

Karen S. Smith

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October 28, 2024

Objection Reviewing Officer
Attn: Objections & Litigation
USDA Forest Service, Eastern Region
626 East Wisconsin Avenue
Milwaukee, WI 53202

Re: Buffalo Springs Restoration Project (Final Environmental Assessment, Draft Decision Notice and Finding of No Significant Impact), Hoosier National Forest (HNF), Christopher Thornton, District Ranger

To Objection Reviewing Officer:

I appreciate this opportunity to submit comments regarding the Buffalo Springs Restoration Project Final Environmental Assessment (EA), Draft Decision Notice (DN), and Finding of No Significant Impact (FONSI).

The Forest Service should have made available on the Buffalo Springs website its most complete response to commenters, not the summary alone:

The "Buffalo Springs Restoration Project Environmental Assessment Comment Consideration Summary" (January 2024) is the Forest Service's response to commenters available on the Buffalo Springs Project webpage at <https://www.fs.usda.gov/project/hoosier/?project=60940>. This is a 13-page document that grossly underrepresents the scope of public comments, objections, and suggestions regarding the project's draft EA. It groups snippets of comments by topic without any attribution, thus depriving them of context and minimizing or ignoring detailed and relevant arguments.

Having read in the DN and FONSI (p. 4, ¶17) that "names of respondents, their comments, and agency consideration to comments are in the project record for this project, which is on file at the Hoosier National Forest Supervisor's Office in Bedford, Indiana 47421," I called the Bedford office on October 16 and was told to access the project website and click on "Objection Responses" under the "Forest Links" heading. This took me to a webpage titled *Forest Service Objection Responses for Hoosier National Forest*; however, there were no links to Buffalo Springs documents, only Houston South. I was also told to contact Kevin Amick or Marion Mason if I couldn't locate the documents (i.e. the most complete comment consideration for both the Buffalo Springs final EA and also the Houston South draft SEA), so I emailed both on October 16, receiving auto replies that each was out of the office for several days. I received the Houston South document (b83) on October 21 from Mr. Amick. I also forwarded my request to District Ranger Christopher Thornton on October 17, and the next day he sent me the *Consideration of Comments for Buffalo Springs Restoration Project Environmental Assessment* (bc320), a 379-page document.

I truly appreciate Mr. Amick's and Mr. Thornton's assistance in obtaining these documents. However, I'd like to know why the Forest Service would provide a cursory 13-page summary on the project website and not the more comprehensive consideration as well? The DDN and FONSI did not mention any title or file number for the larger document, nor whom to contact. Also, when I called the Bedford office, the person I spoke with was not certain where to find it, and, as previously noted, the link they referenced on the Buffalo Springs website took me to a page with only Houston South-related information. Going forward, I urge the Forest Service to do the public a service and save staff time by providing the best and most complete project-related documents on each project's website, rather than only by special request.

Implementing the largescale, multi-year Buffalo Springs project without a revised Forest Plan is unacceptable:

In my comments regarding the Buffalo Springs draft EA submitted December 19, 2022, I stated the need for revision of the outdated HNF 2006 Forest Plan, or at least amendment to better address the challenges of our rapidly changing climate. Subsequently, on November 12, 2023, I sent a letter to Dr. Homer Wilkes, Under Secretary for Natural Resources and Environment, USDA, requesting that he follow up on his commitments to over 250 attendees of the public meeting in Paoli, Indiana on April 3, 2023 regarding the Buffalo Springs Restoration Project: 1) that the Forest Service would begin work revising the Forest Plan and 2) that the public would have opportunity to provide input (Letter to Dr. Homer Wilkes, USDA_Karen Smith_11-12-2023, p. 1, ¶2, PDF attached). I also sent a copy of my letter to the following: Senator Mike Braun (who attended the Paoli meeting); Randy Moore, Forest Service Chief, USFS; Gina Owens, Regional Forester, Region 9, USFS; Christopher Thornton, District Ranger, Hoosier National Forest; and Michael Chaveas, Forest Supervisor, Shawnee and Hoosier National Forests. Unfortunately, **not a single HNF staff person was present at this important meeting**, which was characterized as a public listening session.

Senator Braun also sent a letter to Dr. Wilkes, inquiring about progress on the above-mentioned commitments. In the first paragraph he notes: "I have appreciated the opportunities you have taken to discuss with me the importance of updating the HNF Land and Resource Management Plan in order to ensure that the most effective and up-to-date management practices are in place for the HNF." In paragraph 3, he urges Dr. Wilkes "to **swiftly begin updating the HNF Land and Resource Management Plan** in collaboration with a wide array of user groups, local residents of the HNF, wildlife experts, and forest ecologists, among other representatives." (*My emphasis.*) In the last paragraph, he states: "This has been one of my top priorities, which I have communicated clearly to you since your confirmation process in early 2022." He then asks what specific steps HNF has taken to update the Forest Plan and how his constituents can be involved in the process (Braun to Wilkes on HNF Forest Plan update_11-16-2023, PDF attached).

Dr. Wilkes' publicly stated commitment to initiate work on HNF Forest Plan revision and Senator Braun's prioritization of the same are at odds with the Forest Service's response to comments on the Buffalo Springs draft EA regarding this topic. For example, the response to Comment 1-55 states that "the order of revisions of Forest Plans is a national process. Revision of the Hoosier NF's Plan will occur eventually but is still likely several years into the future." The Forest Service also references H.R. 2617, Division G, Title IV, Sec. 407 (117th Congress (2021-2022)), Department of the Interior, Environment, and Related Agencies Appropriations Bill 2023, stating that "Congress, through its appropriations authority, has recognized that forest plan activities are supported even where the forest plan is more than fifteen years old, provided that the Secretary is working in good faith to complete the plan revision."

(bc320_Consideration of Comments, no date, Comment 1-55, pp. 21-22). This quote, however, omits an important part of the text, the proviso “that if the Secretary is not acting **expeditiously** and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and **a court of proper jurisdiction may order completion of the plan on an accelerated basis.**” (*My emphasis.*) (Consolidated Appropriations Act, 2021, https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf?fbclid=IwAR2A5HWNJ-AClQupCtnyv1MLjpUdBoEhELY8_QBzuCByCHjyA-tNTc9Bu00, p. 356, ¶13).

According to *Land Management Planning, Assessment, and Monitoring: Current List of Forest Management Plans and Comprehensive River Management Plans Requiring Revision or Completion, along with a Proposed Course of Action and Timeline for Compliance with the Underlying Statute* (January 2023):

The Forest Service (Agency) has studied and is aware of the many challenges ensuring land management plans are revised timely and efficiently. Beginning in fiscal year 2022, the Forest Service began standing (sic?) up the Planning Service Organization, a new staffing model for land management plan revision to address the backlog of out-of-date land management plans. This new organization will provide dedicated staff and resources toward expediting plan revision timeframes and increasing the number of concurrent land management plan revision efforts (*Land Management Planning, Assessment, and Monitoring*, USDA, January 12, 2023, <https://www.fs.usda.gov/sites/default/files/fy22-land-management-plan-assess-monitoring-enclosure.pdf>, p. 4, ¶1).

The document also mentions that “the current land management plan revision schedule includes starting five new revisions in fiscal year 2023 and an additional 33 new revisions starting through fiscal year 2028” (p. 4, ¶12). Considering Under Secretary Wilkes’ assurance that work would commence on updating the HNF Forest Plan, it should certainly be among those prioritized.

Question: Has Dr. Wilkes contacted HNF staff regarding a timeline for HNF Forest Plan revision?

The importance of up-to-date forest plans is acknowledged in the *Record of Decision: Final Environmental Impact Statement for the Land and Resource Management Plan* (January 2006) for Hoosier National Forest. As stated by Regional Forester Randy Moore:

As we implement the plan we will continue to monitor, evaluate new information, and change plan direction when needed. For this forest Plan to be fully successful, we will need the help of people working collaboratively to develop projects, monitor resources, **and adapt the plan as appropriate over the coming years.** (*My emphasis.*) (*Record of Decision*, USDA, January 2006, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_017392.pdf, ii, ¶12)

The document also affirms that “**the Forest will amend or revise the Forest Plan as needed, to adapt to new information and changing conditions.** Any action taken to amend or revise the Plan will include public involvement” (p. 1, ¶14). (*My emphasis.*)

By way of contrast, the Buffalo Springs final EA refers to the HNF 2006 Forest Plan as if it were holy writ. One paragraph even begins: “The Forest Plan tells us . . .” (EA, p. 7, ¶1). Seriously? This Plan is a

document produced by Forest Service staff in response to conditions and information that have changed considerably over the last two decades. Especially now, at a time of increasingly dire climate-related warnings and projections, the Forest Service must question and reevaluate its Plan, including the goals, desired conditions, and objectives that “always form the purpose and need for site-specific projects” (2006 HNF Forest Plan, https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_017267.pdf, 1-3, ¶4) and its Management Direction components. Without having done this necessary groundwork, the HNF should not be launching a largescale, multi-faceted project with a 25-year completion window, like Buffalo Springs.

Recent direction regarding conservation of mature and old-growth forest nationwide should inform currently proposed management in Hoosier National Forest:

My comments on the Buffalo Springs draft EA also highlighted the need for promotion of older growth forest in Indiana, a need addressed at the national level by President Biden’s April 22, 2022 *Executive Order on Strengthening the Nation’s Forests, Communities, and Local Economies* (EO 14072). On June 23, 2022, Secretary of Agriculture Tom Vilsack instructed the Forest Service to “**inventory and protect mature and old-growth forests** to aid in climate resilience and carbon stewardship.” (*My emphasis.*) On September 20, 2024, I submitted public comments regarding the Forest Service’s June 2024 document *Amendments to Land Management Plans to Address Old-Growth Forests Across the National Forest System: Draft Environmental Impact Statement* (DEIS), its proposal to amend 128 land management plans in response to the abovementioned directives. Unfortunately, the DEIS deemphasizes conservation of mature forest areas that would allow their progression toward old-growth condition, whereas EO 14072 repeatedly stresses the need to conserve **both** mature and old-growth forest, always mentioning them in tandem (Karen Smith comments_Old Growth Amendment DEIS_9-20-2024, p. 1, ¶2, PDF attached).

In the same way, the Buffalo Springs final EA glosses over the importance of mature forest conservation in its brief discussion on pages 17-18 of the Forest Service document *Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management* (Mature and Old Growth Report) and its relevance to proposed management activities. The EA states that “a notice of intent to prepare an environmental impact statement for the purpose of amending Forest Plans to provide direction for old-growth forest conditions across the National Forest System was published in the Federal Register on December 20, 2023” (EA, p. 18, ¶1) but does not discuss the draft EIS released for public comment in June. There’s certainly no suggestion in the EA of reevaluating/reducing proposed harvest levels in mature hardwood stands in the project area with the specific aim of allowing natural succession to old-growth condition.

Regarding old growth, the EA states that “no stands proposed for silvicultural treatment in the Project Area meet the old growth characteristics as defined in FS-1215a (regional definition of old-growth),” but also that prescribed fire treatments are proposed for 191 acres of dry-mesic oak forest and 162 acres of mixed mesophytic and western mesophytic forest **in stands that are greater than 130 and 140 years old respectively** (EA, p. 17, ¶4). (*My emphasis.*) The EA also notes the uncertainty of the silvaculturalist’s assessment, as “there is no plot-level stand exam data on stand basal area, large trees per acre, or dead trees per acre to definitively determine whether the acres meet the criteria for old growth conditions as defined” (EA, p. 17, ¶4). If I understand correctly then, the Forest Service is planning to conduct burns on 353 acres of forest that may indeed meet old-growth criteria. This is **not** acceptable and shows HNF’s disregard for recently mandated mature and old-growth conservation efforts on public lands.

Perhaps not surprisingly, the 2006 HNF Forest Plan barely mentions “old-growth” at all. Searching the text, I found that the term appears in only three places, in the following contexts:

Natural succession is the dominant process within the Charles C. Deam Wilderness. In the future there will be extensive areas of old-growth vegetation. Some younger trees and openings occur as a result of natural processes. Timber harvesting is not appropriate in this area. (Chapter 3: Management Direction, 3-34, ¶4)

Old-Growth Forest - The (usually) late successional stage of forest development; old growth forests are defined in many ways. (Glossary, A-12)

The major items of interest in the Pioneer Mothers' Memorial Forest are the trees in the 88-acre, old-growth timber area, a prehistoric Native American village site, and the memorial development. (Appendix H, H-8, ¶1)

As I stated in my comments regarding the Old Growth Amendment DEIS:

Living in southern Indiana (Region 9) near Hoosier National Forest, I have special reasons for concern about mature forest management. As mentioned in the DEIS, “combined, the Southern and Eastern Regions contain only about five percent of the old-growth on NFS lands. Across regions, **the extent of old-growth ranges from approximately three percent of the forested area in the Eastern Region** to 27 percent of the forested area in the Pacific Northwest Region and 76 percent of the Alaska Region” (DEIS, p. 60). Also, according to the Indiana Department of Natural Resources, “of Indiana’s original 20 million acres of forest, **fewer than 2,000 acres of old-growth forests remain intact.** (*My emphasis.*) (*Old Growth Forests*, Indiana Department of Natural Resources, <https://www.in.gov/dnr/nature-preserves/old-growth-forests/>, p. 1, ¶1, PDF attached).

Unless more mature forest is allowed to progress toward old-growth condition, this situation will not improve. And the only tracts in Indiana where this can happen on a truly significant scale lie within our state forests and Hoosier National Forest. It is *essential* that the Forest Service prioritize recruitment of future old-growth forest from mature forest, particularly here in the Eastern Region, allowing mature hardwood forest (approximately 80 years or older) on national forest lands to attain old-growth status. This would greatly expand the climate-mitigating impact of mature and old-growth forest in our region and be in keeping with the spirit and intent of EO 14072 (Karen Smith comments_Old Growth Amendment DEIS_9-20-2024, p. 2, ¶¶1-2, PDF attached).

In my comments on the Buffalo Springs draft EA, I also emphasized the importance of mature and old-growth forest in terms of carbon sequestration, citing the research of an international team that “directly estimated mass growth rates from repeated measurements of 673,046 trees belonging to 403 tropical, subtropical and temperate tree species, spanning every forested continent” (Stephenson et al, 2014, p. 1, ¶3, PDF attached). I argued that the study’s major findings, including that “for most species mass growth rate increases continuously with tree size” and that “large, old trees do not act simply as senescent carbon reservoirs but actively fix large amounts of carbon compared to smaller trees,” challenge assertions in the draft EA which appear in similar language in the final EA: 1) that “any initial carbon emissions from this proposed action (i.e. prescribed burns) would be balanced and possibly

mitigated as the stand recovers and regenerates, because the remaining trees and newly established trees typically have higher rates of growth and carbon storage” (EA, p. 96, ¶12); and 2) “if the Forest continues this aging trajectory, more stands will reach a slower growth stage in coming years and decades, potentially causing the rate of carbon accumulation to decline and the Forest may eventually transition to a steady state or to a carbon source” (EA, p. 98, ¶12).

The Forest Service responded to my argument with the following: “Hoover and Smith (2023) show that in the central states region (Iowa, Missouri, Illinois, Indiana, Ohio), forests have diminishing returns on carbon storage as they approach the 80-120 year age class and these forests tend to become carbon sources when over 120 years old (Table 2)” (*Consideration of Comments for Buffalo Springs Restoration Project Environmental Assessment* (bc320), no date, Comment 15-61, p. 278). Having previously read the article cited, I know that its authors recognize findings that contradict their own. They state, for example:

One area of ongoing discussion is the role of older versus younger forests . . . While many studies of forested ecosystems find that the rate of carbon accumulation decreases with age [5-8], others have reported that old-growth forests continue to accumulate carbon [9, 10]. These differing results drive an ongoing discussion of the “best” strategies for managing the forest carbon sink (Hoover and Smith, 2023, p. 2, ¶1).

Also, their study discusses not only rates of carbon accumulation by region/age class, as shown in Table 2, but also carbon density by region/age class (Table 1). In their conclusion, the authors report that “carbon stock (per hectare) increased with age in all regions, although in some instances the oldest age class showed a slight decline” (Hoover and Smith, 2023, p. 10, ¶1). For the Central States region, however, carbon density *increased* even in the oldest age class, from a mean C density (tC/ha) of 14.1 in the 0-20 age class to 76.7 in the 121+ age class (Table 1). While Hoover and Smith find that carbon accumulation rates in all regions except Rocky Mountain South are highest in the younger age classes and decline with age (Hoover and Smith, 2023, p. 1, ¶12), they are looking at **stand level productivity**, unlike Stephenson et al., who measure **productivity at the scale of the individual tree**, reporting that “although growth efficiency often declines with increasing tree size, increases in a tree’s total leaf area are sufficient to overcome this decline and cause whole-tree carbon accumulation rate to increase” (Stephenson et al., 2014, p. 3, ¶1).

As mentioned earlier, recent federal directives strongly emphasize the urgency of conserving and promoting mature and old-growth forest to increase climate resilience and support carbon stewardship. In line with these goals, there must be a moratorium on a largescale, 25-year project like Buffalo Springs involving active management in mature and, potentially, old-growth forest, until the finalized MOG amendment has been applied to the HNF Land and Resource Management Plan and adapted as necessary to protect **both** mature and old-growth forest.

The proposed project poses threats to forest health and diversity:

Another issue addressed in my comments on the Buffalo Springs draft EA is the project’s potential negative impacts on forest health and diversity due to proposed management activities emphasizing oak-hickory regeneration, including logging and prescribed burns. I noted the relative scarcity of maple-beech forest compared to oak-hickory forest on HNF land within the project boundary—14% versus 59% respectively (Final EA, p. 9, Table 1)—as well as the 71% of forest land occupied by the oak-hickory

group statewide (*Forests of Indiana*, 2016, USDA, July 2017, https://www.fs.usda.gov/nrs/pubs/ru/ru_fs127.pdf p. 2, ¶14).

Yet not so long ago, from a historical perspective, Indiana's forests were considerably more diverse. As asserted in the USDA publication *Indiana Forests*, 2013: "Sixty years ago forests in Indiana were dominated by oaks (Winters 1953), but the original land surveys prior to widespread European emigration indicated **a balanced mix of oak and beech-maple forest** (Lindsey 1997, Potzger et al. 1956, Shifley and Woodall 2007)" (https://www.fs.usda.gov/nrs/pubs/rb/rb_nrs107.pdf, p. 13, ¶12). (*My emphasis.*) Similarly, a webpage regarding Hayes Regional Arboretum in Richmond, Indiana features this description below a photo of its trees: "The Beech-Maple forest in Hayes Regional Arboretum, with trees up to 450 years old, is **a remnant of what the early Indiana settlers found on much of this region's land**. Few forests of this caliber remain." (*My emphasis.*) (*Overlook in the Beech-Maple Forest in Hayes Regional Arboretum*, <https://www.waynet.org/waynet/spotlight/2001/011015-hayesoverlook.htm>, p. 1, ¶1, PDF attached.)

Clearly beech-maple forest is not some aberration or invasive encroachment to be eradicated. It's a unique forest group providing habitat for an abundant variety of native animal and plant species that thrive in a moister, closed canopy, mixed mesophytic forest environment. I have to wonder if the Forest Service's strong focus on oak-hickory has less to do with wildlife needs and more to do with dollars, i.e. timber value and federal monies currently available for conducting prescribed burns on public lands. Regarding the latter, I do not consider it appropriate for tax dollars intended to help mitigate wildfire risk in fire-prone regions, especially in the western half of the United States, to be allocated for prescribed burns in Hoosier National Forest—in one of the **least** fire-prone regions in the nation. As I stated in my comments regarding the aforementioned Old Growth Amendment DEIS:

If anything, tree harvesting followed by repeated prescribed burns in eastern deciduous forests is apt to create drier conditions over time that will *increase* fire risk. The Forest Service should adhere to its Wildfire Crisis Strategy, which "calls for reducing wildfire risk through strategic all-lands, all-hands, science-based action that **focuses on the most at-risk landscapes**" (DEIS, p. 10). (*Emphasis mine.*) Clearly, eastern deciduous forests are not in this category (Karen Smith comments_Old Growth Amendment DEIS_9-20-2024, p. 2, ¶13, PDF attached).

The EA states: "As maturing oaks and hickories age and die, they are being replaced by trees such as maple and beech. Oak-hickory ecosystems need management activities to regenerate due to severe competition by less desirable species" (EA, p. 100, ¶14). So much for diversity! Has the Forest Service considered that the natural succession of what it deems "less desirable" species may prove to be a beneficial adaptation of eastern forest systems to changing climate conditions, resulting in moisture-retaining older growth forest that's more resistant to elevated temperatures, drought, and fire?

Concluding remarks:

There are no changes in the final EA that alleviate my concerns regarding the Buffalo Springs project. I am glad for the 278 acres that will be spared from logging, though this is a small amount—just under 6% of the total 4,846 acres of logging proposed. I also support the 1.5-mile reduction in new road construction and improvement to aquatic organism passage (AOP) structures, though I understand the Forest Service plans to do the latter as a separate project.

I urge the Forest Service to take the following actions:

- Halt the proposed project until it can be reevaluated and revised based on an updated Forest Plan or, at the very least, an amended 2006 Plan including the final Old Growth Amendment.
- Conduct harvests on no more than 15-20% of proposed acreage, concentrating mainly on thinning of pine stands where hardwood regeneration is limited.
- Manage large areas of mature forest within the project boundary for secondary old growth characteristics. Indiana needs far more mature and old-growth forest for its climate-mitigating action, and Hoosier National Forest is where MOG expansion can occur most rapidly and on a significant scale.

I'll close with this passage from Thomas Berry's 1988 book *The Dream of the Earth*:

We need to realize that the ultimate custody of the earth belongs to the earth. The issues we are considering are fundamentally earth issues that need to be dealt with in some direct manner by the earth itself. As humans we need to recognize the limitations in our capacity to deal with these comprehensive issues of the earth's functioning. So long as we are under the illusion that we know best what is good for the earth and for ourselves, then we will continue our present course, with its devastating consequences on the entire earth community.

Our best procedure might be to consider that we need not a human answer to an earth problem, but an earth answer to an earth problem. The earth will solve its problems, and possibly our own, if we will let the earth function in its own ways. We need only listen to what the earth is telling us.

(Thomas Berry, *The Dream of the Earth*, Sierra Club Books paperback edition, 1990, 35.)

Thank you for your consideration of my comments.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Karen S. Smith'.

Karen S. Smith