

May 16, 2011

Forest Service Planning DEIS  
C/O Bear West Company  
132 E 500 S  
Bountiful, UT 84010

RE: 36 CFR Part 219, National Forest System Land Management Planning; Proposed Rule

To Whom It May Concern:

We appreciate the opportunity to submit these comments in response to the National Forest System Land Management Planning Notice of Proposed Rulemaking (76 Fed. Reg. 8480, Feb. 14, 2011), implementing the requirements of the National Forest Management Act (NFMA) (16 U.S.C. § 1600 et seq.). Founded in 1875, American Forests is the oldest nonprofit conservation organization in the nation and was involved in the creation of the U.S. Forest Service, so our interest in this planning rule is substantial. Additionally, our mission is to protect and restore rural and urban forests, as well as educating the public about the environmental and societal benefits they provide, with a specific focus on ensuring that:

- America's forests are healthy and forest cover is expanding.
- Americans understand the importance of healthy forests as vital to human life.
- Environmentally important and threatened forest ecosystems are restored and protected.
- Public and private forests are managed in ways that give high priority to well-functioning ecosystems and the services they provide, such as clean water, carbon sequestration, fish and wildlife habitat, and recreation
- And threats such as climate change, invasive species, insects and disease, wildfire, and conversion of land to non-forest uses are assessed and managed to limit their impacts on healthy forests.

Because of this, American Forests has a direct interest in the responsible decision-making for the health of our national forests and respectfully submit the following comments highlighting specific sections of the proposed rule that align with our overall goals for America's forests.

American Forests commends the Forest Service for its expanded public involvement in the creation of the proposed rule. As stated in comments submitted by our partner, the Rural Voices for Conservation Coalition, we applaud the Forest Service for making collaboration a priority in the proposed planning rule, and requiring responsible officials to engage State and local governments, Tribes, private landowners and the public at large, including youth, low-income and minority populations. American Forests has long promoted the idea that collaboration with the people directly affected by Forest Service decisions results in more efficient and effective implementation.

At the same time, we believe the proposed planning rule can be enhanced in a number of ways to ensure more effective management of the nation's forests. We have several general concerns about the proposed rule, and a number of specific recommendations for its improvement.

### **Overall comments:**

American Forests supports the move from an “output-based” approach reflective in the 1982 Planning Rule to an “outcome-based” approach highlighted by the 2011 Proposed Planning Rule. The outcome-based approach considers land management planning in the context of the broader landscape and Secretary Vilsack's call for an “all-lands” approach which we support. The emphasis on adaptive management provides greater opportunity and flexibility for making amendments and revisions to reflect the changes in scientific knowledge and new information about how forest ecosystems respond to the on-the-ground management. This change from the 1982 Rule provides for a responsive approach to land management and allows for continued public input to the management of the national forests.

We're also pleased to see a planning rule that allows for a more adaptive process for planning, largely by simplifying the plan amendment process. This will allow national forests to keep their plans current and to respond to emerging science and new information between full major plan revisions.

### **§219.1 Purpose and Applicability**

American Forests is pleased that the proposed rule is designed to create a collaborative and science-based planning process so that plans and their amendments reflect public values and the best available scientific information. We also appreciate the new requirements in the proposed rule for developing information about conditions, trends, risks and stresses on the national forests, as well as management effectiveness. These new requirements should increase agency capacity for adaptive management and for amending management plans to new and evolving information.

However, American Forests believes that the planning rule, in general, should provide clear information and guidance regarding strategy and implementation and that more detailed information and guidance, (e.g., responsive to diverse forest contexts and to new science or information) needs to be developed and shared through another management tool, such as the Forest Service Directive System. We are also concerned about adequate public opportunity to participate in the development of guidance, methods and protocol for a number of sections of the rule, such as agency directives for ecosystem diversity, watershed condition, and species conservation. We urge the agency to clarify how the development of the directives will involve collaboration with external groups and how the public will be provided opportunity to participate in reviewing and commenting on these directives.

### **§219.2 Levels of Planning and Responsible Official**

We support the approach this proposed rule takes in clarifying that the appropriate planning level is at the national forest, or unit, level. Within the rule, each national forest plan should recognize the unique contributions that each forest makes within the broader landscape, and should connect to a broader landscape scale plan. In addition, within each national forest plan, there is, and should be, opportunity for planning at a smaller scale, such as through the identification of priority watersheds in Section 219.7.

We support the change from the 1982 rule that identifies the Forest Supervisor as the responsible official for national forest plans, rather than the Regional Forester. We believe this will provide greater opportunity for public participation and collaboration in developing the plans, and for greater understanding and responsiveness by the responsible official to public information and concerns. We also think that the proposed rule's identification of the Regional Forester as responsible for developing broader, landscape-level plans, to which the national forest plans can connect, makes good sense.

### **§219.3 Role of Science in Planning**

American Forests welcomes the Forest Service's stated intent in the proposed rule to allow other sources of information, such as local and indigenous knowledge, to be used in the planning process in addition to the best available scientific information (BASI). However, we believe that the proposed rule's direction to the responsible official to "take into account" BASI is not strong enough and undercuts the rule's intent, which is that the responsible official "shall use" BASI in making decisions. "Take into account" allows too much discretion for the Forest Supervisor to determine how much emphasis is placed on the best available scientific information. The direction should rather "require" the responsible official to determine and use the best available scientific information and to explain how that information is used in making planning decisions. This requirement would put greater emphasis on the importance of clearly

explaining what the BASI is, how it relates to other important sources of information, and how these various sources are weighed by the responsible official in making decisions.

## **§219. Planning Framework**

American Forests strongly supports the planning framework in the proposed rule, which is presented as a three-part learning and planning cycle: (1) assessment; (2) development/ revision/ amendment; and (3) monitoring. We also support the intent and vision of creating a process and structure in which agency land managers and external partners work together to understand what is happening on the land, develop and revise management plans to respond to existing and projected conditions and needs, and monitor changing conditions and the effectiveness of management action through a continuous cycle of learning and adaptive management. We are particularly excited about this new adaptive management framework, which aims to establish a more responsive and agile process, allowing the agency to adapt management to changing conditions and to improve management based on new information and monitoring.

### **§219.6 Assessments**

American Forests recognizes the assessments in the proposed rule as a critical feature of the planning process through which the Forest Supervisor engages the public early to identify the right questions and to develop the best information for addressing the part of the planning framework in which they are engaged. Assessments are also important for identifying and addressing gaps in information, particularly in developing information for emerging concepts and values, such as ecosystem services. The assessment process should allow for public participation well before the proposed action so that participants can engage in joint information gathering and develop a mutual understanding of the key issues to be addressed. With our strong interest in strengthening public participation, we are concerned about unclear language related to the public's role in some instances. For example, while responsible officials must notify and encourage public involvement in the assessment process, it is not clear if the public can help determine the scope of the assessment. In addition, while the Proposed Rule attempts to allow for flexibility at the unit level, the use of "should" in what the responsible official considers including in the assessment, undermines the importance of what follows – "relevant ecological, economic, and social conditions, trends, and sustainability within the context of the broader landscape." If these are only possible considerations, it is unclear what the assessment "must" include.

## §219.8 Sustainability

We applaud the Forest Service for including both terrestrial and aquatic ecosystems as a necessary component of the management plan, understanding the interconnectedness between the forests and the waterways that run through them. American Forests is also pleased to see the inclusion of both ecological sustainability and social and economic sustainability in this section. We strongly support the agency's requirements for ecological sustainability in the proposed rule, as they reflect broad ecological principles we share—that the health of aquatic and terrestrial systems is interdependent and that they are shaped by processes at the landscape scale.

There is an omission in the text of *(a) Ecological sustainability* that can be easily fixed. In subsections *(1) Ecosystem plan components*, *(2) Ecosystem elements*, and *(3) Riparian areas*, the directives state “the plan must include plan components to maintain or restore” and “maintain, protect, or restore.” By leaving “and” out of these clauses, the Proposed Rule currently reads that the plan must *only* do one of these options, when it could be possible to accomplish all three directives. By including an “and/or” into these statements, the meaning of the phrases now reads that after an ecosystem element is restored, it can also be maintained and protected.

### *(1) Ecosystem plan components*

American Forests believes that the dramatic effects of climate change on forests constitute a serious, complex issue the federal government must address. We are glad to see climate change issues are included throughout the Proposed Rule, and that land management plans should consider how climate change might affect ecosystem and watershed health and resilience, as well as their ability to adapt to change. However, there is a need for greater clarity on the Forest Service's strategies to assess the potential impacts of climate change on the plants, animals, and ecosystem benefits of the forests and how to help forest ecosystems or landscapes adapt to these potential impacts.

### *(2) Ecosystem elements*

While American Forests does not want to be prescriptive of local management options for water, wildlife, and soil, we believe the planning rule should outline better measures and indicators for assessing trends and improvements to the ecosystem. For example, we strongly endorse the focus on water in the proposed rule, which requires that plans include components to maintain, protect, and restore public water supplies, groundwater, sole source aquifers, and source water protection areas where they occur on NFS lands. However, to effectively meet these requirements, better measures for monitoring water quality and water supplies need to be developed. We urge the agency to develop such measures through open and collaborative processes. The Watershed Condition Framework proposed in the Agency's FY 2012 budget is an example of an assessment tool that was developed through collaborative efforts with external partners.

### ***(3) Riparian areas***

American Forests places a high priority on riparian areas as important elements of watersheds that provide critical transition zones linking terrestrial and aquatic ecosystems. We support the proposed rule's efforts to highlight the importance of maintaining, protecting, or restoring riparian areas and the values such areas provide by requiring that plans include plan components to guide management with riparian areas. Management of riparian areas should be based on ecologic and geomorphic factors, and on the type of waterbody it is protecting, as stated in the Proposed Rule. However, riparian default widths should be a last-resort option for a plan.

If there is no data available for all the waterways within the unit area, the assessment plan should indicate the need for such information. The option of default width should not be given the same directive weight as determining a width based on the above-mentioned criteria. The Proposed Rule now states that riparian area "may be a standard width... or may vary." And while it does state that the default should be used unless the actual riparian area has been delineated, it does not indicate that if the riparian width is not indicated, it should be a priority in the assessment of what data is missing for the plan.

### **§219.9 Diversity of plant and animal communities**

American Forests agrees that trying to manage for entire ecosystems – the "species-by-species" approach – is not practicable. By moving toward holistic management and maintaining ecosystems as a whole, the Forest Service is providing a systematic way to manage the national forests given the funding constraints it faces. American Forests supports the complementary ecosystem diversity and species conservation approach in the proposed rule, which aims to provide for the diversity of plant and animal communities in the plan area and the long-term persistence of native species. The complementary coarse-filter/fine-filter approach is a well-developed concept in the scientific literature and has broad support from the scientific community. The coarse-filter should provide ecological conditions for the long-term persistence of the vast majority of species within the plan area. The fine-filter should identify specific habitat needs of species with known conservation concerns or whose long-term persistence in the plan area is at risk, and for which the coarse-filter protection is insufficient.

American Forests is also pleased with the requirement in this section of the proposed rule to preserve the diversity of tree species similar to that existing in the unit-plan region, as required by the NFMA. By preserving the diversity of native trees in the unit, the proposed rule would also aim to preserve other native plant species associated with the trees. We strongly endorse the requirements and protections under the proposed rule to include native trees and plant, reaching beyond the requirements of the 1982 rule, which limited protections to "vertebrate" species.

## **§219.10 Multiple-Use**

American Forest is pleased that the rule states that all multiple-uses must be considered and that the plan emphasizes integrated resources planning. We support the inclusion of “sustainable recreation” as part of the multiple-use section, and the emphasis on the social and economic benefits it provides to the communities in and around the national forests. Integrated Resource Management is necessary if these plans are to reflect Secretary Vilsack’s call for an “all-lands” approach to managing the national forests. Due to the cross-boundary migration of wildlife and water, the interconnectedness of the national forests to those lands that surround it, it is necessary to work across boundaries with multiple landowners to better manage our natural resources.

## **§219.12 Monitoring**

American Forests sees monitoring as an essential part of the land management planning process, and we are pleased with the strong emphasis on monitoring in the planning framework. We also support the structure and approach presented in this monitoring section. The proposed rule requires monitoring at the unit level, for which the Forest Supervisor is the responsible official and at a broader scale, for which the Regional Forester is the responsible official. In addition, the proposed rule includes biennial monitoring of the unit plan and the monitoring program itself, to determine if there are needed changes.

Monitoring policies and programs have been notoriously underfunded in the past. We hope that these provisions will help the agency make a strong case for the importance of monitoring as part of an adaptive management process and that sufficient funding will be allocated to these provisions to implement them in a credible manner. With respect to unit-level monitoring, we support the idea of the monitoring program being informed and tied to the assessments done at the earlier stages of the planning process. We also believe that the requirement for each unit-level monitoring program to address the following seven essential areas is beneficial: (1) the status of select watershed conditions; (2) the status of focal species; (3) the status of visitor use and progress toward meeting recreational objectives; (4) measurable changes on the unit related to climate change and other stressors; (5) the carbon stored in above ground vegetation; (6) the progress toward fulfilling the unit’s distinctive roles and contributions to ecological, social, and economic conditions of the local area, region, and nation; and (7) the effects of management systems to determine that they do not substantially and permanently impair the productivity of the land.

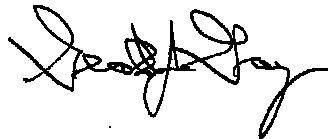
We believe the proposed rule’s new mandate for broader-scale monitoring is necessary and important to consider how each national forest fits into the larger landscape context. The broader-scale monitoring efforts need to consider drivers and stressors affecting large ecosystems, multiple land ownerships, and information available from other branches of the Agency as well as other governmental and non-governmental partners. We also believe that the

tiering of responsibility within the proposed rule makes sense, with the Forest Supervisor being responsible for monitoring at the unit level and coordinating with the Regional Forester, who is responsible for broader-scale monitoring.

Finally, we would like to acknowledge and support the shift in the proposed rule to require monitoring of focal species, as well as select ecological and watershed conditions, rather than “management indicator species” as required in the 1982 rule. While we understand that there will be challenges in identifying and monitoring focal species, we believe that this approach, by monitoring selected focal species over time, can provide insight into the integrity of ecological systems on which those species depend and the effects of management on those ecological conditions. It is important that the agency engage the public early in developing and implementing this new focal species monitoring approach.

We thank you for the opportunity to provide these comments. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerry Gray". The signature is fluid and cursive, with a large initial "G" and "G".

Gerry Gray, Ph.D.  
Senior Vice President of Conservation Programs