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Comments: The intent of this Environmental Impact Statement is beneficial as its goals potential expand protections of old-growth and mature forests on federal lands. This is a noble goal in a noble country that has sufficient public lands so that such decisions will have important consequences on ecosystem health, especially in the West. The information presented in support of this EIS are well thought out and executed. Given this, it is surprising the leadership of the Forest Service has pulled on the reins, so that this document will lead to few on the ground changes. The changes caused by this planning document are so few there is a "no effect" determination for Endangered Species. No effect is defined as "there will be no consequences to listed species or critical habitat that result from the proposed action, including the consequences of any activities that would not occur but for the proposed action." <https://www.fisheries.noaa.gov/insight/section-7-types-endangered-species-act-consultations-greater-atlantic-region>. It is hard to see how a decision seeking to protect old-growth and mature forest would have "No effect" unless it was not changing anything on the ground.

My first issue is the pace at which this effort is moving. This is not the normal sequence of events to implement Forest Service environmental documents. The quickness of this decision seems designed around a presidential election rather than the best path towards the protection of old-growth and mature forests. The reality is, if the Democrats win there will be plenty of time to make a good decision and defend it. In contrast if the Republicans win, they will walk away from implementing this plan no matter how good it is. The quickness in which this document was put together will cause people to cut corners in documentation, even though they have great data sets. Speed has resulted in a planning document that will have little on the ground effect beyond what was in the Executive Order, but may result in numerous additional hoops before any commercial harvest activities may be undertaken. My suggestion is you extend the time before you make a final decision, have on-the-ground effects in the decision, and simplify and define the wording in the standards and guidelines section.

Your, "Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management" and "Mature and Old-Growth Forests: Analysis of Threats on Lands Managed by the Forest Service and Bureau of Land Management" documents are a necessary first step in understanding old-growth forests, but they are not sufficient to complete this EIS. These documents are in response to the Executive Order (EO) 14072 Strengthening the Nation's Forests, Communities, and Local Economies, which is why they would focus on federal land. But the document I am reviewing is not the EO, it's an EIS put together to satisfy the National Environmental Policy Act (NEPA). The document needs to not only cover the direct and indirect effects but also the cumulative effects of the actions. Cumulative effects are defined by the Council on Environmental Quality (CEQ) as "The incremental impact of an action when added to other past, present, and reasonably foreseeable future actions. These effects can result from individually minor but collectively significant actions taking place over time. Cumulative impacts can be viewed as the total effects on a resource, ecosystem, or human community of an action and all other activities affecting that resource." To address cumulative effects this document needs to not only account for the cumulative effects on old-growth and mature forests due to Forest Service actions but past, current, and future actions on private land as well. Therefore the cumulative effects analysis in the NEPA document is insufficient.

The failure to talk about the amount of old-growth on public and private lands combined in the affected environment sections keeps you from answering the most important question; How much old-growth is needed on National Forest to maintain biodiversity? and, Are federal lands the only places where forests with old-growth characteristics will exist in the future? Neither of these questions are asked, let alone answered in this effort. This document needs to summarize the amount of old-growth on public and private lands by Forest Service Region. It then needs to explore how much old-growth, by the different types, was likely here historically, and what role the Forest Service should play in maintaining old-growth into the future. This is something that can

only be done at a national scale. It really seems like the only reason you might undertake a National Old-growth Amendment rather than letting the forests address the issue. But this document does not do this. I ask a simple question, if this document is in response to this EO and doesn't tell the public how much old-growth is needed, when and where will this question be answered? If it is not, old-growth will die the death of a thousand cuts over the next decades - some of these cuts will come at the hands of humans and others by fire, insects, and disease.

According to the Forest Service there are "765 million acres of planted and natural forest land and an additional 58 million acres of woodlands" in the United States, of which more than half is in the hands of non-federal managers (Forest Atlas of the United States, FS-1172, July 2022). According to page 1 of the inventory, land managed by the Forest Service covers only 178 million forested acres - only 23% of all forested land in the nation. This report also states there is 33.1 million acres of old-growth; that is 19% of the Forest Service/BLM lands. To me, the sole purpose of doing a national EIS, is to put old-growth and mature forests in context - both ecologically and spatially. This document does not do that even though there are plenty of published papers on this subject. Please at least approximate how much old-growth is needed to maintain biodiversity by region.

Part of the problem with the threats document is by only looking at Forest Service lands it misrepresents the larger threats to old-growth. My guess is at the forested landscape scale, the biggest cumulative threat to old-growth and mature forests is still logging or perhaps more houses being built in the rural environment. If harvest continues on private land, based on past data, how much old-growth and mature forests do you expect to see in these areas? Your response to this comment will likely be we don't look at human caused threats outside Forest Service boundary. That is not true. You spend a lot of time talking about the role of old-growth in climate change. If you are willing to talk about the cumulative role of old-growth in carbon sequestration because of human activities elsewhere (climate change), you need to discuss the possibility that the Forest Service may need to overprotect old-growth and mature forests on public lands because of the past, present, and future harvest, and loss of conductivity of these forest types on private lands. Again, if you don't discuss it here, when and where will it be discussed?

My biggest issue with this effort is you do not map and protect known old-growth and some subset of mature old-growth forests in this decision. To say you cannot map how much and where old-growth and mature forests exists inside and outside the Forest Service boundary simply isn't reflected by the data you presented. Remote sensed and FIA data allows you to precisely estimate how much old-growth forest is inside and outside Forest Service boundaries. You need to do this. On page 1 of the inventory, you state there is 33.1 million acres of old-growth with a sampling error 0.8 (given the way this number is footnoted, I'm not sure if this is the standard deviation or the standard error, but it is very small regardless). This suggests you can precisely determine where old-growth is; probably better and more consistently than you can on foot. To restate this, this problem will not go away with ground surveys as it is often difficult to see the forest through the trees at that scale. In the DRAFT Ecological Impacts Analysis there is the amount of old-growth by Forest - which looks like it has been mapped, even though the links to those maps were broken when I looked. Please map presumed old-growth and important replacement/backup mature forests on Forest Service lands. You can use other efforts that have already been done if you choose (e.g., Barnett, K., Aplet, G.H. and Belote, R.T., 2023. Classifying, inventorying, and mapping mature and old-growth forests in the United States. *Frontiers in Forests and Global Change*, 5, p.1070372). If there is lots of old-growth on lands outside of Forest Service lands (which I doubt), your decision will have greater flexibility in protecting old-growth on Forest Service lands.

Regardless of the outcome, this document needs to address how much old-growth is in private hands. The Barnett et al. (2023) paper suggests the distribution of old-growth on public and private lands differ among regions and forest types and that this is mappable now. You may not want to map what is on private lands for privacy reasons. I understand that, but you still need to talk about how many acres. These kinds of maps or comparisons will help the Forest Service and public better understand which and where old-growth is underrepresented as a forest type on Forest Service lands.

These mapped old-growth and selected mature stands (or those provided by the region) should be protected from any commercial harvest activity as the starting point for the 120 + Forest Plan amendments that will follow this document. Providing old-growth and mature forests that are protected by default in this decision was the approach used for riparian reserves standards in previous plan amendments (e.g., Northwest Forest Plan, PacFish, Infish) and they have greatly benefited riparian areas on public lands in the west (Roper, B.B., Saunders, W.C. and Ojala, J.V., 2019. Did changes in western federal land management policies improve salmonid habitat in streams on public lands within the Interior Columbia River Basin?. Environmental Monitoring and Assessment, 191(9), p.574)). The same would be true if done in this decision. Having specified areas that would be set aside would also protect these areas until they get around to amending Forest plans. If past planning efforts offers a clue, doing the next round of plans for old-growth could take decades. Mapping these areas would also help meet President Biden's 30 by 30 initiative. It is interesting this policy was not mentioned in this document despite it having many of the same goals. Giving these forest stands protection now would facilitate meeting the President's 30 x 30 strategy.

In my mind, the failure to map old-growth forests and estimate if there is enough old growth/mature stands within a region or on a forest is a waste of human effort. This group created information that is capable of providing such outcomes now. This data is current, consistent, and not stale. But instead of given these lands protections in this effort, it will be done in the next iteration. This follow up effort will be less consistent, contravening a goal of old-growth management in this document. Consistency is sought in Goal 1 and Desired Condition 1. Please explain to me how allowing 120 forest plans to make independent decisions will increase consistency in old-growth and mature forest protections?

Your choice to do two sets of high level planning documents - this one and then forest plan amendments - makes the process unfair to the public. This process means for me to influence a decision on how and which old-growth or mature stands will be protected, I will have to comment again on the plan amendments. I will then have to comment on yet a third set of documents; the project, to make a difference. Given my age, I may be dead before I can have meaningful influence on this process. This is not the intent of tiering NEPA documents. Furthermore, three steps of tiering will make projects harder to implement in a manner that meets the intent of all three layers of planning. This will make this effort easier to litigate and win.

Forest Service leadership wonders why they end up getting litigated by the same people all the time. All you have to do is read this EIS with the view of someone who does not have a natural resource background but cares about old-growth and just wants to weigh in on how these areas should be protected. The first sentence of the abstract of this EIS reads; "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." How can the average person even know what this means? The only people who understand what is written and have the time to stay engaged with this process are people like those in the Forest Service or Conservation groups, who get paid for their work. By having these multiple tiers there will be more requirements, litigant will have even more places they can point to where things were not addressed in future projects.

I don't agree with your Endangered Species Act determination (page S-11) and I don't think it meets the intent or letter of the law (For example see *Ctr. for Biological Diversity v. Env't Prot. Agency*, 56 F.4th 55(D.C. Cir. 2022)). The intent of this document it to increase the likelihood the amount of old-growth will increase or stay the same. That is good. As many ESA listed species require old-growth habitat and others do not, this EIS is specific enough to sketch out the effects on those ESA species. This decision will certainly not have "no effect" if implemented. Like I argued in a previous paragraph, you know where the old growth is, you simply won't map it. The use of a framework programmatic for ESA consultation would help you take credit for ESA 7(a)1 benefits in this document - something the Forest Service does not do enough of. Framework programmatic consultation does not require an incidental take statement, so reflects a lack of knowledge of the exact treatments and exact locations of old-growth and mature forests. It is hard for me to see how a plan intended to influence the

management of "24.7 million acres of old-growth forests and 68.1 million acres of mature forest conditions," (S-4) will have no effect on ESA species. This document seems to go out of its way not to talk about the importance of old-growth habitats to fish and wildlife so they can avoid consultation. For example, in the affected environment section of page 58-59, there is more discussion on fungi and lichen than fish and wildlife. This seems odd.

Given all my previous points, I do not think modified alternative 2 will meet the needs listed on pages S-4, S6, 2, and 7 to "Create a consistent framework to manage for the long-term persistence, distribution, and recruitment of old-growth forests across the National Forest System (NFS) in light of the interacting biophysical and social factors that threaten the persistence of older forests on NFS lands across the Nation." This is because this document provides maximum flexibility for every district ranger to determine if he/she meet the standards/guidelines/... provided in this document. Please explain to me how the need for consistency was addressed by a process that will require an addition of 120 + forest plans amendment and 1,000s of projects when there is not a consistent set of mapped old-growth stands to begin with.

To be consistent there needs to be more definitions. For example, the term persistence was used 16 times in this EIS as it talked about its relationship to old-growth. But persistence was never defined. Is persistence 50, 100, 200 years; or is persistence even possible in a world subject to climate change. So define this term as you are using it. I have no idea what "in light of the interacting biophysical and social factors" means; please define. These are a lot of nice sounding words but they do not result in consistency. How about rewriting the goal as; "Within the capacity of the Forest Service lands, protect sufficient old-growth and mature forests necessary to maintain fish and wildlife dependent on those systems." Sufficient should then be defined in relationship to habitat needed for biodiversity.

I have trouble with Desired Condition 1 which states; "Old-growth forests occur in amounts and levels of representativeness, redundancy, and connectivity such that conditions are resilient and adaptable to stressors and likely future environments." This will mean nothing to the broader public but allows complete flexibility to local rangers. This definition would make Frank Herbert (author of the book Dune and who worried about a future world run by bureaucracies) proud. How about the simple; We have as much or more old-growth in the future as we do now. Isn't that really the desired condition?

Let me be clear, the intent of this document, to manage federal lands to increase protection of old-growth and mature forests is needed. The commitment by Forest Service leadership for on-the ground actions within this document falls well short of what is meaningful and legally required from both a NEPA and ESA perspective. I recognize my comments will have little bearing on the final document as the Forest Service does not have the time to contemplate these suggestions, let alone think about implementing them given the short time frames. There is a need to provide additional protections to old-growth and old growth dependent species (as stated in the EO). It is clear individuals working for the Forest Service have the data and understanding that could provide a simple, tractable, consistent and understandable approach to protect old-growth and mature forest on-the-ground, but has chosen not to do so. The lack of clarity in this document will just make all projects harder to implement, and may or may not provide additional protections. For a Forest Service leadership how is always complaining about being sued, the only thing that is clear in this document is the number of avenues for lawsuits will be greatly increased even if on-the-ground work changes little.