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To Jamie Barbour and others associated with the proposed amendment process:

The U.S. Forest Service has put forward a public proposal to amend all land management plans for the 128 units of the National Forest System to provide consistent direction for conserving and stewarding "old-growth forest conditions."

The strategy appears to be responsive to public concerns, science-based, and positive.

Unfortunately, the entire process as now described in the Federal Register is unlikely to make any meaningful difference for old-growth forest conditions. Instead, it will mostly mislead the public into falsely believing that something meaningful will be accomplished for old-growth forest resources, for at-risk late seral forest-dependent wildlife species, and for the assorted spiritual and cultural values that are often associated with ancient forest groves.

Based upon the description of the amendment process spelled out in planning documents and the Federal Register, the proposed amendment will not replace any existing direction in land management plans. Instead, it will simply add language such as "identify criteria, prioritize areas, establish milestones," and promote other regulatory process steps to apply unenforceable, non-measurable "standards for management actions within Old-Growth Forest Conditions" that are accurately defined, that no one can actually measure, and for which any Forest Service project can be "spun" to claim that it meets the old-growth policy goal.

Other than entries into wild, roadless areas, the highly debated issue of how to protect and prohibit degradation of Old Growth Forest is what led to the Executive Order. Instead, as now described, not only are specific areas that exhibit old-growth forest conditions not going to be identified on the ground in any meaningful way, but the actual standards for the Amendment to implement old-growth forest condition protection are only nice-sounding rhetoric.

The current proposal by the agency puts forward a visionary proposed action without any clear specificity as to:

(1) what will be required by the proposed action that is meaningfully different from present regulatory requirements?

(2) which specific national forest areas are delineated, mapped, and clearly identified as the federal land "old growth forest areas" to be conserved and stewarded based upon the new policy direction?

(3) And, how will this new proposed action be measurable, assured of being complied with, and monitorable so that line officers can be accountable and that the public can assess whether there is or isn't compliance?

KEY COMMENT #1: IT IS INSUFFICIENT FOR AN OLD-GROWTH FOREST CONSERVATION AMENDMENT TO ALLOW ANY AND ALL FOREST MANAGEMENT ACTIONS THAT CAN BE JUSTIFIED BY THE CLAIM THAT THEY ARE "PROACTIVE STEWARDSHIP."

"Proactive stewardship" depends upon the eye of the beholder. Members of our staff have engaged with the Forest Service for more than 40 years over the controversial issue of logging, road-building, and aggressive treatments in old-growth forest groves, roadless areas, or pristine blocks and patches of prime conifer stands. Every past USFS project that has logged large, ancient trees, or that has degraded biologically pristine ecological areas, or that's converted "old growth" forest habitat into managed forest stands -- has ALWAYS been promoted by Forest Service staff and decision-makers as providing positive forest management benefits and as fully meeting LMP forest plan objectives.

To allow the same excuses and rationale and to expect a different outcome defies reality.

For the Forest Service in this planning process to provide high-sounding "old-growth conservation" language that line officers can simply interpret as consistent with their long-established forestry views or their timber management experiences will simply provide a facade of false belief to the interested public that national forest management projects are suddenly being done for proactive "old growth stewardship" purposes instead of for wood production, fire-and-fuels management, economic benefits, or other multiple use objectives.

Unless there are clear policy mandates to prevent the cutting of large, old conifers for wood production... unless there are clear requirements prohibiting the conversion of unique late seral conifer forest habitat into aggressively treated fuel reduction acres -- then the degradation of old-growth forest conditions will simply be promoted as "stand enhancement, forest health treatments, and lowered fire risk" actions.

Generalized requirements for treatments to be "proactive stewardship" leave the interpretation of each project to the line officer or decisionmaker. Nearly all of them likely perceive that all of the past and current management actions they've approved qualify as "proactive stewardship."

Requiring new projects and management actions to meet that nebulous definition will almost assuredly result in more of the same, rather than a new management approach that protects old-growth forest conditions.

KEY COMMENT #2: ANY MEANINGFUL LMP AMENDMENT SHOULD CONTAIN SUFFICIENT SPECIFICITY SO THAT IT CAN BE CLEARLY MEASURED AS TO WHETHER A PROJECT OR A PROPOSED ACTION DID OR DIDN'T COMPLY WITH THE AMENDMENT AND WITH THE OVERALL GOAL OF ACHIEVING OLD GROWTH FOREST CONSERVATION AND ENHANCEMENT.

Both of the two Standards for Management Actions (that are currently promoted as the core requirements for the proposed Amendment) are nebulous and impossible to measure for compliance.

Standard #1 simply states that management actions must not degrade or impair what's vital to old-growth forest conditions. Whether a project does or doesn't "degrade or impair" old-growth forest composition, structure, or ecological processes is highly subjective. There is no mandated requirement to prohibit cutting the largest trees that make up at least 50% of the basal area in the stand. No requirement is mandated requiring new projects to

retain all large snags and down logs that don't pose safety hazards. There is no requirement to minimize any new temporary roads or to prohibit any new permanent roads within areas exhibiting old-growth forest conditions. Protective policies that can be applicable to old growth forest habitat across the nation are simply missing from the Amendment as now proposed

Standard #2 states that projects "in old-growth forest conditions" must be for the purpose of proactive stewardship or to promote processes necessary for old-growth conditions. Basing a policy on describing a general purpose once again fails to provide specificity. Can "proactive stewardship" be achieved on a project site by cutting down a large percentage of a site's very large, very old conifers or hardwoods based upon the rationale that the project is reducing stand density or breaking up contiguous fuel arrangement? Again, how will the agency judge what the project's actual "purpose" is if a project is allowed to alter late seral forest habitat conditions, log big old trees, or otherwise degrade old-growth forest conditions?

Both of the two standards that are presented for this LMP amendment process for 128 National Forests are standards that can be consistently met by most status quo timber sales or fuel reduction projects that generally are planned and implemented across national forests now. Status quo projects can be defended as being designed for the primary purposes of improving forest health, reducing high severity wildfire risk, and reducing the risk of densely stocked stands that could suffer due to drought or insect outbreaks.

The claim can be made that economic outputs or wood products from a project are a secondary outcome, not the primary purpose. Thus most status quo logging or habitat-altering projects might qualify as consistent with the purpose of "proactive stewardship" for old-growth forest conditions. That results in a huge loophole in the Old Growth Policy amendment that weakens the aim of the amendment to shift from the status quo to forest management that protects and enhances old-growth forest conditions.

It is important for a national policy to foster an increasing trend in the amount and connectivity of old-growth forest conditions. It should be formulated to rise above the current status quo of national forest management. Any new national policy should shift projects toward the stated goal of enhancing old-growth forest by providing guiderails that steer projects toward that end.

An effective policy should also be specific and measurable. Will the old-growth forest policy get implemented by the project? Is the intended benefit for old-growth forest conditions assured or is it uncertain? When the project is completed, is there evidence showing that old-forest conditions were enhanced or protected?

KEY COMMENT #3: THE SINGLE MOST IMPORTANT AND MOST VISIBLE OLD-GROWTH FOREST CHARACTERISTIC OR VALUE (NO MATTER THE FOREST TYPE) IS THE PRESENCE OF TREES (FOR THAT SPECIES) THAT ARE VERY LARGE, OLD TREES. THE AMENDMENT SHOULD MANDATE THE

RETENTION OF THOSE LARGE OR OLD TREES IN A WAY THAT ASSURES CONSISTENT COMPLIANCE
ACROSS ALL NATIONAL FOREST LANDS.

Unless the Old-Growth Policy Amendment spells out an explicit requirement that prohibits the cutting of very large, very old trees within areas judged to have old-growth forest conditions, then the public will justifiably see the Old-Growth Policy as being inadequate and more intended to enhance the image of the Forest Service rather than to lead to actual, meaningful benefits for old-growth forest conditions or values.

As noted above, at the current time, the two Standards for Management Actions within Old-Growth Forest Conditions do not contain any specific requirements that are easily measurable, or able to be monitored, or clearly spelled out so that the interested public and forest stakeholders can judge whether a project or proposed action meets the Old-Growth Forest conservation goals.

In order to realistically show that the Old Growth Policy Amendment is meaningful and not simply rhetoric, it is essential to provide specificity so that the policy actually protects old-growth forest conditions and values.

To do that the Forest Service needs to move past high-level conceptual encouragement to project planners and line officers to do the right thing for "old forest conditions." Instead, the agency needs to provide an Amendment that spells out concrete, measurable, and explicit requirements that will apply to old-growth forest conditions across America.

ONE STRATEGY TO GAIN BROAD PUBLIC APPROVAL AND TO ACHIEVE OLD GROWTH PROTECTION WOULD BE TO SPELL OUT A REQUIREMENT TO AVOID THE CUTTING OF LARGE, OLD TREES THAT MEET CRITERIA SHOWING THEY ARE LIKELY TO BE 150 YEARS OF AGE OR OLDER (OR PERHAPS A SLIGHTLY HIGHER AGE BASED UPON AGENCY DETERMINATION).

To be applicable, a mandate to spare (retain) all large old trees above a certain size would need to be based on a basic science determination by each Region.

Regional staff in partnership with USFS Research staff or university scientists would produce a "diameter limit criteria" judged to be broadly consistent for each conifer forest species on national forest lands within a Region. (For example, for Ponderosa Pine in Region 6, a determination may be made that pines 40" dbh and larger generally are at least 150 years of age or older; Lodgepole Pine in Region 6 with a diameter of 34" dbh may be judged to be at least 150 years of age or older.)

In Region 5 in the Sierra Nevada, USFS forest management has effectively implemented a general diameter limit of 30" dbh for more than 20 years. A diameter limit that spare trees larger than that size from cutting provides a clear, easily implemented, and transparent threshold. The public can monitor to see if the standard is being complied with and met.

We strongly recommend that the Amendment require that each Region shall develop (within 180 days of adoption of the Amendment) a list of "old growth condition diameter limits" for the commercial tree species within the Region. The diameter limits would be based upon either the 150-years-old criteria or upon 180 or 200-years age criteria that would be determined from existing science to generally reflect that age of the tree species based upon average conditions.

Once that diameter is established for all commercial tree species across national forest lands within a Region, all subsequent projects should be required to only cut trees larger than the diameter limit if the specific tree poses a clear risk to public safety, infrastructure, etc. Otherwise, such large "old-growth" trees would be retained as the core components of the old-growth forest conditions in that stand.

KEY COMMENT #4: ANY AMENDMENT TO LMP FOREST PLANS SHOULD REQUIRE "INTERIM PROTECTION POLICIES" WHILE AN "ADAPTIVE STRATEGY FOR OLD-GROWTH FOREST CONSERVATION" IS BEING DEVELOPED AND WHILE ENVIRONMENTAL PLANNING PROCEEDS.

Our Center has engaged in Forest Service planning for many decades. No planning process that we are aware of has EVER met the envisioned timeline for completion.

It should be expected, especially with national politics as a distraction factor, that instead of a FEIS being completed to allow for a Record of Decision in 2025, there is potential for the FEIS to be much later. A decision may not be made until 2026.

In the two-year interval, the Forest Service can either shrug off the continued diminishment of old-growth forest conditions that results from status quo forest projects and treatments. Or the Forest Service can keep all options open for protecting and enhancing old-growth forest conditions by putting forward INTERIM FOREST MANAGEMENT POLICIES.

We recommend that Interim Forest Management Policies include the following mandates:

Until the NEPA planning process is completed and a Record of Decision is signed for the Old Growth Forest Conditions policy, the following requirements shall apply to all projects that propose vegetation management within national forest areas shown as within the 32 million acres of BLM and Forest Service lands inventoried and defined as containing old growth conditions.

A) No new forest project-related road construction shall be approved or allowed to intrude into any forest area that has been mapped as containing old-growth forest conditions.

B) No clearcut logging treatments, seed tree cuts, or shelterwood logging prescriptions shall be approved or allowed in national forest areas mapped as areas containing old growth forest conditions.

C) While fully acknowledging that the policy does not capture the full diversity of sizes of old-growth trees within all forest types on federal forest lands, there will be a national forest "interim policy" restricting the cutting of any trees larger than 32" diameter at breast height except when such large trees pose an imminent risk to public safety or to infrastructure on national forest lands.

SUMMARY OF OUR KEY COMMENTS:

As described in planning documents, the proposed Amendment (that will apply to all 128 land management plans) is intended to conserve and steward old-growth forest conditions. For such an Amendment:

(1) what will be required by the proposed Amendment that is meaningfully different from present regulatory requirements?

(2) which specific national forest areas are delineated, mapped, and clearly identified as the federal land "old growth forest areas" to be conserved and stewarded based upon the new policy direction?

(3) And, how will this new proposed action be measurable, assured of being complied with, and monitorable so that line officers can be accountable and that the public can assess whether there is or isn't compliance?

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Unless the Old-Growth Policy Amendment spells out an explicit requirement that prohibits the cutting of very large, very old trees within areas judged to have old-growth forest conditions, then the public will justifiably see the Old-Growth Policy as being inadequate.

We strongly recommend that the Amendment require that each Region shall develop (within 180 days of adoption of the Amendment) a list of "old growth condition diameter limits" for the commercial tree species within the Region. The diameter limits would be based upon either the 150-years-old criteria or upon 180 or 200-years age criteria that would be determined from existing science to generally reflect that age of the tree species based upon average conditions.

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Thank you for considering this input.

Unless the agency adopts a national level policy with specific requirements and clear prohibitions against logging very large, old trees, then an Amendment with visionary language, good intentions, and no clear mandates will simply entrench the status quo. It will have wasted a significant amount of agency staff time and will have resulted in reduced trust by the interested public.

John Buckley - CSERC

ATTACHMENT: comments concerning LMP Direction for Old-Growth Forest -2.docx is letter content.