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Title: Regional Manager  
Comments: September 20, 2024

Director, Ecosystem Management Coordination

201 14th Street SW, Mailstop 1108

Washington, DC 20250-1124

Attn: Jennifer McCrae, Forest Service Team Leader

Dear Ms. McCrae:

On behalf of the more than 87,000 Idaho families who are members of the Idaho Farm Bureau Federation, thank you for the opportunity to submit comments on the Draft Environmental Impact Statement for "Amendments to Land Management Plans to Address Old-Growth Forests across the National Forest System," published on June 21, 2024.

The members of the Idaho Farm Bureau Federation understand the importance of agricultural production. The agricultural products, including timber, produced and harvested in Idaho are utilized and relied upon across our nation and in various countries around the world. A significant portion of our state economy, and our member's income comes from forest products harvested on Forest Service managed lands.

Old Growth DEIS Comments

Our comments primarily address administrative deficiencies in this process; however, some comments relate to the specifics of the DEIS as well.

Overview

The Idaho Farm Bureau Federation is an advocate for agriculture in Idaho and has significant concerns over the old growth proposed action and its potential negative impact on timber, range, water, and other resources in Idaho. The Idaho agriculture industry (farmers, ranchers, loggers, timber companies) are excellent stewards of lands and natural resources, and that excellent stewardship is what assures the long-term viability of agriculture and the health of our lands in Idaho. The lands that are least healthy in the western United States are the federal lands, and it is primarily those lands that have a lack of active management. The adoption and implementation of this old growth proposal at a national level will further exacerbate this problem. One size does not fit all situations, which is why our nation's land management laws require the involvement of local people with knowledge of the local conditions and needs. The Forest Service needs to actively manage our national forest to

address the real threats, which are fire, insects, and diseases. The cookie-cutter approach to forest management that is contained in this proposed action threatens, not benefits, our federal lands. The proposed action reflected in this DEIS is not a step in the right direction and should be withdrawn.

#### Approach

The DEIS begins with the statement "Section 2(c)(ii) of Executive Order 14072 directed the Department of Agriculture to develop policies to institutionalize climate-smart management and conservation strategies that address threats to mature and old growth forests on Federal lands. To allow for the management flexibility necessary to address varied ecological conditions found across the National Forest System of the U.S. Forest Service, the Department has determined that amending land management plans is the most judicious approach." Two critical observations are provided in this opening statement. First the Executive Order directs the USDA to "develop policies." The second observation is that, in response to this EO direction, USDA is bypassing the policy-making process (which would be implemented through rulemaking under the Administrative Procedures Act) and is instead going directly to implementation of this direction, without establishing any policy. Revision of Forest Plans is implementation, and this proposed action (new policy) violates the laws and regulations currently in place regarding forest planning and NEPA.

These facts demonstrate that this action by the USDA is completely bypassing the requirements of the laws such as NFMA and NEPA (which require the planning to be site-specific/local with local public involvement), and even violates the Forest Service implementing regulations. If the USDA wishes to pursue the EO direction and USDA's "policy" on old growth, it must be pursued through rulemaking to first establish the framework for the policy and any agency plans for implementing that policy, before any implementation occurs. Additionally, laws (not agency modifications to laws) must be followed in the rulemaking and during any implementation. This Old Growth EIS should be immediately withdrawn since it is violating multiple federal laws.

#### Authority

Executive Orders are not laws, cannot change laws, and unless they are implementing something which Congress has authorized in an existing appropriation of funds, EOs have no authority to authorize any expenditure of funds beyond what Congress has authorized. EOs cannot be used to bypass laws. This proposed action violates laws (NFMA, NEPA, Multiple-Use Sustained Yield Act of 1960, APA, the Forest and Rangeland Renewable Resources Planning Act of 1974, etc.), is inconsistent with the Agency's own regulations, and represents a misappropriation of funds. The action should be immediately withdrawn as it has been conducted in a manner consistent with current law.

#### Improper Sequence of Events

The initiation of the notice for this proposed old growth action in December 2023, prior to the publication of the Threat Assessment (as directed in Executive Order 14072) was a flawed process and hampered the ability of the public to properly provide comments during the early stages of this national land management plan amendment development. This EIS should be withdrawn, and if the USDA believes the EO direction for policy should be pursued, the appropriate rulemaking process as required by the APA should be followed.

#### Not Science Based

While old growth trees store significant amounts of carbon, research (including findings from the Forest Service and EPA) shows that they are poor at sequestering carbon when compared to younger, more vigorous trees. Rather than having dead and decaying old growth timber on our landscapes due to a lack of proper management, the Forest Service should be actively managing these forests, harvesting, and utilizing this renewable natural resource. The lumber from those trees is an excellent carbon storage/sequestration strategy.

Room is then also provided for more young, vigorous trees, that effectively remove carbon from the atmosphere. This approach to carbon management would be much more efficient and effective than the USDA's proposed old growth forest plan amendments.

#### Poorly Defined Actions

The DEIS continues to push the Adaptive Management Strategy component of the forest plan amendments, which requires each National Forest to designate areas with the "inherent capability to sustain future old growth" that would be managed for the recruitment of future old growth. This arbitrary and ill-defined mandate is a major flaw in this DEIS and any similar future policy the USDA may pursue. This "strategy" is included in the proposed action as an Objective and Guideline. This strategy calls for each National Forest Unit to identify areas with the inherent capability to sustain future old growth and to prioritize them for proactive stewardship to recruit future old growth. The proposed action does not provide specifics on how many such acres are to be identified per Unit. However, it does emphasize that "mature/late seral stage forests would be the primary focus where those areas are trending towards old-growth forest and have the inherent capability to sustain future old-growth." This "Adaptive Management Strategy" should be removed from any proposed action, and allow science, local conditions and management decision-making as is intended under federal laws.

Implementation of this Adaptive Management Strategy amounts to a significant shift in the objectives described in current Land Management Plans and would effectively render an unforeseen number of acres into "reserve" status. There is already too much land in Idaho excluded from active management. Please withdraw this EIS and allow forest planning to be accomplished at the local level as required by law.

#### Consequences

The DEIS is incorrect when it states that these land management plan amendments would have no effect on timber supply from the national forest system, and, as such, would have no effect on the forest products and logging industries. Our Idaho agriculture industries, including timber and livestock, will be negatively impacted by the implementation of this proposed action. Any reduction in harvest from the current number of acres will be a serious economic blow to Idaho's local, rural economies and will inevitably lead to continued degradation of our air and water, in violation of the Clean Air Act and the Clean Water Act. For the last several summers, Idaho's air quality has suffered from thick blankets of wildfire smoke with hundreds of thousands of acres burning annually across the state and the Pacific Northwest. Long term, all of Idaho agriculture will be impacted further as a result of the continued deterioration of our watersheds from the increased wildfires associated with the "preservation" mindset which will be furthered under this old growth proposed action.

#### (Unintended?) Consequences

Despite the Forest Service's stated intent, this proposed action and the forest plan amendments it seeks to implement will likely serve as a major distraction to the agency's most pressing need, which is active forest management to reduce the risk from wildfire. And the Forest Service should be looking at tools beyond just more fire to manage our lands. Grazing and timber harvest should be among the primary tools utilized for the restoration of healthy watersheds and forests.

#### Scope of Project

The scale at which this Amendment is being applied (128 Land Management Plans (now reduced to 122 plans)) is too broad for the agency to effectively assess the social and environmental impacts of its application. The laws that govern the management of federal lands (e.g., NFMA, Multiple use Sustained Yield Act, etc.) and processes (e.g., NEPA, APA, etc.) require evaluation of effects on the local economy and local environment. These laws cannot be ignored and must be followed, which can only occur by implementing land use planning at a local

level.

#### Local Input

The proposed action to amend 128/122 Forest Plans in a single nation-wide Forest Service action is inappropriate and inconsistent with the NFMA Forest Planning laws and NEPA. The forest planning law in 16 USC 1604 requires that land and resource management plans for units of the National Forest System be developed and revised, coordinated with the land and resource management planning processes of state and local governments and other Federal agencies. The planning law further requires the public participation processes be conducted in the vicinity of the affected unit, and that public meetings shall be publicized and held (in the vicinity of the unit) to foster public participation in this planning process. By attempting to make this old growth change at the national level, the Forest Service is violating the law and not allowing the participation of the public in the vicinity of the 128 units of the National Forest System. This nation-wide approach also disregards the unique environmental and ecosystem conditions in the vicinity of each unit, as well as the local knowledge of citizens.

#### Results Don't Match Stated Objectives

The findings in the Threat Assessment do not support a Need for Change. The Threat Assessment confirmed that wildfire, insects, and diseases have caused the highest loss of old growth forest over the past twenty years and continue to pose the most significant future threat to those forests. The threat assessment also concluded that old growth loss was greater in areas reserved from timber harvest (wilderness, inventoried roadless areas, national monuments, etc.) than in areas where timber harvest is allowed and encouraged. In fact, while old growth decreased in reserved areas, it increased by 7.8% in areas where timber harvest is allowed and encouraged. The Forest Service noted that these results suggest that strictly reserving old-growth forests may not always ensure that they are protected from future losses

#### Better Management?

While the Proposed Action, as defined in the DEIS, does not strictly prohibit timber harvest in old growth forests, the reality is that it will discourage proper timber and land management. In support of this conclusion, the DEIS states that "the proposed action also sets forth standards and guidelines that provide constraints for decision making at the project-level." The Forest Service already has too many "guidelines that provide constraints" that hinder or prohibit good management and decision making. This proposed action for the national amendment of forest plans will almost certainly complicate active management in our forests under the guise of managing old growth or old growth recruitment. In order to address the primary threats of wildfire, insects, and diseases the Forest Service should focus their efforts and energy on removing existing barriers and constraints to such management, not adding new ones. This entire old growth proposal is an additional barrier to the proper management of our forest lands and natural resources.

#### Definitions

The Forest Service continues to introduce and use undefined terms in documents such as this DEIS. Terms like "unit," "stand," "recruit," "mature forest conditions" and many more must be defined. All such definitions USDA wishes to include in agency regulations must be approved through a formal rulemaking process. The agency may then include formal definitions of all terms of art that the USDA is currently using in any current proposed action. Without a formal definition in agency regulations (not an arbitrary national forest plan amendment like this), potential abuse by Forest employees and groups that oppose natural resource utilization can and will occur. Please withdraw this DEIS until there is agreement on clearly defined terms that will be used.

#### Congressional Intent

If this old growth proposal is allowed to continue, the multiple-use and sustained-yield legal mandate of Congress is at risk. The ill-defined scope of this proposal along with the arbitrary nature of the current agency will unlawfully jeopardize the multiple use of our renewable resources. Range, timber, and recreation uses will be at the discretion of the Forest Service employees and outside interests that will be deciding what they believe is necessary for long-term resilience, ecologic integrity and the recruitment of additional "old growth conditions" and "mature forest conditions."

#### Narrow Analysis

This old growth proposal singles out one category of one natural resource (old growth forest) for a NEPA analysis without considering any other interrelated consequences as required by NEPA. The goal of this action is to exclude the future active management of anything the Forest Service deems old growth, mature forests, and "future" old growth." Effective land management and resource management cannot be accomplished when only considering a single natural resource with a single objective (preservation). This proposed action violates NEPA, the forest planning law and the multiple use sustained yield act and is not compatible with multiple use resource management objectives. This EIS should be withdrawn.

#### No Harvest Zones

This nation has vast areas of federal forest lands that are already off limits to any active natural resource management and have limited public use. These lands include wilderness areas, national parks, national recreation areas, national monuments, primitive and roadless areas that are managed as wilderness, among other lands that already have the full effect of non-use. Idaho currently has the greatest amount of wilderness in the lower 48 states, and a significant amount of roadless areas. Those lands are more than sufficient for our nation's "old growth conditions" and "recruitment" needs.

Please do not pursue adding any more federal lands to be managed for old growth conditions. Leave the very limited amount of Forest Service land in Idaho which remains designated for commodity production alone. The small percentage of Forest Service managed land that remains must be used for commodity production, without any more strings attached. Allow livestock grazing, recreation, and timber harvest to occur, in accordance with our federal land management laws and the desires of local citizens and local governments. Anyone wishing to see what "old growth conditions" look like on the ground after years of preservation, should take a hike in Idaho's wilderness areas. These lands have thousands of continuous acres of standing dead or dying trees due to a lack of any management and the resulting impacts from wildfire. These wilderness areas are not a picture of forest health. Old growth that is dead benefits no one and is an additional source of carbon rather than a carbon sink.

#### Conclusion

While the expectation of the USDA is that commentors address a recommended alternative, we believe that due to the flawed and unlawful process that has produced this proposal, the EIS should instead be withdrawn, rather than wasting more taxpayer funds to complete the FEIS and ROD process. The appropriate action under federal law is the no action alternative.

Thank you for the opportunity to comment on the DEIS.

Sincerely,

President, Idaho Farm Bureau Federation

ATTACHMENT: Old Growth Forest Comment IFBF.docx- this is the same content that is coded in text box, it was also included as an attachment