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Comments: On December 20, 2023, the U.S. Department of Agriculture (USDA) published a notice of intent to prepare an environmental impact statement (EIS) in connection with its proposed nationwide amendments to all 128 land management plans for the National Forest System (Forest Plan Amendments). 88 Fed. Reg. 88042 (Dec. 20, 2023) (Scoping Notice). The Scoping Notice states that the Forest Plan Amendments would impose uniform requirements on the long-term management of all national forests for the purpose of maintaining and expanding old-growth forest conditions throughout the National Forest System (NFS). Id. at 88044. The Scoping Notice is hereinafter referred to as the "Old Growth Proposal."

The Forest Area School District submits these comments on the Old Growth Proposal. The Forest Area School District includes all of Forest County and a portion of Elk County. Nearly 50% of our 503 square miles are forested federal lands and thus cannot be taxed to support the needs of our students. We rely on a productive and sustainably managed forest to help support our financial needs. Our community relies upon tourism and outdoor recreational activities such as hunting and hiking for much of the income of our residents.

The Old Growth Proposal is in direct conflict with the prescription required to return the Allegheny National Forest (ANF) to good health and maintain our progress toward that end. The 2007 ANF Forest Plan identified a timber age class distribution, upon the ANF, that was far from what was desired for good health. At that time, the ANF was already dangerously overstocked with old timber with a balance of about 15% < 50 years, 81% from 51-100 years and 4% >111 years.

Problems with the unhealthy age imbalance in 2007 included enhanced susceptibility to disease, inadequate ability to stock the forest into the future, potential for fire, dangerous conditions for hiking and recreation and inadequate habitat for wildlife.

The 2007 ANF Forest Plan also set forth the desired age class distribution. That desired distribution was radically different from the unhealthy conditions then prevailing in the ANF. The desired distribution was as follows: 26% <50 years, 14% 51-100 years, 35% 111-140 years, and 25% >140 years.

Unfortunately, conditions on the ANF have not substantially improved since the adoption of the 2007 ANF Forest Plan. The ANF Monitoring and Evaluation Report covering years 2008 through 2013 found that: "Presently, approximately 3.4% of the ANF, or less than half of that desired, is in an early structural condition (less than 20 years old)" and that, in general, the other manifestations of the serious age imbalance had not materially improved.

Recognizing these continuing serious health problems, the ANF leadership convened the Allegheny National Forest Health Collaborative. Beginning in 2017, the ANF leadership brought together over 70 organizations to address ANF forest health problems. The work is ongoing and in the first two years identified top threats and strategies. The summary report begins with the problem of age class imbalance and notes that "the current age class distribution of the ANF is very unbalanced, and the creation of early structural habitat is occurring far too slow. Current condition of Management Area (MA) 3.0: 71% is 80 years of age or older; other MAs are comparable." The summary report characterizes the severity of the problem as "very significant." The report goes on to note that "many of the other threats outlined by the collaborative would benefit from a more balanced age class distribution."

The prescription set out in the collaborative's summary is the same prescription noted in the 2007 Forest Plan, namely, more timber harvests to remove older trees to make way for the much-needed younger forest growth. The Old Growth Proposal would be an unmitigated disaster for the health of the ANF. Fostering Old Growth on the ANF is exactly the opposite of what the ANF requires, and the substitution of a "one-size-fits-all national policy fostering old growth is entirely ill fitting for the specific needs of the ANF. Those specific needs of the ANF are well studied, documented, and commented upon. Those critical steps are required by law and federal policies. The Old Growth Proposal defies those studies, documents and comments, and steers a blind course to

the ruinous health of the ANF.

The Old Growth Proposal results in an outcome that is entirely contrary to the well-considered prescription for the health of the ANF. Not surprisingly, the Old Growth Proposal arises in violation of the statutes and policies that were carefully followed to arrive at the very different prescription for the health of the ANF. Among other things the one-size-fits-all approach taken in the advancement of the Old Growth Proposal violates the USDA's obligations to coordinate with state and local governments, it violates the Administrative Procedures Act, it violates the NFS Land Management Planning regulations, and it violates NEPA.

School districts, such as Forest Area School District, are the intended beneficiaries of the goals set out under the Weeks Act (the statute which formed the ANF) and the USDA's obligations to coordinate with local governments. The Forest Area School District is a beneficiary of the payments due under the Weeks Act and which are made in respect of the fact that the national forest commands control of such a large amount of the acreage in the local communities. Not only the school district, but also all of the local attendees and citizens, are impacted by the health and management of the ANF, both directly and indirectly.

The statutes and regulations cited above, and in the attachment, are adopted, in part, to protect the interests of our school children and citizens. The Old Growth Proposal demonstrates a callous disregard for those school children and citizens, and the proposal's one-size-fits-all approach is a shameful exercise of unlawful authority. The Forest Area School District strongly urges the rejection of the Old Growth Proposal.