!

"This recognition and retention of old trees outside of old-growth forest is important but it does not go far enough—surely one important reason for retaining old trees outside of old-growth forests is their ecological or wildlife value. This section reads like the person making the decision has to justify leaving an old tree when the opposite should be the case: the person wanting to remove an old tree should have justify why it does not meet the criteria for retention. Further, they have to be both rare or unique *and* have cultural or historical value which reads like multiple criteria must be met to leave an old tree, making the case for leaving an old tree potentially very difficult.

Recommendation: Revise the criteria for retaining old trees outside of old-growth forests to include significant ecological or wildlife value, require justification for why the tree in question does not meet the criteria and can be removed (putting the burden of proof on the one who wants to take them), and have only one criterion needed for them to be retained."

I strongly support this recommendation. I would add that older trees (both mature and old-growth) have a number of other important values beyond “ecological or wildlife”. These include human factors dealing with emotions, mental health, well-being, and aesthetic values (among others). Generations of people may connect with an iconic old tree located along a roadside or popular trail, until some Forest Service employee arbitrarily decides it has to be cut because it presents a risk to passersby. I’m reminded of an enormous old Douglas-fir that used to stand alongside Hwy. 34 about 25 miles east of Waldport, Oregon (on Siuslaw NF land). The tree was approximately 8 feet in diameter and was full of character (what is commonly referred to as a “wolf tree”). I had admired it on many trips to the Coast over the years. About 10 years ago, I discovered it had been cut. Despite several inquiries, I was never able to find out who was responsible for the decision to slay this iconic giant. Satellite images confirmed it had a healthy crown. I imagine thousands of other people had admired that old tree over many generations. The cutting of older trees can have a significant, negative “ripple effect” far beyond the local environment.

The DEIS must be amended to acknowledge that older trees outside of identified old-growth stands may have considerable value to society. The Forest Service seems particularly ill-equipped to evaluate these values, given its long history of prioritizing timber production over other values of the forest. The default rule should be to PROTECT ALL OLDER TREES unless there is a highly-compelling, objective justification for their removal. The DEIS should be amended to incorporate these changes.

I will close by urging you to radically change your approach to finalizing the National Old Growth Amendment and adopt an approach which ***prohibits active management of older forests***. The Forest Service should adopt a record of decision that is a strengthened version of Alternative 3 in the Draft Environmental Impact Statement—modified as recommended in detailed joint comments you received from a coalition of national, regional, and local conservation and public interest organizations. The final record of decision should:

- End the cutting of old-growth trees in all national forests and forest types and end the cutting of any trees in old growth stands in moist forest types (e.g. Coastal and “Westside” forests).
- End any commercial exchange of old-growth trees. Even in the rare circumstances where an old-growth tree is cut (e.g. public safety), that tree should not be sent to the mill.

Cutting down old-growth trees to save them from potential threats is a false solution. Old trees are worth far more standing. Mature forests and trees—future old growth—must be protected from the threat of commercial logging in order to recover old growth that has been lost to your agency's past mismanagement. They must be protected to aid in the fight against worsening climate change and biodiversity loss. Mature and old-growth forests must be protected for the benefit of future generations.

Failure to protect our oldest trees and forests undermines the objectives of President Biden's executive order, contravenes the direction of EO 14072, and ignores 500,000+ public comments your agency previously received. The Forest Service clearly lacks the capacity, expertise, and will to properly steward these ecologically-rich forest ecosystems. The public expects and deserves far better stewardship of our older forests.

Sincerely,

Doug Pollock (founder, Friends of OSU Old Growth – www.friendsofosuoldgrowth.org)