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Comments: Dear Director:

During my forestry career, I worked for the US Forest Service for 16 years in forest management and fire management and was involved with developing and implementing three different forest plans. I then worked for the Intermountain Forest Association for 28 years and was heavily involved in forest plan amendments and/or revisions for all but one of the national forests in the Rocky Mountain Region. From 2014 to 2018, I was a member of the National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule (Committee) convened to advise the Secretary of Agriculture on the implementation of the 2012 Planning Rule. I offer the following brief comments on the proposed plan amendment process for your consideration:

First, the proposed plan amendment process sets a bad precedent regarding the USDA and the Forest Service's commitment to the public participation requirements and expectations of the 2012 Planning Rule.

The Preamble to the 2012 Rule discusses the Department and the Forest Service's finding that a planning rule must address eight purposes and needs, including "5. Provide for a transparent, collaborative process that allows effective public participation."

As later explained in the Preamble "Engaging the public early and throughout the process is expected to lead to better decisionmaking and plans that have broader support and relevance."

The 2012 Rule, Part 219.4 contains multiple requirements for public participation in the assessment and plan development processes, including "The responsible official should be proactive [...] to engage the public, and should share information in an open way with interested parties."

In support of the Committee's work, the Forest Service prepared and provided a briefing paper to the Committee containing a list of Key Points of the 2012 Planning Rule, which included:

- "Strengthens the role of public involvement in the planning process and provides numerous opportunities for public participation and dialogue."
- "Establishes a pre-decisional administrative review process to provide individuals and groups an opportunity to resolve issues before final approval of a plan, plan amendment [emphasis added], or plan revision."

At the Committee's meeting in Charleston, SC, Committee members discussed the Francis Marion NF's plan revision process, including their Public Participation Strategy. The Purpose of their Strategy included the following aims for the Forest's public involvement process:

- [ldquo]Build relationships, trust, capacity and commitment to the forest plan;[rdquo]
- [ldquo]Allow for sharing, learning and understanding between the agency and the public;[rdquo]
- [ldquo]Support development of a forest plan through an inclusive and transparent way that increases the integrity of the forest plan and adds clarity to the decision-making process and the rationale for decisions.[rdquo]

In short, the Forest Service[rsquo]s rationale for the 2012 Planning Rule[rsquo]s emphasis on a proactive, transparent, collaborative public involvement process was largely based on an expectation of better decision-making, better plans, and building trust in the planning process and commitment to the final Plan. The proposed process to simultaneously amend all 128 forest plans across the country with a one-size-fits-all plan amendment will likely undermine the public[rsquo]s trust in the forest planning process and the 2012 planning rule.

Second, the proposed Plan Components do not conform to the 2012 Planning Rule.

In response to concerns about plan components in various forest plans, the Committee devoted most of the August 2017 meeting to a discussion of how to write effective plan components.

According to FSH 1909.12, 22.1, [ldquo] Objectives, desired conditions, standards, and guidelines must be written clearly and concisely [emphasis added] in a way that allows for monitoring to test their effectiveness and verify assumptions on which they are based[rdquo], and Plan Components are [ldquo]written clearly and with clarity of purpose and without ambiguity [emphasis added] so that a project's consistency with applicable plan components can be easily determined[rdquo].

The proposed plan components do not conform to that direction. They are not concise; some, like the Statement of Distinctive Roles and Contributions, are long and rambling and delineate no real purpose. Others, like the Management Approach, Standards, and Guideline are ambiguous and complex, and will be difficult to interpret during project analysis and implementation.

As noted above, the Statement of Distinctive Roles and Contributions is long and rambling for no real purpose. It is disproportionately long in comparison to Statements of Distinctive Roles and Contributions in existing forest plans, highlighting the fallacy of a single, nationwide plan amendment that overrides locally developed forest plans.

The Goal mostly repeats existing Tribal consultation requirements. According to FSH 1909.12, 22.1, [ldquo]Plan components [hellip]. Should not simply repeat Agency policies applicable to all National Forest System units.[rdquo]

The proposed Management Approach and, by extension, the Adaptive Strategy for Old-Growth Forest Conservation, goes far beyond the discussion of Management Approach in 219.7 and FSH 2409.19, Section 22.4, in particular [ldquo]This optional content must not be labeled or worded in a way that suggests it is a plan component.[rdquo]

The Desired Conditions do not meet the 2012 Rule[rsquo]s definition of [ldquo]Desired Conditions[rdquo]; specifically, they are not [ldquo]described in terms that are specific enough to allow progress toward their achievement to be determined[rdquo].

Standard 2 [ndash] see comments elsewhere regarding [ldquo]resilient stewardship[rdquo] and [ldquo]resilience[rdquo]. The first paragraph of Standard 2(a) is generally written to allow vegetation management within old-growth forest conditions to promote resiliency and adaptation to stressors, but then sub-parts (i) through (xi) do not include activities that would promote resiliency or adaptation.

Guideline 1 would apply to portions of national forests identified in the Adaptive Strategy as [lsquo]priority areas[rsquo] for future old-growth conditions; however, it appears that Guideline 1 would apply to those [lsquo]priority areas[rsquo] in their entirety, and, no forest management would be allowed anywhere in those areas that does not comply with all 7 of the sub-parts.

A new term, [ldquo]proactive stewardship,[rdquo] is used throughout the proposed Plan Components, without a definition or any discussion of how it would be incorporated into silvicultural prescriptions and/or project planning. According to Desired Condition #2, [ldquo]proactive stewardship includes [ldquo]retention and recruitment[rdquo], and Standard #2(a) requires that [ldquo]proactive stewardship promote one or more of[rdquo] 11 different conditions, none of which are easily determined or measured.

According to 219.13, [ldquo]a plan amendment is required to add, modify, or remove one or more plan components, or to change how or where one or more plan components apply to all or part of the plan area.[rdquo] However, the proposed process intends to ignore this requirement by adding detailed requirements in an Adaptive Strategy for Old-Growth Forest Conservation as a Management Approach added to the monitoring strategy or biennial monitoring report without a plan amendment.

Further, the proposed process will simply add new direction to existing forest plans with no attempt to resolve differences. This will inevitably create overlapping and/or conflicting plan components that could easily lead to chaos in project analysis and implementation and in project objections.

Third, the Secretary's proposal will not include an analysis or disclosure of the actual effects of the proposed changes as required by NEPA.

The Notice of Intent proposes to initiate an environmental impact statement to evaluate the effects of amending all 128 national forest land management plans to provide consistent direction for management of old-growth forest conditions.

However, the Secretary will be unable to analyze or disclose any on-the-ground effects because the amendment itself will not contain any details about any of the eventual changes to individual forest plans. The details on the full effects of the proposed process on individual forest plans won't be known until completion of the required Adaptive Strategy for Old-Growth Forest Conservation, which the Secretary proposes to add as an appendix to the broader scale monitoring strategy or the biennial monitoring report through a Management Approach without any NEPA analysis, disclosure of effects, or opportunity for public review and comment.

Fourth, any discussion about conserving old-growth forest conditions must include a robust discussion about forest resilience and forest resistance.

The terms resilience, resilient, and resiliency (resilience) are used throughout the NOI. While resilience is a noteworthy concept, according to the 2012 Rule Preamble, resilience was removed from the 2012 Rule in response to public concerns about how to define and measure resilience. Considering the Secretary's emphasis on resilience, the amendments must include a definition of resilience and a substantive explanation of how resilience will be incorporated into silvicultural prescriptions and project planning and then measured in plan monitoring.

For many forests, especially high frequency/low intensity fire regimes, resistance is also an important management goal and perhaps even a means to achieve resilience. Forest resilience is generally understood to be the ability of a forest to recover once a disturbance ends. On the other hand, forest resistance is generally understood to be the ability of a forest to withstand a disturbance. Over the past 20 years, the significant disturbances that have occurred in most forest types in the western national forests have been catastrophic crown fires and landscape scale insect epidemics and the affected forests have shown little resistance or resiliency to either of those disturbances.

Managing for forest resistance is an appropriate management goal for many western national forests and needs to be part of any discussion about retention of old-growth forest conditions (see Reynolds et al, 2013, Restoring Composition and Structure in Southwestern Frequent-Fire Forests, RMRS-GTR-310, and DeRose and Long. 2014. Resistance and Resilience. Forest Science).

Related to the use of [ldquo]resilience[rdquo] and [ldquo]resistance,[rdquo] the term [ldquo]adaptable to stressors[rdquo] is included in proposed Standard 2(a). As defined in the 2012 Rule, [ldquo]stressors[rdquo] includes [ldquo]the disruption of a natural disturbance regime[rdquo], such as catastrophic crown fires and insect epidemics. It is hard to imagine how forests in the western national forests will ever be [ldquo]adaptable[rdquo] to catastrophic crown fires and landscape-scale insect epidemics.

In consideration of the flaws in the proposed process and the likelihood of undermining public trust and confidence in the 2012 Planning Rule, I recommend that the Department withdraw the proposed amendment and look for a more constructive, inclusive approach to address any concerns about direction for old-growth forest conservation. Alternatively, I recommend:

- require each NFS unit to hold public meetings during the DEIS public comment period to discuss how the proposed amendment process would affect individual NFS units.
- require an analysis and disclosure of effects of the proposed Management Approaches and the Adaptive Strategy for Old-Growth Forest Conservation as required by NEPA.
- provide for an Objection Process for proposed Management Approaches and the Adaptive Strategy for Old-Growth Forest Conservation as required the 2012 Planning Rule.
- replace [ldquo]resilience[rdquo] with [ldquo]resilience and resistance[rdquo] as a management goal throughout the plan components.
- remove the term [ldquo]adaptable to stressors[rdquo] from Standard 2(a).
- rewrite proposed plan components for brevity, clarity, and to eliminate ambiguity.
- allow NFS units that have already commenced plan revisions to complete the Adaptive Strategy for Old-Growth Forest Conservation as part of the revision process.
- replace the new term [ldquo]proactive stewardship[rdquo] with [ldquo]proactive forest management[rdquo].
- add a subpart to Standard 2(a) that allows forest management to improve resistance or resiliency.

Thank you for your consideration.

ATTACHMENT: 2024 Final TAT Letter re Old Growth Amendments.docx is letter content.