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Comments: February 1, 2024 RE: National Old Growth Forest Plan Amendment EIS Notice of Intent Hello, Thank you for the opportunity to comment on the Forest Service's proposed amendment to the national forest land management plans of 128 forests to protect old growth through a single Environmental Impact Statement.

This proposed action has serious flaws that could result in negative impacts to old growth. The Federal Registry language, dated December 20, 2023, page 88043, states that the "proposed amendment is intended to create a consistent approach to management of old-growth forest conditions with sufficient distribution, abundance and ecological integrity (composition, structure, function, connectivity) to be persistent over the long term, in the context of climate amplified stressors." Diverse and complex ecosystems, including old-growth ecosystems by their nature cannot be addressed in terms like standardization and consistency. On page 88043 it states, "mature forest conditions had not previously been ecologically defined in a consistent manner at a national scale." Old growth conditions SHOULD NOT BE defined in a consistent manner or on a national scale. Forest ecologists in the past have opposed such efforts, recognizing the breadth of conditions that provide old growth habitat. Existence of old growth is influenced by factors including tree species, habitat type, moisture availability, winter and summer temperatures, aspect, slope, wind, soil types and soil organisms, insect population dynamics, disease, past and current forest management practices, fire regimes and many other factors. These ecosystems are dynamic and can change and do change organically, and also through human actions. A national plan cannot take all these unique factors into account. To incorporate effects of climate change on old growth will require a crystal ball by the developers of the proposed land management plan. Plans have their limits and to be nimble in responding to changes in the environment the closer you are to the area affected, the better you can respond. A national plan will fail to

address site specific needs and will be cumbersome, limited, constrictive and slow to address any needed modifications. The limitations of the national plan has real potential to negatively impact old growth. The Kootenai National Forest in Region One has used the robust old growth study of Green et al. 1992 (errata corrected 2011) over the past three decades to address old growth in our forest types. It addresses our unique forest conditions. For years the Pacific Coast old growth definitions were extrapolated to define and characterize old growth in the forest of the Inland Northwest. It would appear that the Forest Service is taking steps backward by proposing this nationwide plan amendment. A top-down approach from Washington cannot address the uniqueness of our forests. It is a heavy-handed approach that undermines public trust and questions our national forest's ability to manage, which is their job. Any changes to forest plans should be done through local and public engagement using science that is specific to those unique systems on individual forests. Much of what is being proposed in the NOI can be addressed through guidelines, objectives and directives. As stated in the register, the Forest Service has determined that the most significant threat to old growth is wildfire, insects, and disease. These threats can only be addressed through changes in forest conditions. Increased pace and scale of forest treatments can and will benefit old growth by reducing wildfire threat and making our forests healthier and more resilient. Old growth systems don't lend themselves to quick fixes. Likewise, Forest Service NEPA processes have never been known to be quick fixes. A plan to amend 128 forest plans by way of an EIS in a year's time is unrealistic and will delay important forest management and open projects up to more litigation. The Forest Service would be wise to keep their focus on reducing the threat of wildfire, including fuel reduction treatments in old growth, and educating the public on the importance of fuel reduction and forest management in the protection of old growth. Using these efforts would achieve a variety of results including protecting old growth while protecting communities and infrastructure. To throw in a new element to be analyzed, and carried through the arduous NEPA process will slow the agency's ability to increase pace and scale of fuel reduction treatments and to reduce wildfire threats. February 2, 2024 RE: Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System, 88 Fed. Reg. 88,042 (Dec. 20, 2023) Dear Director: These comments are submitted on behalf of the Board of Commissioners of Lincoln County, Montana. As the Forest Service is well aware, significant portions of Lincoln County are within the Wildland-Urban Interface as defined by the County's

Community Wildfire Protection Plan. These areas are urgently in need of treatments to reduce the risk of catastrophic wildfire, yet progress on the Kootenai National Forest has ground to a halt. We are concerned that the proposed old-growth amendment will impede needed management and that it is inconsistent with governing legal authorities. We are concerned that the development of a new "Adaptive Strategy for Old-Growth Conservation" will consume essential resources and manpower at the Forest Service that is needed to get work done on the ground. This is salient because the Forest Service admits that its proposal is not intended to replace existing direction. 88 Fed. Reg. at 88,045. The Kootenai Forest Plan ("KFP") has extensive direction that relates to conservation and management of old-growth structure within the Forest. Specifically, the KFP includes FW-DC-VEG-03. The amount of old growth increases at the forestwide scale. At the finer scale of the biophysical setting, old growth amounts increase for the Warm/Dry and Warm/Moist settings while staying close to the current level for the Subalpine setting. Relative to other tree species, there is a greater increase in old growth stands that contain substantial amounts (i.e., 30% or more of the total species composition) of one or more of the following tree species: ponderosa pine, western larch, western white pine, and whitebark pine. Old growth stands are more resistant and resilient to disturbances and stressors such as wildfires, droughts, insects and disease, and potential climate change effects. The size of old growth stands (or patches of multiple contiguous old growth stands) increase and they are well-distributed across the five Geographic Areas on the Forest. FW-STD-VEG-01. Within old growth stands, timber harvest or other vegetation management activities shall not be authorized if the activities would likely modify the characteristics of the stand to the extent that the stand would no longer meet the definition of old growth (see glossary for old growth definition). FW-GDL-VEG-01. Timber harvest or other vegetation management activities may be authorized in old growth stands if the activities are designed to increase the resistance and resiliency of the stand to disturbances or stressors, and if the activities are not likely to modify stand characteristics to the extent that the stand would no longer meet the definition of old growth (see the glossary for the definitions of resistance and resilience). FW-GDL-VEG-02. Road construction (permanent or temporary) or other developments should generally be avoided in old growth stands unless access is needed to implement vegetation management activities for the purpose of increasing the resistance and resilience of the stands to disturbances. FW-DC-WL-11. Old growth, or other stands having many of the characteristics of old growth, exists for terrestrial species associated with these habitats (refers to FW-DC-VEG-03, FW-STD-VEG-01, FW-STD-VEG-02, FW-GDL-VEG-01, and FW-GDL-VEG-02). GA-DC-VEG-Y AK-01. Management of vegetation toward the desired vegetation condition provides habitat for moonworts and northern beech fern and increases in late succession and/or old growth vegetation. No reasonable observer would find that the KFP provisions fall short of the proposed standards in the nationwide amendment. See 88 Fed. Reg. at 88,047--48. Thus, it seems that the efforts to develop an "Adaptive Strategy" would be a meaningless paperwork exercise, diverting key planning resources away from vital work on the ground. This is contrary to the Forest Service's mission and purpose. It is also a grave threat to the health of Lincoln County's forests and people. In legal terms, there is no need to change that is a required element of a Forest Plan amendment. See 88 Fed. Reg. at 88,045. In addition, we believe that the proposal is inconsistent with governing authorities. The Forest Service, for good reason, has never attempted a nationwide Forest Plan amendment. The National Forest Management Act ("NFMA") provides that Forest Plans are to be developed for "units of the National Forest System," not for the System all at once. 16 U.S.C. [sect] 1604(a). Each Forest Plan amendment requires public engagement "in the vicinity of the affected unit." 16 U.S.C. [sect] 1604(d)(l). But the Forest Service is not planning any such engagement. Each plan must be "one integrated plan for each unit of the National Forest System" rather than a nationwide plan. 16 U.S.C. [sect] 1604(f)(l) (emphasis added). A nationwide amendment is simply incompatible with NFMA. The Forest Service attempts to get around these requirements by describing the nationwide amendment as suitable for an administrative change. 88 Fed. Reg. at 88,045 (citing 36 C.F.R. [sect] 219.7(f)(2)). This effort is unavailing. Administrative changes "include corrections of clerical errors to any part of the plan, conformance of the plan to new statutory or regulatory requirements, or changes to other content in the plan." 36 C.F.R. [sect] 219.13(c). The Forest Service has characterized the new direction as "other content" but has not acknowledged that "other content" in a forest plan cannot include any desired conditions, standards or guidelines--- which this proposal does include. 88 Fed. Reg. at 88,047-48. See 36 C.F.R. [sect] 219.7(e) (identifying desired conditions, standards, and guidelines as plan components distinct from "other content"). In

sum, we are very concerned about the legality and advisablity of this effort. The ForestService should consider other options to pursue its policy goals, including an amendment to thePlanning Rule itself.ATTACHMENT: OG commish_signed_JN_2_24.pdf is first letter content.ATTACHMENT: OG commish_signed_LF_2_24.pdf is second letter content.