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Regional Forester

U.S. Forest Service

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Submitted via online portal (https://cara.fs2c.usda.gov/Public/CommentInput?Project=64745)

Re: Comments of the Association of O&C Counties on the Northwest Forest Plan Amendment

On behalf of the Association of O&C Counties ([ldquo]AOCC[rdquo]), please accept the following comments on the U.S. Forest Service[rsquo]s Northwest Forest Plan Amendment Draft Environmental Impact Statement ([ldquo]DEIS[rdquo]).

As AOCC explained previously in its comments on the Northwest Forest Plan Amendment, the Northwest Forest Plan ([ldquo]NWFP[rdquo]) has been a travesty in forest management for rural communities, forest diversity, threatened and endangered species, ecosystem health and resilience, native species, and more. The human, wildlife, and ecosystem costs of the NWFP are immeasurable. As AOCC predicted decades ago when the NWFP was written, the NWFP has devastated rural communities, increased this Country[rsquo]s dependance on foreign timber, exacerbated wildfire risks, and has harmed the very species it was designed to protect. These failures should be stopped.

There is an incredible opportunity before this agency[mdash]an opportunity to re-write a failed policy; an opportunity to bring economic prosperity to rural communities; an opportunity to reduce reliance of foreign timber supplies; an opportunity to curb annual catastrophic wildfires; and an opportunity to revitalize federal forests for all the native wildlife species that use them. Unfortunately, it appears that these opportunities are being lost, in favor of an [ldquo]amendment[rdquo] that will retain the same failed policies that have been in place for over three decades. AOCC implores the Forest Service to do better, and to re-write the Northwest Forest Plan with clear, obtainable timber-based objectives, and wildlife habitat goals which focus on holistic needs of all species.

Background

Since 1925, AOCC has represented western Oregon counties that have a statutory interest in 2.1 million acres managed by the U.S. Bureau of Land Management ([ldquo]BLM[rdquo]) pursuant to the O&C Act of 1937, 43 U.S.C. 1181a-f, as well as the 500,000 acres of O&C Lands managed by the U.S. Forest Service.

The O&C Lands have a unique history. These lands were once granted to the Oregon and California Railroad Company to subsidize the development of a railroad through Oregon. As construction progressed, the Railroad Company was to receive alternating sections of land on both sides of the right-of-way spanning 20, and in some cases 30 miles, on each side. The result was a checkerboard band of lands 40 to 60 miles wide the full length of the state that transferred from federal ownership into private ownership by the Railroad Company. The lands conveyed were eventually to be sold by the Railroad Company, but were subject to the conditions that they be resold only in 160-acre parcels to [ldquo]actual settlers[rdquo] for no more than $2.50 per acre. The railroad was built, but the lands were never resold to settlers. Congress responded with the Chamberlain- Ferris Act of June 9, 1916, which declared that all grant lands still held by the Railroad Company were [ldquo]revested[rdquo] to ownership by the United States, removing the lands from local tax rolls. Unfortunately, the initial compensation provided to Oregon counties was insufficient. Therefore, in 1937 Congress designated the O&C Lands for sustained-yield timber production, requiring that [ldquo]timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained-yield capacity when the same has been determined and declared, shall be sold annually[.][rdquo] 43 USC [sect]1181a; 43 USC [sect] 2601. 50 percent of the revenues generated from the O&C Lands were designated to the O&C counties, and for years the O&C Act supported the economic prosperity of western Oregon.

After the O&C land grants were issued, the National Forest System was overlaid on top of around 500,000 acres of O&C Lands. These lands came to be known as the [ldquo]controverted lands.[rdquo] Disputes about the management of the controverted lands raged, but were settled in 1954 when the Cordon-Ellsworth Act provided that the lands would be managed as O&C Lands by the Forest Service with 50 percent of receipts from any timber harvested paid to the O&C Counties.

Timber harvest on Forest Service-managed O&C Lands, in combination with harvests and receipts generated on other Forest Service and BLM lands, were a source of prosperity for western Oregon[rsquo]s rural communities. Federal timber receipts allowed communities to thrive, with well- funded schools and booming economies centered around timber harvest and wood products. The 1990s brought that prosperity to a screeching halt. The listing of the Northern Spotted Owl as a threatened species, and subsequent Northwest Forest Plan ([ldquo]NFP[rdquo]), immediately reduced timber harvest on O&C Lands by 82 percent. Overall, timber harvests from federal lands fell to less than 10 percent of historic levels in the years immediately following the Northwest Forest Plan. See Brandt, Jason et al., Oregon[rsquo]s Forest Products Industry and Timber Harvest, 2003 https://www.bber.umt.edu/pubs/forest/fidacs/OR2003.pdf. In the years since, timber harvest levels have not substantively rebounded.

Impacts from the decreased utilization of O&C Lands has had a drastic, long-lasting measurable effect on the health[mdash]economic, ecological, or otherwise[mdash]of rural western Oregon communities. Communities which once thrived from the revenues brought by federal timberlands are now a shadow of their former selves. Worse still, many O&C Lands have been reduced to ash as [ldquo]preservationist[rdquo] policies have exacerbated fire risks, leading to more significant, and frequent, wildfires. The Archie Creek Fire in 2020, for instance, scorched over 40,000 acres of O&C Lands along the western slope of the Oregon Cascades. Meanwhile, the species which the Northwest Forest Plan sought to protect have continued precipitous population

declines due, in large part, to the catastrophic wildfires that are a product of the NWFP[rsquo]s [ldquo]preservationist[rdquo] policies.

With this backdrop, it is critical that the Forest Service undergo a wholesale revision of the Northwest Forest Plan to better the health of the National Forest System, the resilience and diversity of the ecosystems within the NWFP area, and the economic prosperity of the resource- dependent communities affected by the NWFP[rsquo]s policies. A focus on the sustainable use of commercial timber harvest is critical to restore western Oregon[rsquo]s national forests to functioning ecosystems supporting jobs, recreation, wildlife, schools, and communities. Therefore, AOCC strongly urges the Forest Service to revisit its proposed amendment, and revise the Northwest Forest Plan with a focus on the sustainable use of commercial timber harvest to alleviate the many ecologic and economic issues that were created by the NWFP[rsquo]s management policies.

Comments

A. Incorporating the Comments of Douglas Timber Operators and the American Forest Resources Council.

Douglas Timber Operators ([ldquo]DTO[rdquo]) and the American Forest Resources Council ([ldquo]AFRC[rdquo]), organizations representing forest products manufacturers, loggers, truckers, and other timber-adjacent enterprises, have submitted detailed comments on the DEIS; what it means for rural, forestry-dependent communities, and the steps the Forest Service should take to achieve measurable improvements in forest health, sustainability, and productivity in the years to come. AOCC fully joins, incorporates, and supports the comments of DTO and AFRC, and urges the Forest Service to make the amendments requested in those comments.

B. Mitigating Forest Health Crisis Must Be of Utmost Concern to the Forest Service.

There is no room for debate that the past two decades have brought extreme fire behavior to western Oregon on an annual basis. These fires have ravaged millions of acres of federal timber land, proving deadly to man and animal alike. Swaths of over dense forests as a result of years of fire and forest management suppression have created ticking time bombs ready to destroy Forest Service, including O&C, lands at moment[rsquo]s notice. This has led to a multitude of issues, such as increasing rates of dying fir trees due to drought and an overabundance of standing dead trees killed by fire, creating a snowball effect careening towards even more significant wildfires in the near future. As this wildfire crisis is exacerbated by increasing rates of tree mortality across overstocked stands lacking resilience to prevalent drought, the Forest Service must act[mdash]and act soon[mdash]to amend its management strategies in an effort to improve forest resilience at the scale of multiple national forests.

When the Forest Service authored its 2020 Bioregional Assessment of Northwest Forests in July of 2020, it acknowledged the need to improve forest resiliency to wildfire across the NWFP planning area. Little did the Forest Service know that its assessment was simply a prediction of what was about to occur. It goes without saying that the 2020 fire season was one of the worst on record, with multiple fires of over 100,000 acres scorching the western Cascades.

Unfortunately, all of this is a crisis of the Forest Service[rsquo]s own making. In its adoption of the NWFP the Forest Service rejected the need to manage for resilient, ecologically diverse, and productive forests. Instead, the Forest Service allocated most of its lands to off-limit reserves, where timber harvest was largely prohibited and the forests were left to grow into overstocked tinder boxes. As the 2020 Assessment acknowledged, the NWFP created a one-size-fits-all management policy centered around protecting and increasing spotted owl habitat, without acknowledging how that management policy would create unhealthy forest stocking rates, a decrease in forest complexity and diversity, and an overarching worsening of wildfire risks and forest resilience.

While initially the quantity of spotted owl habitat may have improved by around 3% during the first 25 years under the NWFP, this gain and more was lost in the recent catastrophic fire seasons. Thus, the NWFP[rsquo]s focus on protecting spotted owls backfired by exacerbating wildfire frequency and intensity, resulting in less habitat today than there was 30 years ago. See Range- wide declines of northern spotted owl populations in the Pacific Northwest: A meta-analysis, Elsevier (July 2021) https://doi.org/10.1016/j.biocon.2021.109168; Northern Spotted Owl Still Fights for Survival, U.S. Geological Survey (Oct. 6, 2021) https://www.usgs.gov/news/featured-story/northern-spotted-owl-still-fights-survival.

Substantial changes in management need to be made to address the wildfire trend in the planning area. While the fires which have ravaged the Cascades over the past decade cannot be reversed, the Forest Service must make efforts to ensure that future fires do not spread out of control and that rural communities and their citizens, forest visitors and firefighters are safe.1 The most effective and economical solution to this wildfire crisis is to increase the utilization of commercial harvest across the NWFP area, allowing overstocked stands of trees to be harvested, fuel breaks to be created, and grasslands to be restored. See L. Madelene Elfstrom, Matthew D. Powers, Effects of thinning on tradeoffs between drought resistance, drought resilience, and wood production in mature Douglas-fir in western Oregon, USA, Canadian Journal of Forest Research Volume 53, Number 8 (August 2023) https://cdnsciencepub.com/doi/abs/10.1139/cjfr-2022-0235?journalCode=cjfr. Even if actions like these could have short-term adverse effects on listed species, like the spotted owl, the Forest Service must utilize commercial harvest as a proactive management tool which directly addresses a leading spotted owl risk factor.

Studies have shown that mechanical thinning alone can alleviate wildfire risks, and when paired with other management strategies, such as post-thinning controlled burns, can dramatically improve wildfire resilience. See Johnston, James et al., Mechanical thinning without prescribed fire moderates wildfire behavior in an Eastern Oregon, USA ponderosa pine forest, Forest Ecology and Management (Dec. 1, 2021); Graham, Russell et al., Effects of Thinning and Similar Stand Treatments on Fire Behavior in Western Forests in Western Forests, Utah State University (1999). Therefore, the Forest Service must adopt a policy which increases the use of commercial harvest

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1 These efforts may also improve wildlife habitat. Recent science has shown that acreage burned at high severity no longer provides suitable habitat for species such as the spotted owl. See Jones et. al., Megafire causes persistent loss of an old-forest species, ZSL (May 9, 2021) https://doi.org/10.1111/acv.12697. Preventing future severe fires through the creation of fuel breaks can benefit these species.

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and other management strategies to reduce fuel loads and address extreme wildfire behavior. The O&C Lands specifically are choked full of overstocked stands of commercial-sized timber. To improve resiliency, it is necessary that the Forest Service remove large proportions of the overstocked stands from the landscape. The only feasible way to accomplish this task is through the commercial removal and sale of overstocked trees, at a landscape scale. The same applies to dead and dying firs of commercial size. AOCC therefore urges the Forest Service to prioritize the use of commercial harvest at the landscape scale to address this forest health crisis. Unfortunately, the DEIS[rsquo]s proposed alternatives stop far short of creating a policy that would address forest health issues.

An effective approach that should be considered and adopted would be to allocate management strategies based on resiliency needs, with the allocations and treatment intensities as upfront decisions in the design features of the alternatives, along with ESA objectives. Alternatively, the Forest Service could start with an assessment of the forest condition, at the stand level, to rank stands for need based on risk for loss to fire and need for resiliency treatments prior to making allocations. Assessment of the level of risk at the stand level and prioritization for need for treatment would better define the magnitude and spatial extent of the forests[rsquo] needs rather than defining broad dry forest areas. In combination with information on wildlife habitat and site locations, this assessment could provide a framework to design a strategy that emphasizes improving fire resiliency in the short term while providing long-term conservation and timber production.

The Forest Plan Amendment also must include mandatory language that requires timber harvesting lands on a sustained yield basis. As AOCC and the Forest Service learned under the NWFP, without a timber harvest requirement, yields will fall to the wayside, and forest conditions will worsen. Therefore, language requiring specified levels of annual harvests must be included in the NWFP Amendment.

C. Commercial Harvest is Critical for Ecosystem Diversity.

The 2020 Bioregional Assessment acknowledges that a loss of ecosystem diversity has been a consequence of the one-size-fits-all management strategies piloted by the NWFP. AOCC agrees. The NWFP[rsquo]s singular focus on creating forests which were purported to benefit spotted owls and other [ldquo]old growth dependent[rdquo] species had the opposite effect by increasing wildfire risks (discussed above) and eliminating the diverse ecosystems which are critical to healthy forests.

The loss of ecosystem diversity was foreseeable under the NWFP. The near-exclusion of commercial timber harvest from the plan area, and the complete exclusion of regeneration harvest methods, eliminated forest openings crucial to wildflowers, insects, birds, and megafauna, such as deer, elk, mountain lions, and wolves. See, e.g., Rowland, Mary et al., Modeling Elk Nutrition and Habitat Use in Western Oregon and Washington, Wildlife Monographs (Oct. 23, 2018) (explaining that Roosevelt elk across the NWFP area are limited by nutrition availability, and that forage within Forest Service lands has decreased substantially due to a lack of timber harvest, causing declines in elk habitat quality); Roosevelt elk population estimate and herd composition in Oregon, 2018 - 2023, Oregon Department of Fish and Wildlife,

https://www.dfw.state.or.us/resources/hunting/big_game/controlled_hunts/docs/hunt_statistics/23/Roosevelt%20Elk%20Population%20Estimates%20and%20Herd%20Composition%202018%20-%202023.pdf (recording downward trends in Roosevelt elk populations, especially in hunting units containing substantial amounts of land managed under the NWFP. For instance, in the Santiam, McKenzie, Indigo, and Dixon units of Oregon[rsquo]s western cascades, elk populations are in continuous decline and far under management objectives). This lack of diversity contributes to a loss of overall ecosystem function, wherein even the old growth dependent species are harmed when management strategies focused on [ldquo]creating[rdquo] old growth result in the depletion of other plant and animal species.

Once again, the Forest Service must adopt a policy which reverses the failures of the NWFP. With regards to ecosystem diversity, the NWFP failed by utilizing a one-size-fits-all strategy that was singularly focused on protecting and [ldquo]creating[rdquo] [ldquo]old-growth[rdquo] ecosystems. This allowed natural meadows to become enclosed, caused a significant reduction in forest openings, and ultimately contributed to declining populations of once-abundant plant and animal species. The current DEIS continues these failures, essentially moving all moist forests into unmanageable reserves, where forest diversity will continue to be lost; under the alternatives in the DEIS early- seral habitat in moist forests could only be created through stand-replacing wildfires, which poses grave risks to humans and wildlife alike.

The most sustainable and economical solution to this self-made issue is to embrace the benefits that well-planned harvest units bring. Through thinning, variable density harvest, and even regeneration harvest, the Forest Service can bring back natural meadows, improve wildlife forage, reinvigorate plant and animal communities, and create a diverse, sustainable forest for all species. Timber harvest can create habitat for rodents, increase wildflowers and pollinators, improve depleted megafauna habitat, and more. Timber harvest is the key to improving ecosystem diversity, and the Forest Service has the ability to utilize timber harvest in combination with scientific studies about the need for diverse habitats to generate a forest plan that benefits a wide array of interests. Ultimately, this will require increasing timber harvest and eliminating timber harvest restrictions across the NWFP area, so that the Forest Service has the flexibility to utilize commercial harvest management strategies in a manner which will create a more diverse landscape and ecosystem. The NWFP Amendment should be re-written to ensure that it wholistically benefits all native wildlife through creation of a diverse forest full complete with forest openings and meadows at all elevations, and early, mid, and late seral habitats.

D. Forest Products are Underutilized to the Great Detriment of Rural Communities and Ecosystem Resilience.

The 2020 Bioregional Assessment recognizes that forest products[mdash]specifically timber harvest[mdash]have been underutilized under the NWFP. As discussed in the 2020 Assessment and above, this has had an array of negative impacts, from catastrophic wildfire to a loss of biodiversity. Moreover, the underutilization of forest products has devastated local timber- dependent communities and is contributing to the national shortage of affordable housing by placing supply pressures on the United States[rsquo] lumber market. See Steve Courtney, Are You Planning For The Reduction In Northwest Timber Supply?, ResourceWise (March 10, 2022) https://www.forest2market.com/blog/are-you-planning-for-the-reduction-in-northwest-timber-supply.

The NWFP called for the harvest of 1.1 billion board feet per year across the planning area. Over the NWFP[rsquo]s lifetime, timber harvest has never come close to that amount. No party[mdash]plant or animal[mdash]has benefited from the loss of timber harvest, as it has caused great harm to rural communities,

exacerbated wildfire risks, and depleted biodiversity.

Now it is necessary that the Forest Service make up lost time. The systematic underutilization of timber harvest in areas specifically reserved for harvest under the NWFP has exacerbated the wildfire and biodiversity challenges discussed above, and harmed rural communities. The Forest Service has over a ten-billion board feet backlog of timber that should have been harvested under the NWFP, but wasn[rsquo]t. Now, the Forest Service needs to plan to make up that backlog over time in its NWFP Amendment, while also increasing the utilization of timber harvest in other areas. The Forest Service must adopt a policy which allows for the sustainable, and predictable, harvest of that volume backlog. Doing so through mandatory language requiring such harvest would be a strong start towards reversing the catastrophic harms of the NWFP.

Moreover, the Forest Service must ensure that timber products will not be underutilized once again in the wake of any plan revision. The NWFP has done enough damage to communities and the environment, and the Forest Service must now address and alleviate that harm. Allowing forest products to continue to be underutilized across the planning area would be a policy failure. Thus, the NWFP Amendment needs to open additional lands to timber harvest, reduce restrictions across the planning area, and set achievable and sustainable timber harvest and forest revitalization goals that must be achieved.

E. A Variety of Other Issues Need Analyzing.

There are many other issues and topics which need to be addressed in a revision to the NWFP. For instance, the increased use of regeneration harvest must be evaluated, and specifically allowed, in any NWFP Amendment. Regeneration harvest has a multitude of benefits, such as replicating natural meadows or fire scares, or increasing solar radiation in select locations within national forests, which allows different plant communities to thrive. This can specifically benefit wildflowers, grasses, pollinators, and large ungulates like deer and elk which require the forage typically found in forest openings. Moreover, regeneration harvest allows a higher utilization of select areas of a forest, which can allow the Forest Service to harvest more timber with smaller areas of disturbance. The revision of the NWFP must specifically analyze the use of regeneration harvest as a forest management strategy, and adopt a policy which recognizes regeneration harvest as a specifically authorized strategy to meet planning goals.

The NWFP revision also must specifically address the issues caused by fir encroachment in meadows, and how those issues would be resolved through commercial harvest. Similarly, the NWFP revision must analyze how elk and deer habitat and populations have changed under the NWFP, recognize the issues caused by reduced forest openings, and create a plan for the improvement of elk and deer summer and winter habitats through commercial timber harvest.

The NWFP also needs adopt a policy allowing the increased salvage harvest of burned or dead trees. The increase in fire activity and recent tree mortality trends requires heightened use of salvage harvest. Salvage harvest is necessary to improve forest safety, wildfire resilience, and to generate income from otherwise-devastated ecosystems. While fire has a beneficial role in ecosystems, the Forest Service must acknowledge the benefits of salvage harvest. The NWFP revision should allow the Forest Service to utilize quick, aggressive salvage harvest strategies whenever forests are affected by wildfire or increased rates of tree mortality. While the retention of snags is important, thousands-upon-thousands of acres of dead snags provide no benefit, and only exacerbate the risk of severe wildfire.

F. The Current NWFP Amendment Fails to Make These Vital Changes.

There are sweeping changes which need to be made under the Northwest Forest Plan Amendment to reverse the harms caused by the last three decades of failed policy and to ensure that the next decades bring prosperity, vitality, and ecological diversity to the Northwest national forest system. Unfortunately, under the Northwest Forest Plan Amendment, the Forest Service will continue to walk headlong into the same failures of years past, without learning from the agency[rsquo]s mistakes.

For instance, the DEIS proposes to reduce the amount of acreage that could be managed for sustainable timber harvest by establishing new desired conditions for moist Matrix lands[mdash]an arbitrary approach that is not rooted in sound science or good policy. The DEIS also largely prohibits the salvage of burned timber. As explained here, under the current trend the Forest Service should continue to expect hundreds of thousands of acres of Northwest national forest system lands to burn annually. In 2024, many of the fires across the planning area, like those in the Boulder Creek Wilderness in the Umpqua National Forest, re-burned lands that had already been affected by catastrophic wildfires, including lands that have burned twice in the past two decades. An inability to salvage burned forestlands will exacerbate the vicious wildfire cycle that is already in place. The DEIS also fails to include directives which would require that lands available for timber harvest actually be harvested. The DEIS predicts increases in timber harvests, but these are empty promises without mandatory directives that require harvests at predictable, sustainable levels. AOCC knows all too well what will happen if harvest is promised but not required[mdash]the Forest Service will be unable to ever meet its timber volume goals, exactly as happened under the Northwest Forest Plan.

At this point AOCC envisions one clear path forward: a re-write of the DEIS, development of new alternatives, and a fresh look at the needs of northwest forests, communities, and wildlife. Without substantial changes to the management of these forests, the United States[rsquo] reliance on foreign timber will grow, the ongoing depression of rural communities will continue, and forests will be transformed to charred moonscapes, incapable of supporting jobs, recreation, wildlife, or any hope of a better future.

Conclusion

For the foregoing reasons AOCC urges the Forest Service to revisit the DEIS, and proposed plan revisions, with a strong emphasis on the use of commercial timber harvest to improve forest resiliency and revitalize rural communities and ecosystem diversity. Further, the Forest Service should prioritize harvest on the 500,000 acres of converted land in order to provide receipts for AOCC counties.

Sincerely,

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Tim Freeman, AOCC President

ATTACHMENT-LETTER TEXT: AOCC NWFP Comments 3.17.25.pdf; this is the same content that is coded in

text box; it was originally included as an attachment.