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Organization: Kentucky Heartwood

Title: Staff Ecologist

Comments: Dear Secretary Vilsack and Ms. McRae,

The following comments are in response to the Federal Register notice for the proposed Land Management Plan Direction for Old-Growth Forest Conditions across the National Forest System. These comments are additional to other comment letters submitted which Kentucky Heartwood has cosigned. Our intent here is to provide information and context regarding our concerns with how this proposed Forest Plan Amendment would be implemented on the Daniel Boone National Forest (DBNF). These comments are authored by Jim Scheff, Kentucky Heartwood's Staff Ecologist. Mr. Scheff earned an M.S. in Biology from Eastern Kentucky University in 2012, where he studied and worked in the Cumberland Lab of Forest Science under Dr. Neil Pederson (currently of Harvard Forest). For his Master's Thesis, titled "The Development of Old-Growth Structural Characteristics in Second-Growth Forests of the Cumberland Plateau, Kentucky, U.S.A.," he investigated the development of old-growth structural characteristics in secondary forests across the DBNF. He has spent the last 15 years identifying and studying old-growth forests, with an emphasis on the DBNF, and contributed to research studies by Dr. Pederson and Dr. Justin Maxwell (of Indiana University) by identifying old-growth forests for study and sampling to inform a variety of ecological and dendroclimatological investigations.

Overall, the Forest Plan Amendment proposal is impressive in how it encapsulates the complexity of old-growth forest communities across North American forest regions. The expressed intent, and specific language, in the proposal would be a welcome addition to the Daniel Boone Land and Resource Management Plan. Our chief concerns arise from how the Amendment would actually be implemented.

Currently, evaluation and the conveying of old-growth status to forests on the DBNF follows the Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Region, Report of the Region 8 Old-Growth Team (June 1997). The first filter for considering a stand as old-growth under the R8 Guidance (and DBNF Forest Plan) is a minimum stand age relative to the forest community type. Specifically, it is the stand age "based on the oldest age class as opposed to the 'representative stand age,'" and is therefore differentiated from the designation of stand age as carried out through the more typical common stand exam (CSE) assessments. Under the CSE protocols, and current practice, typically 1 to 3 "site trees" are selected and cored-sampled to determine stand age. These "site trees," by definition, are not supposed to exhibit the characteristics frequently associated with older mature and old-growth trees. Furthermore, this sampling depth is not adequate for identification of the "oldest age class" in a multi-age old-growth stand. Evaluation of old-growth status needs to include both selective core-sampling of trees that appear to represent the oldest age classes and an informed assessment of forest structure, including external characteristics (other than size) that are known to correlate with very old trees.

We have found numerous examples of the Forest Service dramatically mis-aging forest stands. This includes multiple areas where we have verified the presence of primary old-growth where the oldest age classes exceed 200 years, but which the Forest Service asserts are younger than the minimum stand age requirements (typically less than 130 to 140 years and therefore do not require any assessment as old-growth prior to logging. This has been most evident with regard to the South Redbird Project, where we have documented and delineated some of the highest quality remnants of primary old-growth forest in the DBNF.

A detailed discussion on this issue in the South Redbird project area is attached to this letter as Appendix A and is drawn from a Supplemental Information Letter sent to Redbird District Ranger Robert Claybrook on February 21, 2022. Since that time, we have identified even more old-growth stands in the project area, including old-growth approved for logging.

While incorrect age assessments can be explained - at least partially - by the sampling limitations inherent in the CSE protocols, it has regrettably been the case that DBNF has rejected or dismissed the specific, highly qualified data and information that Kentucky Heartwood has provided regarding the extent and status of old-growth stands in the project area. This information should be considered as a service provided to the DBNF and used to tailor projects. Unfortunately, this abject unwillingness to consider the information we have provided (and move forward with logging these areas) is one of the reasons Kentucky Heartwood moved forward with our first lawsuit against the USFS in nearly 20 years. Prior to initiating litigation over the project, Mr. Scheff offered in good faith to meet with and train DBNF staff regarding field identification of old-growth, especially where tree core data is limited. This offer was rejected.

We are also concerned that the strained efforts of DBNF staff to meet timber targets prescribed by Region 8 will drive Forest Service staff to ignore and avoid old-growth designation, while also encouraging staff to emphasize intensive cutting of mature and old-growth forests. For years we have been told that there were, in fact, no "timber targets," behind logging proposals on the DBNF, with staff merely working to implement the Forest Plan. However, a recently acquired trove of "Timber Target Goals Meeting" notes (found in response to a FOIA request) show that DBNF staff are working diligently to meet annual timber harvest targets 25,000 CCF prescribed by Region 8. In fact, it is clear from the nearly three years of Timber Target Goals Meeting notes that meeting these timber harvest volume targets has become the major driver of DBNF management, including staff and resource allocations.

It is important to highlight that these targets are not for acres managed, but for volume cut. This means that the Forest Service is internally disincentivizing forest management practices where thinning, as opposed to regeneration cuts, could be beneficial. This is particularly germane to management supporting mature and old-growth forest conditions, as well as the restoration of fire-adapted and open woodland communities.

Our concerns here are not speculative. In the aforementioned meeting notes, DBNF Silviculturist Jared Calvert is recorded as stating "Main concern is if we label old growth, it may limit forest harvest options."¹ This one statement provides significant, and disturbing, insight into how and why old-growth data that we have provided has been so easily disregarded.

We have found this dismissal and devaluing of old-growth forest conditions by staff at the DBNF to be frustrating, regrettable, and unnecessary. While we may not approve of many instances of logging on the DBNF, and of regeneration harvests in particular, it is nevertheless possible to manage for, and conserve, old-growth forests while meeting other Forest Plan objectives. However, the record has made it abundantly clear that DBNF staff are unwilling and uninterested in conserving old-growth forests. If line officers and staff are allowed their current level of latitude and discretion in implementing the proposed Forest Plan Amendment - where timber targets, lack of understanding, and bad faith are allowed to prevail - then this otherwise admirable proposal to conserve old-growth forest conditions on the DBNF will be in practice a total failure.

Sincerely,

Attachment: MOG Forest Planning Amendment Comments KHW.pdf - is letter text above and supporting documentation referenced in letter.