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Comments: RE: Federal Register Volume 87, No. 135 Docket No. 2022-15185, July 14, 2022 Request for Information (RFI) on Federal Old-growth and Mature Forests.

The Association of Fish & Wildlife Agencies ("Association") appreciates the opportunity to submit the following comments to the United States Forest Service (USFS) and the Bureau of Land Management (BLM) in response to the Request for Information (RFI) on Federal Old-growth and Mature Forests (Docket No. 2022-15185). The Association is the professional organization that represents the collective voice of the fish and wildlife agencies in all 50 states, the U.S. Virgin Islands, and the District of Columbia ("state agencies"). These agencies exercise primary statutory authority for management of fish and wildlife as public trust resources within their borders.

Though the Association represents the collective voice of the state agencies, the USFS and BLM may receive comment letters from our individual member states as well as regional associations of fish and wildlife agencies that are vital and important sources of input for the Agencies to consider as they proceed. This letter does not supersede or alter the views or input of any state or regional association and should not be viewed as representing the perspective of any individual state. If you have any questions about these comments, please contact Kurt Thiede at kthiede@fishwildlife.org or at (202) 838-3468. Sincerely, Tony Wasley, President, Association of Fish and Wildlife Agencies

Comments on Docket No. 2022-15185: The Association of Fish and Wildlife Agencies ("Association") is pleased to provide the following comments and recommendations in response to the RFI. The Association represents the collective interests of the 50 state fish and wildlife agencies ("state agencies") to advance science-based management and conservation of fish, wildlife, and their habitats in the public's interest. America's fish and wildlife are a public trust resource, and for more than 100 years, state fish and wildlife agencies have upheld the primary responsibility for conserving those resources on public and private lands and waters within their borders. This interest includes forests as essential habitat for many species. The Association commends the efforts of the United States Department of Agriculture (USDA) to protect America's forestland facing the uncertainties of a changing climate. We appreciate the opportunity to provide input from state agencies with invaluable experience with their local forests. Executive Order (EO) 14072: Strengthening the Nation's Forests, Communities and Local Economies, clearly states that this exercise is to apply to federal lands. Any proposed rules or guidance under this effort should explicitly adhere to this limitation. Our comments respond directly to the specific topics requested and offer additional important considerations as the Federal Agencies consider utilizing the results of an Old-growth and Mature Forest inventory. Input Requested: Definition Framework Criteria and Overarching Characteristics. Creating an all-encompassing definition for Old-Growth forests is a challenging task. Old-growth forests have few overarching characteristics. Most significantly, they represent the climax stage of a forest—the oldest/most mature seral stage. Still, these forests look different across our country's diverse ecosystems. State agencies are required to manage the unique resources within their borders, and they are the primary resource managers closest to and have the most familiarity with the habitat and resources they are responsible for managing. As such, the Association strongly recommends that State definitions of mature and old growth forests, and input from state foresters and natural resource managers, are reviewed to ensure that a federal definition is considered with existing state- and privately-owned forest plans which reflect the special habitat conditions within each state and territory. Many states use ecological characteristics rather than age to define this forest class. The "Old-growth structure index" (OGSI), a common method used by state agencies, includes the density of large live trees, the stand's tree size diversity, density of large snags, and percentage of down woody material. Many states use a similar index if not the OGSI. However, not all characteristics are appropriate measures for all regions. Fortunately, states have extensive research on their Old-growth communities that can be employed to fine-tune assessments. These definitions frequently align with existing USFS Natural Range of Variability (NRV) designations, a potential tool for inventory. While

acknowledging the Federal Agencies's desire for standardization and compatibility across all states, combining multiple tools may provide more flexibility. With much more to consider than the age of trees, we propose a few key items to include in a definition framework, including thresholds that vary depending on the ecosystem:

- OGS: a framework for measuring the stand ecology of Old-growth and mature forests. The Old-growth structure index evaluates density of large live trees, diversity of live tree size classes, density of large snags, and percentage of cover or down woody material.
- Community type: the composition of regionally appropriate species. Mature communities look different in different biomes and ecosystems. Considering what a mature and older stand looks like in a specific area is essential. Determining the composition of different species will provide knowledge on the historic and present community.
- Seral stage: phase of succession that fits in to the natural range of variation. The climatic stage of forest progression has been and is frequently used as a marker for old-growth stands. This also distinctly classifies mature forest stands from old-growth stands. Using this factor ensures that old forests are defined as such and not just highly productive, large trees.
- Age mosaic: portion of the forest (of forest system) that contains Old-Growth stands. In a functional and thriving ecosystem, the forestry community understands a diverse landscape is essential for providing habitat across life stages and varying needs for wildlife. Using a mosaic standard allows for shifting of Old-growth areas through natural succession and management activities that ensure the health of our forests and wildlife communities. Interspersing age classes young and old is the key to optimizing biodiversity, resilience, carbon sequestration, and carbon storage.

Definition Durability and Reflection of Change

In determining species or community type for Old-growth forests in different regions, it is important to consider how climate can impact natural communities. Many current definitions reference historic range of variability (HRV) or natural range of variability (NRV). These ranges do not account for shifting ecosystems in a changing climate. To account for this, trees identified as Old-growth and Mature for a particular area should include site-specific and regionally appropriate species. This should exclude invasive or non-native species that are not expected to migrate due to changes in climate. Flexibility in forest management plans to account for the changing dynamics allows for robust and adaptable forest communities. It is equally important to consider how a definition can support management strategies that allow for unplanned, significant changes to forest systems. Being able to respond to unforeseen circumstances is essential. Plans should not be so rigid as to prevent a change in direction or emergency actions as a result of unprecedented events.

Forest Characteristics to Exclude

The Association cautions against using age or size of trees as a primary tool in determining Old-growth forests. Differences in soils, climate, and other environmental factors in a region can cause this to be an unreliable evaluation tool, as these factors can differ even a few hundred meters apart. Areas affected by pollutants or harsh soils (acidic, saline, etc.) will exhibit smaller trees compared to their standard counterparts. If the metric Age is primarily determined by size, it should be used in conjunction with other tools.

Non-native and invasive species can comprise in significant portions of older forests. These species that are not native to the region (or would not be considered as a climate-habituated species) and should not be considered as Old-growth or mature forests. Allowing room for these non-natives, and in the case of invasive species, even environmentally harmful species in the definition for conservation or protected forests, would contradict many other efforts by federal and state agencies to manage healthy ecosystems for wildlife and other purposes.

Additional Comments

Inventory Process

We encourage the Federal Agencies to utilize existing resources to avoid duplication of efforts. Many State agencies maintain forest inventories of state-managed forests. A Federal inventory could use state inventories or methods used by states to create a federal inventory. Another potential method for inventory could involve a quantitative approach to account for variability. Colorado Parks and Wildlife, for example, uses a qualitative rating of old growth/mature forest based on condition class of each stand. Those forest stands that meet all characteristics of old growth/mature forests receive the highest condition class ranking, while those stands that meet a few of the characteristics receive a lower ranking. This type of qualitative condition class rating should be completed in the field by appropriate agency staff. This will allow for monitoring of old growth/mature stands over time and adaptive management of this important forest condition class.

Post-definition Planning

It is important to maintain working and managed forests for healthy ecosystems for wildlife. Emphasis on Old-growth forests as a mosaic will remain essential as opportunities to map forests on Old-growth condition become available. Identifying these forests as a mosaic, and on a landscape scale, offers foresters at the state and Federal levels the ability to restore dynamic forest

conditions. Many species of greatest conservation need require early successional habitat, or diverse habitats that can include several regimes along the successional timeline of a forest. Ensuring that the definition of Old-growth lies in a mosaic allows for composition of a large forest system to evolve (naturally or under management) to maintain critical habitat for species. Many states cite the unnatural dominance of mature trees as a threat to forest health and diversity in their State Wildlife Action Plans (SWAPs). These Plans, as well as State Forest Action Plans, should be considered and used as reference for any subsequent forest plans developed after this new definition. This could align well with a strategy that puts Old-growth on a condition scale. Overstocked forests would have a lower condition score, while healthy Old-growth stands would rank higher on the scale. With the USFS and BLM inventory, the health of the overall forest system could be tracked over time as states and agencies work to improve forests. Another key message from the Association is to maintain management flexibility that allows for actions to be taken to reduce impacts from wildfire, insects, and disease. Old-growth forests experience years of disturbance, and in turn become extremely resilient systems. This disturbance is another reason that flexibility is essential to adjust management through these changes to further support the system. Any definition created by the USFS and BLM should support this essential work. We appreciate and support the Federal Agencies' gathering of information before defining these valuable resources. While we support a flexible definition framework, we caution against future provisions that may limit our member agencies' ability to manage healthy habitat for fish and wildlife species. We are also concerned that no specific objective of this inventory has been identified. We encourage a thorough evaluation of the best available science and the impact these restrictions would have on the management of sensitive species and thank the Bureau and the Service for consideration of these comments.