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Comments: Re: Notice of Intent to Amend the Northwest Forest Plan [88 FR 87393: December 21st 2023]

Regional Foresters Eberlien and Berger,

Thank you for the opportunity to comment on the Notice of Intent (NOI) regarding potential changes to the Northwest Forest Plan (NWFP). The National Parks Conservation Association (NPCA) represents 1.6 million members and supporters with over 80,000 located in the Northwest. Our members love wildlife, healthy forests, and intact ecosystems that are managed to contribute to large landscape conservation.

We are committed to this administration's America the Beautiful Initiative and hope to see this plan reflect the goals and intentions of that effort. That initiative intends to address the interconnected climate and biodiversity crises by building on our country's long tradition of collaborative stewardship. It supports locally-led and partnership-driven conservation and restoration efforts across the country. The NWFP is a perfect example of how this sort of collaborative management can and should occur across regions and landowners. We hope to see this plan strengthened in such a way that it can continue to serve as a model for other landscapes across the country.

Over the last 30 years, the NWFP has contributed to the well-being of our region, its National Park Service managed lands, and the many resources we seek to conserve. Today, the plan protects old growth forests, provides intact habitat for threatened and endangered species, conserves vital headwater streams, facilitates carbon sequestration, and supports local communities. The NWFP is not without historic controversy. However, the plan has served as a valuable tool providing a landscape scale conservation framework that has defined conservation across the region for decades. Any changes to this plan must remain true to the original intentions, be legally defensible, and born out of a robust public process that fully engages all stakeholders.

The National Park Service (NPS) manages seven units that are adjacent to US Forest Service (USFS) land governed by the rules set forth in the NWFP. Those units include: North Cascades National Park Complex, Olympic National Park, Mount Rainier National Park, Crater Lake National Park, Oregon Caves National Monument and Preserve, Redwood National Park and segments of the Lewis and Clark National Historic Trail. Stewardship of land adjacent to these park sites profoundly impacts the health of their natural and cultural resources.

Include the National Park Service

Although National Park System lands are a key component of the reserve system, NPCA is concerned that NPS has not been fully engaged in this effort. We urge the USFS to formally consult with NPS to ensure any proposed changes consider potential impacts to parks and park-dependent species and associated natural and cultural resources. The NOI points to wildfires, climate adaptation, tribal inclusion, sustainable communities, and the conservation of old growth ecosystems and related biodiversity as core topics that require attention. Each of these issues are also national park management considerations. To conserve ecosystems in a time of rapid change, land managers must collaborate and plan at a landscape scale.

Challenges from wildfires and climate change are shared across NPS and USFS managed lands. In fact, hardship caused by the lack of affordable housing in some communities is impacting both NPS and USFS staff, making it difficult to house workers for forest resiliency projects, wildfire fighting, and wildfire prevention.

Discussions about sustainable communities must consider adjacent parks and the many benefits they provide. National parks stimulate local economies by attracting tourists who spend money on accommodations, dining, and recreational activities, thereby creating jobs and supporting local businesses. Additionally, national parks contribute to community well-being by offering residents opportunities for outdoor recreation, physical exercise, and a connection to nature, promoting a healthier lifestyle. Timber extraction is just one economic driver in these places and should not be prioritized over benefits that stem from ecosystem services and natural resource protection.

Tribal voices must help guide decisions on both landscapes. Usual and accustomed grounds as well as open and unclaimed lands include lands managed by both the NPS and USFS. Management of these lands and their resources is deeply interconnected. Indigenous knowledge and tribal participation can inform management to result in more environmentally just outcomes for the caretakers of these places who stewarded them for thousands of years.

The conservation of old growth ecosystems and biodiversity must consider the refugia our parks provide. Many threatened and endangered species cross boundaries and rely on park and forest lands alike. Breakdowns in habitat connectivity, resource availability, and other disruptions to their biological needs must be avoided. Regarding habitat connectivity, the White House Council on Environmental Quality (CEQ) has acknowledged the importance of conserving and restoring wildlife movement, corridors, and habitat connectivity. CEQ has prioritized interagency collaboration to ensure this occurs via the recent "Guidance for Federal Departments and Agencies on Ecological Connectivity and Wildlife Corridors" for federal agencies. It's critical that USFS consider the guidance and relevant concepts in relation to the development of the proposed amendments.

Although this is a Forest Service-led plan, NPS should be a cooperating agency to help provide technical assistance and advice. National parks hold partial solutions to some of the challenges outlined in the NOI. We

urge meaningful cross-agency collaboration to ensure that land management changes complement and enhance park resources. USFS should bring US Fish and Wildlife Service (FWS), the Bureau of Land Management (BLM), NPS, impacted tribal nations, and other relevant partners into the process through formal consultation.

Build on the Success of the NWFP

The NWFP is a successful global model for biodiversity conservation and ecosystem management.[1] At its inception, the Clinton Administration sought to better integrate ecological and economic concerns with Pacific Northwest forests by providing landscape level direction that spanned across multiple federal agencies to produce a plan that was "scientifically sound, ecologically credible, and legally responsible."[2] These three goals "more than any other, guided development of the [Northwest Forest Plan] and…explain its influence and longevity. It truly provided the scaffolding on which the [Northwest Forest Plan] was built."[3]

After federal courts established that the Forest Service and the Bureau of Land Management had failed to maintain adequate viability for species associated with late-successional forests, a multi-disciplinary team of scientists, the "Forest Ecosystem Management Assessment Team" or FEMAT, was assigned the task of developing management alternatives that would meet the goals of the plan and adhere to federal laws and court rulings. Of particular importance was the maintenance and development of well-distributed late-successional (mature and old-growth) forest reserves (LSRs) to provide habitat for viable populations of northern spotted owls, marbled murrelets, and over 1,000 late-successional species. This included the protection and restoration of spawning and rearing habitat for at-risk anadromous fish. Specifically, FEMAT was directed to produce management alternatives that would ensure population viability for at-risk species whose viability was below an 80% threshold.

Of the alternatives considered by FEMAT, the USFS selected "Option 9" on the belief that this alternative would meet species viability requirements-which was necessary to survive judicial scrutiny-while allowing for the logging of approximately one billion board feet of mainly remnant old-growth in the so-called matrix lands.

Option 9 became the NWFP: a landscape-level planning effort that sought to unify federal lands towards biodiversity conservation and ecosystem management built on the solid principles of conservation biology: coarse filter reserves and additional fine-filter species level protections. The NWFP was immediately litigated by a variety of plaintiffs and withstood rigerous review.

In revisiting the NWFP, it is important to build on its success. Amendments should reflect the first principles that undergirded the 1994 Plan-scientifically sound, ecologically credible, and legally responsible-and stray from controversies that threaten to reopen old wounds that have only recently healed.

The Northwest Forest Plan Drives Ecological Progress

The NWFP was designed to be a 100-year plan. At roughly thirty years into the plan, ecologically and socially the plan is working as intended. Ecologically, the plan has broadly accomplished what it was designed to do: protect and develop late-successional forests; protect species closely associated with late-successional forest habitat; ensure that late-successional forests are well-distributed across the landscape in reserves; maintain habitat connectivity through the matrix; and protect and restore spawning and rearing habitat for anadromous fish and riparian and other habitat for aquatic organisms. It has had the added benefit of being a rare climate change success story by reducing carbon emissions[5] and retaining significant amounts of carbon across an entire region, with most of the carbon stored on federal lands being on those managed under the plan.[6]

Regarding late-successional forests, the NWFP has stemmed the loss of these forests on federal lands such that

without the plan's protective standards and guidelines many late-successional forests in accessible areas would have been logged by this decade.[7] USFS has observed that losses of older forests have been "small (a 2.8 to 2.9 percent net decrease)," with planned forest recruitment of late-seral forests over time in the reserve network helping to mitigate temporary losses from wildfire, logging, insects and other natural causes.[8] Late-successional forest protections have, in turn, blunted the impact of other less anticipated impacts to northern spotted owls from invasive barred owls; although that risk has been elevated by rapid expansion of the barred owl since the plan's development.[9]

Additionally, while there has been an overall net loss of marbled murrelet habitat across its range, within lands governed by the NWFP, and mainly in the reserve network, murrelet habitat increased by 2.93 percent; a net increase of 18,574 acres.[10] As the Forest Service has concluded: "Overall, these results are consistent with the NWFP's expectations for older forest outcomes for this period of time."[11] Thus, we cannot understate that the success story of the NWFP is tied to the course scale (reserve network), fine scale (survey and manage) and other provisions that stem from fundamental principles of conservation biology that hold to this day, and are perhaps even more important today.

Another clear success of the NWFP is the related improvements to watershed integrity. For instance, the NWFP has resulted in a slight overall increase in canopy cover (70-72%), recruitment of 80+ year old forests (57% in 1993 to 61% in 2017), and road removal (1,608 km (6.6% reduction), with associated improvements in water quality via declines in sediment delivery (4.0%) and landslide risk associated with roads (11%).[12] Despite these improvements many management indicators, such as increased large instream wood, are lagging because pre-NWFP management reduced the availability of large logs that could be retained in streams. It's important to note that these losses are also much more significant on industrially logged private lands and thus the NWFP is the best hope for restoring entire watersheds.

Improving the NWFP

While the NWFP has been a success, as our understanding of forest management improves and as our social uses and needs from public lands shift, so should our management strategies. For example, we have learned much about the benefits from outdoor recreation, ecosystem services, traditional cultural practices, and other land uses that are sometimes not compatible with timber harvest. Change, however, should be tempered by the reality that the NWFP as written has created new settled expectations for forest management and has been a successful and durable ecosystem managementplan.

Expand Tribal Involvement in Management of Ancestral Lands

The Indigenous Peoples of the Pacific Northwest have lived in and have been integral to forests of the region since time immemorial. Colonization of the Pacific Northwest dispossessed tribes of their land and had profound effects on forest health. Particularly in fire-prone forests, settler land management practices-from plantation creation to fire exclusion-have exacerbated climate-driven forest fires.

To both address historic wrongs committed by the United States against tribal nations and to help restore our region's forests, we urge the Forest Service to prioritize opportunities to expand tribal involvement for Tribes over their ancestral lands. We imagine tribal involvement to increase cultural burning, implement best practices that stem from indigenous knowledge, and result in careful agreements between Tribal nations and federal agencies that reflect the best possible practices to conserve forest resources through tribal management practices that stewarded the land since time immemorial.

Protect Complex Early-Seral Forests

Fire is a natural feature of western forests, however, climate change and historic fire suppression in national forests have resulted in increased fire activity. In the event of fire, it is important to ensure that post-fire activities do not disrupt natural successional processes that produce the biological legacies necessary to regenerate older forests over time.[13]

Unfortunately, the NWFP "gave vague and potentially conflicting guidance on protecting old trees and mature and old-growth forests during salvage."[14]

In fire-adapted forests, salvage logging has become the dominant form of timber production. A drive to "salvage" merchantable timber with minimal environmental review will disrupt management of post fire renewal, especially in Riparian and Late-Successional Reserves (LSRs), and produce serious adverse impacts to water quality, soil health, wildlife, future wildfire risk, and forest succession.[15] These negative impacts can bleed over into national parks, especially adjacent units.

While fires may produce fuel loading concerns in dry forest stands, the nature of commercial post-fire logging typically results in worsened fire conditions by removing large-diameter snags, which are the type likely to persist on the landscape for the longest period of time, while leaving significant residual fine fuels and logging slash.

Post-fire logging is also associated with monocultural replanting and other interventions that work to undermine fire-resilient forests. Many species require the ephemeral environments produced by high-severity fire, including transitional, early-successional species.[16] Artificial regeneration often requires release of competing vegetation, impacting the value of post-fire ecosystems.

Post-fire timber sales have also been a particular source of litigation, as the Forest Service has attempted to expand logging in LSRs, Riparian Reserves, northern spotted owl Critical Habitat, and other ecologically sensitive areas. As one law review article notes, "As wildfire continues to affect old-growth forests within the range of the northern spotted owl, if the government continues to convince courts not to enjoin salvage sales on the unproven ground salvage logging helps prevent future wildfires, the integrity and viability of the [Northwest Forest Plans]'s [Late Successional Reserve] network will be undermined."[17]

Regardless of land classification, our organizations urge the Forest Service to impose further restrictions on commercial post-fire logging to ensure that large fire-killed trees and large live trees are preserved on the landscape to help create more complex early-seral ecosystems.

In wet forests, salvage logging should be wholly forbidden except for issues of public safety, such as hazard trees along access routes. In dry forests, salvage logging should prohibit the removal of large-diameter snags. USFS should also not only meaningfully consider the impacts of post-fire logging on fire-dependent species, like black-backed woodpeckers, that utilize the ephemeral habitats produced by high-severity wildfires, but should also extend meaningful protection to complex early seral forests. Lastly, we urge the Forest Service to favor natural regeneration and eschew artificial regeneration, which contributes to over-dense "reforestation" and disregards important transitional habitat types.[18]

Plan for the Retention and Recruitment of Late-Successional Forests Across the NWFP Area

The Pacific Northwest's late-successional forests are a public asset to be held and protected for current and future generations. The Biden Administration has recognized the importance and rarity of mature and old-growth forests through a nationwide directive to define and inventory these forests, conduct a threats assessment, and to develop "climate-smart management and conservation strategies that address threats to mature and old-growth forests on Federal lands."[19] Published research along with federal inventories have now provided updated information for the inventory; the next step is to protect those forests from threats, including

anthropogenic threats from logging, arson, and inappropriate management, in rulemaking and forest plan revisions.[20]

The NWFP is successful in retaining and creating late-successional forests because it provides clear and explicit protections for older forests through LSRs and other provisions. The principal threat to older forests is the matrix land allocation. LSRs must be retained and expanded across much of the landscape with robust protections held in place to ensure management actions protect and enhance conditions of late-successional and old-growth forest ecosystems. Other potential work in LSRs, such as ecological restoration involving thinning some small trees and using prescribed and cultural burns, and creating open old forest conditions favored by some old-growth associated wildlife, must be conditioned on clear standards to ensure that the activities are consistent with the development and maintenance of late-successional conditions and are conducted in a manner that fully complies with relevant USFS policies and laws like NEPA, the ESA, and National Historic Preservation Act.

While wildfires have temporarily replaced a significant amount of old-growth forests with complex early seral forests,[21] these forests are themselves a fire strategy, as the forest conditions in older forests and even recently burned ones help to moderate fire behavior.[22] As climate-driven fires are expected to increase wildfire activity in the future, it is imperative to plan for further recruitment of late-successional forests over time. Necessary to achieving this goal are clear standards to protect large-diameter trees and complex forest features associated with older forests in general.

Scope & Timing

NPCA is skeptical that an amendment will be able to address these major challenges in such a short period of time, with agencies anticipating a final decision in early 2025. We suggest that any amendment be narrow in scope and address the most significant threats to the health and wellbeing of our forests. The amendment must be based on the best available science and be the result of thorough consultation with sovereign nations and other stakeholders. If the Forest Service seeks to address additional issues with an aim toward meeting the core objectives of the NWFP, largely conservation for the NSO, then it will likely need to return to this process on a longer timeline to fully address concerns and coordinate with all stakeholders.

Questions for Consideration:

How will USFS utilize the best available science regarding the predicted impacts of climate change (future conditions) to inform the development of proposed actions?

How will USFS formally engage tribal governments and associations in the development of proposed actions?

How is the USFS coordinating with NPS land managers and regional and national leadership to ensure proposed actions do not adversely impact species and habitat in national parks adjacent to USFS lands?

How is the USFS coordinating with NPS on fire management planning that will impact both national park and forest habitat?

Will changes to the NWFP consider National Park Wildfire Management Plans? If so, how will those plans inform efforts to create a more fire resilient landscape?

Will the USFS process consider contributions from park resources to local economic development and opportunities for expressions of indigenous cultural practices?

Will USFS engage NPS in formal consultation regarding the development and content of proposed actions?

US Fish and Wildlife Service (FWS) is a critical partner in decision making specific to threatened and endangered species. Will USFS engage FWS in formal consultation to inform the development of proposed actions?

How will proposed changes contribute to the recovery of the NSO and other listed species that could be impacted through amendments?

Land management decisions on USFS lands impact species management at the landscape scale on BLM and NPS lands. Will USFS engage BLM in formal consultation to inform the development of the proposed actions?

How will USFS tie in recommendations from the Northwest Forest Plan Federal Advisory Committee if proposed amendments are drafted before the committee makes a final recommendation?

Thank you for your consideration of these comments. We look forward to engaging with the Forest Service throughout this process.

Sincerely,

Graham Taylor

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National Parks Conservation Association

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