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Attn: Objection Coordinator Nantahala-Pisgah National Forest

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RE Notice of Objection per 36 CFR [sect] 219 subpart B to the Final Land Management Plan for the Nantahala-Pisgah National Forest ("Final Plan" or "forest plan").

Eligibility to Object

During the lengthy forest plan revision process, Chattooga Conservancy participated in numerous Forest Service open house public meetings, submitted written comments at opportunities to provide specific input to the forest plan revision team, and submitted substantive comments in June 2020 on the draft forest plan.

## Introduction

Chattooga Conservancy submits this objection to certain issues pertaining to the Chattooga River watershed and contiguous lands of the Southern Blue Ridge Escarpment area, which the Final Plan identifies as the "Highlands Domes" geographic area, with this objection also directed to and specifying overarching issues of the Final Plan.

The Forest Service's Final Land Management Plan for the Nantahala-Pisgah National Forest is fatally flawed. In sum, the Final Plan sets the stage for continued conflict, and therefore engenders and perpetuates the lack of public trust and support for Forest Service management actions in this heavily visited tract of public land. This is because the Final Plan lacks protections for existing old growth, rare species and their habitats, clean water, potential wilderness areas and wild and scenic rivers, state

natural heritage natural areas (NHNA), important conservation areas and valued recreation zones. Further, the Final Plan will be going headlong in the wrong direction for the next 20 or more years.

The Final Plan, with the Forest Service's history of bias in favor of commodity and timber extraction, fails to employ the best available scientific information, does not adequately protect critical habitat for threatened, endangered and sensitive species and ecosystems, allows harvesting rare old growth forests, degrades eligible wilderness areas and wild and scenic rivers to prohibit future preservation opportunities, and fails to measurably address the current and existential threats of climate change.

Ultimately, then, the Final Plan definitively signals that the time has come for citizens[mdash]the American public who are the owners of our national forest lands[mdash]to step up and expedite changing the Forest Service's mission[mdash]away from crop tree management, to protecting and restoring native forests and healthy ecosystems for present and future generations.

## Issue: The Forest Plan Allows Cutting Old Growth Forest

The Final Plan does not protect rare old growth stands when these stands are either already known or are discovered in the landscape. Rather, this decision is left to the discretion of the local district ranger. Recent projects, such as the Southside Project, offer no assurance that district rangers will withdraw newly discovered old growth stands from a timber harvesting project, and in fact indicate that old growth stands will be scheduled for timber harvest.

## Remedy

The Final Plan should not allow district rangers the discretion to cut old growth forests. The Forest Service should prioritize inventorying national forest lands to locate stands that qualify as existing old growth, based on the Forest Service's own Region 8 Old-Growth Guidance. The Forest Service should automatically protect these rare forest stands, and add them to a preserved old growth network. Do not give local district rangers the discretion to cut existing old growth. Further, all forest stands discovered to exhibit significant near-old-growth characteristics

should be considered as candidates for old-growth restoration, and added to the old-growth network as merited.

Stands of existing old growth take centuries to form, and are underrepresented and rare in the Nantahala-Pisgah National Forest. The Final Plan must increase the acreage of protected, existing old-growth forest now, to attain its natural range of variation (NRV) of 430,000 to 560,000 acres (as acknowledged by forest planners) in the forest. All existing and inventoried old growth, plus newly discovered old growth identified at the project level, should be preserved and added to the old growth network. Backcountry areas should be included in the old growth network. All priority conservation

lands including "Mountain Treasure" areas, NHNAs, and designated old growth patches (from the previous forest plan) should be placed into protective management areas and/or included in the old growth network. Abide by the 2012 Planning Rule, that requires each planning unit to maintain and restore NRV, 36 C.F.R. [sect][sect] 219.8(a)(1); 219.19, and to ensure that its objectives are within its fiscal capability, id. [sect] 219.1(g).

Issue: The Forest Stands in the "Old-Growth Network" Are Not All Existing Old Growth

Much of the Final Plan's newly designed "old growth network" consists of trees that are, in reality, not old growth at all. In fact, about 110,000 acres (42%) of the 265,000 acre "old growth network" are younger or middle-aged forest stands. The Final Plan's old growth network largely presents that existing old growth is protected, but that simply is not the case. Further, the Forest Service knowingly removed protections from patches of existing old growth forest, and has also included 42,000 acres of designated old growth in the Final Plan's highest priority logging designations. The Forest Service's "old growth

network" is, in fact, geared to maintaining the agency's options to continue cutting existing old growth to meet timber targets.

Remedy Protect and preserve all existing old growth forests in the Nantahala-Pisgah National Forest.

Issue: The Revised Forest Plan Prioritizes Crop Tree Management

The "desired future condition" of the forest as described in the Final Plan is heavily weighted towards crop tree management. As the prime example, the forest plan calls for creating "young forests" as its top priority. Over 60% of the entire Nantahala-Pisgah National Forest is open for logging, that includes post-harvest treatments using herbicides, burning and other actions geared to produce only certain species of trees for future rotational, predominantly even age harvesting practices.

The Forest Service has a long tradition of land management that favors commodity extraction through intensive

timber harvesting over other protective land management designations such as wilderness and backcountry areas, NHNAs, and wild & scenic river corridors. For example, the Revised Forest Plan targets 54,000 acres of NC Natural Heritage Natural Areas for timber harvesting—lands with rare and exemplary habitats that are some of the most biologically diverse areas of the forest. Pressure on the Forest Service to meet politically motivated timber targets has, over time, resulted in an agency culture geared towards measurable commodity extraction outcomes at the expense of restoring biologically diverse, healthy native forest ecosystems.

Further, the Final Plan disproportionately targets the Nantahala National Forest for commodity extraction. The Nantahala portion of this national forest, that contains the Chattooga River headwaters, is designated for about 90,000 more acres of timber extraction actions than the Pisgah portion of the forest—although these forests are nearly the same size.

## Remedy

1. The Final Plan must establish clear standards and guidelines in all management areas of the national forest, to ensure the long term maintenance, preservation and restoration of native forests, and their

full complement of natural and physical resources including clean water, productive and rich soils, and the biological diversity of native plants and animals—particularly endemic and/or at risk species.

1. Special areas should be removed from the suitable timber base, including known existing old growth, NC natural heritage natural areas, and unroaded areas possessing remote character, and high ecological integrity and biodiversity values.

## Issue: The Final Plan Fails to Recommend Any Qualified Wilderness Areas in the Chattooga River Watershed

The Final Plan fails to recognize and/or recommend the areas in the Chattooga watershed that are qualified for potential wilderness area designation. These areas are the Overflow Wilderness Study Area, Ellicott Rock Wilderness Area West Extension and Terrapin Mountain. These areas are clustered in close proximity to comprise a portion of the unique and extraordinary biological diversity of the Chattooga headwaters area, and are critical for the resiliency and overall ecological health of the Chattooga River watershed.

Areas in the Nantahala-Pisgah National Forest that are qualified for potential wilderness area designation are dwindling with each successive forest plan revision, due to the Forest Service's commodity management and extraction agendas. In fact, over 100,000 acres of potential wilderness areas have been denied this needed recognition and protection in the Final Plan. Since these special areas are not recognized and recommended in the Final Plan, inevitably the land will be subject to actions that will serve to disqualify the area for future protective designations. It's now or never for protecting the increasingly rare wild areas in the Chattooga headwaters, and in the greater Nantahala- Pisgah National Forest.

## Remedy

Acknowledge and act upon the following facts, to preserve the integrity of these potential wilderness areas:

1. The Overflow Wilderness Study Area is large enough to qualify as a potential wilderness area because Overflow's 3,900 acre potential wilderness area in NC, combined with a contiguous 2,700 acres of primitive backcountry in GA, altogether comprise a 6,600 acre potential wilderness area. State lines do not determine or confine the boundaries of wilderness areas, as illustrated by the Ellicott Rock Wilderness Area.
2. The 824 acre Ellicott Rock Wilderness Area West Extension is contiguous with and will thus add resiliency to the Ellicott Rock Wilderness Area, which will help protect and augment its existing wilderness characteristics and features, to benefit present and future generations.
3. Terrapin Mountain contains 5,441 acres of rugged landscapes, steep slopes and rare habitats, that are contiguous with protected acreage in Chattooga Wild & Scenic River Corridor. These characteristics merit its recognition as a potential wilderness area.

The Final Plan should instate and recommend potential wilderness area designations for the Overflow Wilderness Study Area, Ellicott Rock Wilderness Area West Extension and Terrapin Mountain, because all have outstanding, unique characteristics and features that make them suitable as potential wilderness areas.

Issue: The Final Plan Fails to Recommend Overflow Creek, and the East and West Forks of Overflow Creek, as Qualified for Wild & Scenic River Designation. The Final Plan Fails to Recognize the Thompson and Whitewater Rivers' "Wild" Outstandingly Remarkable Values.

The Final Plan disregarded Overflow Creek as eligible for wild & scenic river designation, based on the unfounded and flawed opinion that it supposedly was not scenic enough and "did not actually possess outstandingly remarkable values." This is an absurd, arbitrary and capricious statement in violation of the Administrative Procedures Act 5 U.S.C. [sect][sect] 551-559. Overflow Creek is difficult to access and has numerous remote waterfalls, outstanding scenic values and clean cold water, which all are outstandingly remarkable values that merit heightened protection to preserve and restore. Overflow Creek is also a major tributary to the Wild & Scenic West Fork of the Chattooga River, that the Final Plan names as a priority watershed, which amplifies the imperative for recognizing Overflow Creek as qualified for wild & scenic river designation.

The East and West Forks of Overflow were disregarded in error in the draft environmental impact statement for the Final Plan. Similar unfounded arbitrary and capricious statements about the lack of outstandingly remarkable values were proffered by forest planners at this juncture of the plan revision process.

Overflow Creek, as well as the creek's East and West Forks, are outstanding streams that contain important and characteristic outstandingly remarkable values and features in situ, and characteristic of the Chattooga Wild & Scenic River. As a part of the Chattooga River headwaters network, Overflow Creek and its East and

West Fork share ecological linkages with the Chattooga River that are crucial for sustaining the structure, function, productivity and biological complexity of the National Wild & Scenic Chattooga River.

Regarding the Whitewater and Thompson Rivers, though the Revised Forest Plan did recommend these rivers as candidates for as wild & scenic river designation, these outstanding rivers received a downgraded classification as "scenic" rather than "wild." In fact, these two rivers flow through some of the most remote and wild areas in the Blue Ridge Escarpment, and are deserving of "wild" eligibility management directives for nearly all of their linear miles.

#### Remedy

1. Recognize and recommend that Overflow Creek is eligible for wild & scenic river designation.
2. Recognize and recommend that the East and West Forks of Overflow Creek are eligible for wild & scenic river designation.

1. Recognize that both the Whitewater and Thompson Rivers merit being upgraded from "scenic" designations, and recommended as largely qualified for "wild" river designations.

#### Issue: The Forest Service's Plan Revision Models are Inaccurate and Biased

The Final Plan uses esoteric computer modeling software to support their purported need for timber harvests and to justify other management prescriptions. These analytical models appear to have fundamental assumptions and flaws that, for example, inflate timber harvesting quotas for creating more early successional habitat. In this instance, the modeling flaws lead to both over estimating early successional habitat in historic conditions, and under estimating current early successional habitat by not accounting for natural forest canopy gaps, permanent wildlife openings, and the likelihood of increased disturbance and forest openings caused by climate change. The Final Plan's flawed modeling assumptions have great bearing on the Final Plan's timber harvesting prescriptions and overarching land management allocations, by predisposing real world outcomes for increased timber harvesting to create young forests, fueled by a large suitable timber base unencumbered by protective designations.

In addition, flawed computer modeling has included wild and scenic river corridors in the forest plan's timber base. While agency planners have acknowledged this particular error, it is indicative that other fundamental mistakes could be buried in the esoteric modeling software.

#### Remedy

1. Remove acres identified as suitable for timber production that are outside of interface and matrix land allocations.
2. Acknowledge that fundamental modeling errors in portraying historical conditions exist, are probable, and are likely.
3. Recognize present day permanent forest openings and forest canopy gaps, and reformulate more accurate levels of anticipated natural disturbances.

## Issue: The Final Plan Fails to Address Climate Change

There are clear and obvious ways that national forest management plans including this Final Plan can actively address climate change, right now. The first way is to immediately locate, protect and restore old growth forest stands, in a network that is connected and buffered across the landscape and includes all native habitats, which will serve as migratory corridors for native plants and animals and ecosystems to migrate as the Earth warms due to climate change. The second way is to protect and restore old growth forests to sequester carbon. The Final Plan does neither, because it fails to prohibit harvesting old growth timber, and does not adequately provide for an interconnected network of old growth and near-old growth native forests for ecosystems to adapt to climate change. Climate change must be addressed immediately to attempt to head off its catastrophic effects.

Regarding carbon sequestration, sadly, the Final Plan sloughs off the carbon-storing potential of old growth forests by asserting that young forests sequester carbon faster than old-growth forests, while

completely ignoring the latest science that concludes old-growth forests continue to sequester large quantities of carbon, and further, cutting down old growth will release stored carbon in both trees and soils which will take many decades or even centuries to recover[mdash]if ever. Even more remarkable is the position of the Final Plan in holding that its expected timber harvesting activities are insignificant in regards to contributing to the climate crisis. The US Forest Service manages the largest amount of carbon-storage forests in the country, yet the true climate and carbon-storage benefits of mature, intact forests on the Nantahala-Pisgah National Forest, alone and in combination with other national forests, is not factored in or realistically included in the agency's decision-making.

## Remedy

1. Include and utilize the carbon and climate benefits of mature forests and old growth forests in all decisions.
2. Manage existing mature and old-growth forests to preserve their carbon storage benefits and biodiversity values.
3. The Final Plan must not permit cutting existing old-growth.

## Issue: The Revised Forest Plan was Written Using Scant Monitoring Data, While Ignoring Independent Best Available Scientific Information

The Final Plan claims that its provisions will ensure that monitoring of forest management activities will occur, to see what is working and what is not, and that this monitoring information will be used to adapt implementation of the forest plan accordingly. The Forest Service said the same regarding the previous Nantahala-Pisgah Forest Plan; however, recorded and intelligible monitoring data is scant or inadequate for the past nearly 30 years of the old plan's tenure. Indeed, some Forest Service managers and technicians have openly admitted that they lack sufficient resources to conduct a robust monitoring program.

The Forest Service also asserts that the Final Plan is based on the best available scientific information. Upon closer reading, it is apparent that this forest plan favors in-house "experts" while ignoring or discounting independent, external, compelling, expert and peer-reviewed scientific information. For an example, reference the climate change discussion in the narrative above. Another example particularly relevant to the Chattooga River watershed (acknowledged by the scientific community as the "salamander capital of the world") is the absence of scientifically sound protections for populations of the imperiled Green Salamander.

## Remedy

1. The Final Plan must deploy ample resources to conduct robust monitoring of the effects of management actions.
2. Independent, expert and peer-reviewed scientific information, that does not serve commodity extraction agendas, must be incorporated and implemented in the Final Plan.

1. Specific and best available scientific information regarding threatened, endangered and sensitive species, and robust, enforceable protections for their habitat must be incorporated into the Final Plan.
2. The Nantahala-Pisgah National Forest should be managed according to the best available scientific information focused on the principles of conservation biology, which call for management that complements the natural processes of sustainability for all native habitats. The Nantahala-Pisgah National Forest lies within the Blue Ridge Mountain Ecological Province of the Southern Appalachian Mountains, and is composed predominantly of mixed hardwood forests, but also includes high elevation balds, spruce-fir ecosystems and piney ridges. The natural processes of sustainability are heavily dependent on the occurrence of high rainfall, steep slopes, soils that are often highly erodible, temperate climate, prevailing subtropical winds, the absence of previous glaciation and the presence of pockets of glacial period refugia, resulting in one of the most highly diverse ecosystems on Earth. Here, natural disturbance, including windfall, ice storms and wildfire on dry ridges, results in canopy gaps of between  $\frac{1}{4}$  to  $\frac{1}{2}$  acre or more, and creates a changing dynamic of all seral stages of succession within an uneven age forest, from early successional habitats through old growth stages. Up until the time of European settlement, large herbivores such as elk maintained canopy gaps, creating a mosaic of what the early botanist William Bartram described in 1775 as a landscape of "swelling turfy ridges and groves of stately forest trees."

The best available scientific information indicates that management in the Final Plan should seek to restore native ecological processes including benign neglect, to allow natural systems to re-create a mosaic of all habitat types dispersed throughout the landscape, and to also utilize active management to maintain wildlife openings to mimic the effects of now absent keystone species. Management should also focus on creating a network of mature and old growth native forest connected across the landscape to provide migratory corridors to help native species adapt to climate change, and to serve as carbon sinks to mitigate the effects of climate change.

Management should play a critical role, first and foremost, in restoring and protecting critical habitats for threatened, endangered and sensitive species, and especially for old growth forests, which have dwindled to less than  $\frac{1}{2}$  of 1% of their original existence. Natural science based management will be essential to protect and restore biological diversity, to ensure the healthy native forests upon which human health depends. The Final Plan proposed by the Forest Service for the Nantahala-Pisgah National Forest must be changed to achieve these

goals.

Respectfully submitted,

Nicole Hayler,

Director, Chattooga Conservancy