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Comments: Dear Ms. Walker:

The Environmental Law & Policy Center (ELPC) welcomes the opportunity to provide comments on the Forest Service's Notice of Intent for the National Old Growth Amendment. ELPC has joined other letters provided under separate cover. This letter provides more specific commentary based on our experience with national forests in Wisconsin, Michigan and Illinois.

Greater emphasis on recruiting old growth from mature stands

National forests in the eastern United States tend to have little remaining old growth stands due to massive over-harvesting of the 19th and 20th centuries. Logging since then has continued to reduce populations of mature and old growth. Felling mature and old growth continues to this day under projects such as the Fourmile Vegetation Management Project in the Chequamegon-Nicolet National Forest (CNNF). Those that do remain are often in scattered patches, and often are not even recognized by the Forest Service for their ecological value.

Protections for old growth forests in these regions should be extended to mature stands that can develop into future old growth. This action would demonstrate the Forest Service's commitment to confronting climate change as these forests would capture and store additional carbon from the atmosphere while maturing.

Importantly, the Forest Service should pause all logging of mature and old growth for the duration of the development of the National Old Growth Amendment process. It would be self-defeating to develop new plans while felling the very forests the plan is intended to conserve.

Expand use of existing old growth provisions in forest plans

The Notice of Intent stated that the Forest Service has "identified approximately 2,700 land management plan components, across nearly all 128 individual plans." The CNNF includes Management Area 8G, Old Growth and Natural Feature Complexes, defined as follows (emphasis ours):

MA 8G is characterized by ecosystem complexes and scattered individual stands which feature existing or developing old growth forest, as well as other exemplary natural communities. These areas provide habitat for a number of forest interior plant and animal species. A wide range of compatible recreational activities occur in this MA including hiking, skiing, fishing, hunting, and wildlife viewing. The MA may serve as a benchmark or reference area for use in monitoring, adaptive management, or research

The CNNF forest plan also contains a goal to increase the acreage of old growth and mature trees (MA 8G):  
Objective 1.4f - Permit some early successional forests to succeed naturally toward late successional forest types, as well as meeting desired conditions within designated Old Growth areas (MA 8G).

The 8G definition includes not only old growth but also mature forests as "developing old growth forest". The inclusion of mature stands in Management Area 8G dovetails well with the definition of mature forests stated in the USFS-USDA Old Growth report (p. 9) as "the stage of forest development preceding old growth, called mature forest." The CNNF has some tools, today, that can be used to reclassify and protect mature and old growth stands, they need to use them.

The National Old Growth Amendment should jump-start actual use of existing forest plan old growth protections. If obstacles exist to using these provisions, they should be identified and removed. When forest plans are outdated and unlikely to be updated, there should be some ability and motivation provided to reclassify forests to old growth protection, or otherwise amend individual forest plans.

Monitoring should begin in EIS process with old growth benchmarks

We welcome the inclusion of monitoring in the National Old Growth Amendment but believe it needs to be strengthened from the start with benchmark reports for each forest as part of this EIS that address the following:

- \* Report on the implementation status of old growth provisions in forest plans and project areas.
- \* Report on timber sales, current and planned, that would possibly cut mature and old growth forests.
- \* Report on activities and standards used to identify mature and old growth stands.

Definition of old growth for Region 9

Older trees with larger diameter trunks typically have larger crowns, meaning that fewer trees can be accommodated per acre. Consequently, as trees mature, the density of trees per acre would be expected to decrease. For this reason, we are concerned that a standard of 10 trees per acre may exclude old growth under certain conditions. Another approach is warranted and proposed elsewhere.

Also, given the scattered nature of many old growth trees, we ask that protection be extended to individual trees and trees in smaller groups than the stand level.

We are also concerned that the trees per acre standard could be interpreted as a ceiling for tree density and be used to rationalize cutting mature and old growth to reach that level. Some may argue that the stand is overcrowded and seek to selectively log larger, older trees under the pretext of thinning, though those trees provide the ecological services we seek.

Operational targets for staff should be reviewed and reformed

All incentives in place for Forest Service managers should be reviewed to make sure they align with common goals for conserving mature and old growth trees and forests, rather than incentivizing the opposite of desired policy outcomes. To the best of our knowledge, the only targets for Forest Service managers incentivize more logging.

The use of logging targets, at all, should be reconsidered. For example, as the chart below shows, those targets were recently doubled for CNNF and have not been brought back to reasonable levels. Absent reform, managers would be faced with conflicting directives and incentives and the success of conservation goals would be diminished. The process of setting production targets is opaque to the citizens who own these national forests and should be changed to allow more public review and input.

Beyond reforming production targets, new targets and performance measures must be developed for purposes of conserving mature and old growth forests and trees, protecting biodiversity, and so forth. If logging targets remain, these new targets should be of equal weight for managers making NEPA and other decisions.

#### Conclusion

We thank the Forest Service for this much-needed effort to protect mature and old growth forests.

Best regards,

Attachment: ELPC Comments on OG Plan Amendment.2022-02-02.pdf - is letter text coded above.