



Our mission is to connect people to the natural world and cultivate a community of environmental stewards working together to build a greener and healthier planet.

August 9, 2022

Via Regular U.S. Mail and E-Mail

Honorable Senator Ron Wyden  
Honorable Senator Jeff Merkley  
221 Dirksen Senate Office Building  
Washington DC 20510

**Re: Mature and Old Growth Trees and Forests in Eastern and Central Oregon**

Dear Senators Wyden and Merkley:

Thank you for your August 1 response to our questions regarding the need to protect large trees and mature and old-growth forests in central and eastern Oregon. We thank you for your ongoing leadership on this issue and request a follow up discussion based on our letter herein.

The Oregon audience of around 150 participants at our recent Big Tree Symposium was thrilled to hear that you value robust public participation in seeking forest protection policies as an urgent matter of public health and welfare. During an escalating climate emergency, every big tree and older forest matters. This is because these forests and trees act as natural climate solutions in the drawdown of atmospheric carbon dioxide, while also providing for fish and wildlife habitat, and filtering and storing our drinking water; all irreplaceable services for slowing down and adapting to unprecedented climate change.

Regarding the issue of reviving the Eastside Screens, your thoughtful letter raises important questions. We believe that the original rule was based on solid science that continues to be validated. And we can show how there are ways to enforce a measurable standard while also allowing for flexibility in the rare occurrence that trees larger than the baseline protection need to be addressed in forest restoration.

We believe that during a climate emergency an enforceable standard for Oregon should presume that trees >21 inches dbh are protected from logging. With the help of Oregon-based experts such as Dr. Beverly Law, Dr. Dominick DellaSala, and others we are continuing to work on increasing public awareness of the value of protecting large trees in Oregon and the nation. We would be very interested in working directly with you on drafting policies to protect large trees and mature forests in central and eastern Oregon as an initial step. In the meantime, we also request that you send a letter to the White House asking for 1) a suspension of timber sales in mature and old-growth forests as a good faith effort to allow clear direction and policy development, and 2) a national rulemaking to begin a public process for protecting mature and old-growth forests and trees on federal lands across the nation to enable President Biden's mature/old-growth forests and climate change Executive Orders in time before the close of this Biden term. To begin this process, we refer to a minimum list of ten egregious timber sales in older forests nationwide that need to be suspended, including some in Oregon (<https://www.climate-forests.org/worth-more-standing>).

As you wrote, "flexibility" is essential to forest management. We contend that the presumption should be to favor protecting large diameter trees, and the burden to log any should shift to the federal agencies to prove that cutting them down during a climate emergency on balance is beneficial and justified for the climate, biodiversity, and water quality benefits. The original 1994 screening rule allowed for

flexibility. But the new approach adopted during the Trump administration confers absolute discretion with no accountability. This unfettered power we believe can lead to arbitrary and capricious abuses.

**Rationale for Protecting Mature/Old Growth and Large Trees** – As forests mature, large trees play a disproportionately important role in climate regulation as they accumulate at least 40% of the above ground carbon and are associated with exceptional levels of biodiversity. Notably, the annual rate of carbon accumulation, along with the wildlife habitat importance and relative fire resistance of larger trees, all increase dramatically at about 21 inches dbh (Mildrexler, Berner et al. 2020). However, the decision to downgrade the 21-inch standard to a non-enforceable guideline provides too much agency discretion for removing carbon dense, fire-resistant large trees. Proponents of thinning large trees contend that commercial logging will reduce wildfire risk, but the large trees are not a fire problem. Several studies, including right here in Oregon, confirm that so-called megafires are caused by the combination of industrial-scale logging that creates flammable tree plantations and extreme fire weather triggered by climate change (e.g., Zald and Dunn 2018). Thus, restoration should target small trees and not the large ones, starting from the homes outward, and forest-climate policies should protect the carbon stocks present in large trees and older forests.

**Meeting President Biden’s Executive Order and Related Climate Policies** - Unless we protect large trees and older forests, it is inconceivable that we will be able to meet the laudable global warming mitigation goals in President Biden’s executive orders 14008 (protect 30% of all lands and waters by 2030) & 14072 (mature/old growth forest inventory). Specifically, Section 2(c)(ii) of Executive Order 14072 requires the Secretaries of Interior and Agriculture to analyze threats to mature and old-growth forests on Federal lands, including from wildfires and climate change. Fire is a significant threat to humans, especially in urban interface zones, but the biggest threat to large trees and older forests is logging and a rapidly changing climate. Reducing emissions from energy systems, deforestation, forest degradation and other sources while increasing accumulation of carbon by natural systems are the primary means by which we will limit atmospheric CO<sub>2</sub> (Law, Moomaw et al. 2022).

The Intergovernmental Panel on Climate Change (IPCC) AR 6 report substantiates a growing body of research stressing the essential need to maintain ecological integrity for biodiversity to effectively address climate change (IPCC 2022). The Pacific Northwest (PNW) and Alaska stand out as having mature and old-growth forests with immense carbon stores and high biodiversity that meet the IPCC criteria for carbon sinks that need protection from logging at a minimum (Krankina, DellaSala et al. 2014, Vynne, Dovichin et al. 2021, DellaSala, Gorelik et al. 2022). Most of the forest identified as critical sinks in the PNW are west of the Cascade Crest, but eastside forests also provide those services and essential habitat and biodiversity values in a regional context (Mildrexler, Berner et al. 2020, Law, Berner et al. 2021).

**The Need for Urgent Action Has Never Been Greater** – Climate change is accelerating worldwide affecting all sectors of society and human health as witnessed by prolonged droughts, heat domes, floods, wildfires, tornados, and sea-level rise. We need bold action and an approach rooted in the best climate mitigation and adaptation science to effectively address the root causes and solutions for limiting global warming to under 1.5° C. You spelled these points out in your letter to Secretary Tom Vilsack. We are not aware of his response, if any. Thus, the urgency of going directly to President Biden.

As you both know so well, we need to move beyond the polarization and politicization of climate science and develop comprehensible and enforceable policies that will result in a livable and prosperous future. We need to avoid the specter of each Forest Service and BLM region operating as

a fiefdom without regard to cumulative impacts. We are approaching a climate tipping point. Some say we have already passed it. There is no time like the present to listen to the world's leading climate and biodiversity experts, many of whom live right here in Oregon. We need to hit the pause button on logging these forests, include the best climate science in forest management going forward, and develop a nationwide rulemaking to protect mature/old-growth forests and trees from logging that will stand the test of time. We know that you and your staff are patriotically "manning the battle stations" on many climate fronts. We would ask for an opportunity to present the case that the policies we have now will do more harm than good. Let us help.

Thank you.

Sincerely,

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cc: Drs. Dominick A. DellaSala, Beverley Law,  
Gina McCarthy, head of the Whitehouse Office of Domestic Climate Policy

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