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Biden Had A Chance To Protect Ancient Trees — And Failed

The president set out to leave a legacy on nation's most carbon-rich forests. Experts say he dropped the ball.

By Chris D'Angelo

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Sporting aviator sunglasses and standing in front of a lectern last month in Manaus, Brazil, in the heart of the Amazon, outgoing President Joe Biden spoke of the importance of safeguarding the world's carbon-rich forests — a message he delivered numerous times throughout his tenure.

“The most powerful solution we have to fight climate change is all around us: the world’s forests,” Biden said, becoming the first sitting president to visit the world’s largest rainforest. “Trees breathe carbon dioxide out of the atmosphere. And yet each minute, the world is chopping down the equivalent of 10 soccer fields’ worth of forests.”

Biden went on to tout the U.S. as a “leader” in the global fight against deforestation and planet-warming greenhouse gas emissions, highlighting among other things his administration’s goal of conserving 30% of lands and waters by 2030 and his signature climate law, the Inflation Reduction Act, which included a historic \$369 billion in clean energy and climate investments. And he stressed that he was leaving the administration of his successor, Republican President-elect Donald Trump, with “a strong foundation to build on, if they choose to do so.”

Over the last four years, Biden helped elevate national attention on the myriad ecological benefits of old-growth forests, even signing an executive

order in 2022 directing federal agencies to conserve and restore such ecosystems. But he stands to exit office having failed to get nationwide protections for America's most ancient trees across the finish line.

Old-growth forests, sometimes referred to as primary forests, are typically defined as those that are at least 150 years old and largely undisturbed by human activity. "Mature" forests are decades old but haven't reached the old-growth stage. Together, these ecosystems sequester massive amounts of carbon in trees and soil.

After months of seemingly [dragging its feet](#) to respond to Biden's order, the U.S. Forest Service — an agency within the Department of Agriculture established in 1905 primarily to ensure a steady supply of timber — [unveiled a proposal](#) last December to restrict, but not entirely ban, commercial logging across the approximately 25 million acres of old-growth timber that the agency manages. Though widely celebrated among environmentalists at the time, close observers say there is no sign the agency will finalize its proposal before Trump takes office next month.

Forest scientists and advocates, including several who [previously voiced frustration](#) with what they saw as Biden's rhetoric on forests standing in stark contrast with his own policies, accuse the president of squandering a rare opportunity.

"It is very disappointing to see it end with kind of nothing," said Jerry Franklin, a retired forest ecologist and professor who spent decades at the Forest Service and became known as the "guru of old-growth forests."

Susan Jane Brown, an environmental attorney and president of Oregon-based Silvix Resources, a nonprofit law firm, shares Franklin's frustration.

"It's a huge disappointment. I think that we were close; we were almost there," said Brown, whose legal work primarily focuses on forest law and policy. "Many of us have been urging the [Forest Service] to take steps like these for decades, and they had a golden opportunity over the past four years and got distracted by other things that I think the agency thought was more important."

Trump is likely to boost logging across the nation, with little if any consideration for the climate and ecological ramifications. On the

campaign trail and in the weeks since his election victory in November, Trump has pledged to unravel Biden's climate and environmental policies. During his first term in office, 2017 to 2021, Trump signed an executive order to increase commercial logging in the carbon-rich forests of the Pacific Northwest. He also gutted protections for Alaska's Tongass National Forest, the world's largest intact temperate rainforest, lifting logging restrictions from the Bill Clinton era across 9.3 million acres and reclassifying 168,000 acres of old-growth timber as suitable for harvest.

'Just Let It Die'

Combating deforestation and safeguarding the nation's intact primary forests was a key pillar of Biden's climate agenda.

At the United Nations Climate Change Conference (COP26) in Scotland in 2021, the U.S. joined more than 100 other countries in signing a [pledge](#) to halt deforestation by the end of the decade. And the executive order he signed on Earth Day 2022 acknowledged the "irreplaceable role" forests play in sequestering greenhouse gases and directed the nation's two largest federal land managers, the Bureau of Land Management and the U.S. Forest Service, with inventorying the nation's remaining carbon-rich forests and then developing policies to protect and restore them amid the worsening effects of climate change.

Those actions have done little to rein in the future toppling of ancient trees — instead triggering what some advocates saw as a surge in proposed federal logging projects and timber sales, many of them targeting mature and old-growth trees, in advance of any coming restrictions.

"Despite Biden's rhetorical flourishes about the importance of preserving and restoring old-growth forest ecosystems, his administration has led the charge to open more and more of these areas to commercial logging," said John Talberth, president and senior economist at the Center for Sustainable Economy (CSE), a nonprofit think tank.

Talberth stressed that logging such forests comes with "an enormous climate price tag."

"It reduces the ability of the land to capture carbon, and it makes the land more vulnerable to climate change by increasing fire risk, flood risks, heat

waves, water shortages and other stressors,” he said. “Despite Biden’s pledge to be a leader on combating climate change, he’s running through his agencies a program that is directly undermining the U.S. goals for climate resilience and mitigating greenhouse gases.”

For decades, timber companies enjoyed near unfettered access to America’s forests, with little thought given to the consequences of razing the oldest, most economically valuable trees via destructive clear-cutting. Approximately 10% of the nation’s old-growth forests are left.

The patchwork of mature and old-growth stands that remain in the continental U.S. are found almost exclusively on federally managed lands in Western states. A recent nationwide [inventory](#), mandated by Biden’s executive order and released last year, found there are 32.7 million acres of old-growth and 80.1 million acres of mature forest across the federal estate, most of it on Forest Service land.

Under Biden’s watch, federal agencies have advanced [more than two dozen logging projects](#) targeting tens of thousands of acres of mature and old-growth trees — often under the umbrella of wildfire mitigation and resilience.

“These are popping up all over the country, from New England to Tennessee to West Virginia, Georgia, Montana, Washington, Oregon, California,” said Jim Furnish, a former deputy chief of the Forest Service in the Bill Clinton administration. “It almost appears to me as if ... ground-level [officials] of the Forest Service feel somewhat threatened by the executive order to conserve, restore, protect mature and old-growth, and they view this as almost like a last gasp to get some things done before the window closes. And, of course, now with the Trump administration, the window will probably be opening again.”

From 2021 to 2023, logging on national forest lands jumped 24%, according to a [recent CSE analysis](#). And though Biden’s Forest Service halted some of the most controversial logging projects amid public backlash, including the so-called [“Flat Country” project](#) in Oregon’s Willamette National Forest, which would have allowed for about 2,000 acres of mature and old-growth Douglas fir and western hemlock to be cut down, there is nothing preventing the agency from putting them back in the pipeline once Trump takes over.

“There’s nothing concrete or durable in place that cements anything that has happened,” Brown said. “As an advocate, that’s frustrating. As a lawyer, I don’t have any good news to tell clients.”

Meanwhile, the Bureau of Land Management, an agency with its own long legacy of prioritizing extraction over conservation, approved more logging in old-growth forests since Biden’s executive order than in any two-year period since 2013, according to a recent ProPublica and Oregon Public Broadcasting [analysis](#).

Aside from helping to inventory remaining mature and old-growth stands, the BLM did little to respond to Biden’s executive order. A BLM rule finalized in April to elevate conservation across its managed lands acknowledges the importance of safeguarding old, carbon-rich forests but stops short of any specific restrictions that would prevent them from being logged.

The Forest Service finally took action on Biden’s directive in December 2023, more than 18 months after the executive order was signed. The agency proposed amending the management plans for all 128 national forests and grasslands across the country to better protect and restore old-growth stands, including restricting commercial logging across the 25 million acres of old-growth timber that the Forest Service manages. But it declined to limit logging in mature forests, to the disappointment of hundreds of scientists, forest advocates and environmental groups who have [called for](#) an immediate moratorium on mature and old-growth logging across the federal estate.

The Forest Service followed up its proposal with a draft environmental impact statement in June — a document that Franklin dismissed as “terrible.”

“You could almost conclude the Forest Service was taking advantage of this interest in old growth to create a policy that will let them do anything that they want to do,” Franklin said. “The emphasis was all on active management and going into old-growth forests and improving them. For the dry forests, that’s very appropriate. For the moist forests, like our Douglas fir-hemlock forests, it’s totally inappropriate. The best thing they can do is stay the hell out of them.”

At this point, with just weeks left in Biden's term, if the agency did move to finalize nationwide old-growth protections, the rule would be at the mercy of a Republican-controlled Senate. The Congressional Review Act of 1996 gives Congress the power to nullify major regulations that an executive branch agency finalized in its waning months, with only a simple majority of Senate votes needed to pass a disapproval resolution.

Furnish has been a vocal critic of his former agency under the Biden administration, arguing it has refused to budge from a deep-seated, pro-logging bias despite an early directive from the White House. He told HuffPost he thinks the old-growth proposal ended up where the Forest Service wanted it to be: unfinished.

"By delaying this until the very end, they have now put this in Congress's lap — if they finish it," he said.

Furnish and several others whom HuffPost spoke to for this article — Talbert; Steve Pedery, conservation director at the environmental organization Oregon Wild; and Chad Hanson, forest ecologist at the John Muir Project's Earth Island Institute — said they'd prefer to see the Biden administration shelve the proposal altogether.

"Given the likelihood that if you do finish it, Congress will kill it or the Trump administration will kill it, just don't give them the opportunity," Furnish said. "Just let it die."

"It would be better to get nothing today rather than a weak rule that would restrict our ability to advocate for mature and old-growth in the future," said Pedery, referring to the possibility that a rollback under the Congressional Review Act (CRA) would likely complicate future efforts to secure lasting safeguards.

'The Original Sin'

The Forest Service did not respond to HuffPost's question about whether it expects to finalize a national old-growth amendment before Trump's inauguration on Jan. 20. When asked last year about the durability of the agency's proposal if Trump were to win the presidency, Agriculture Secretary Tom Vilsack [told The Associated Press](#) that it would be "a

serious mistake for the country to take a step backwards now that we've taken significant steps forward.”

Trump's victory guarantees backward steps on conservation and climate action. And there is no reason to think that old-growth forests won't suffer from the incoming administration's promise to dismantle environmental regulations and boost development on federal public lands.

The White House did not respond to HuffPost's requests for comment. Biden's Forest Service defended its record on old-growth forests in a lengthy email statement, pointing to the nationwide inventory completed last year, which it called “a fundamental first step to conserving and expanding old growth,” as well as a review process it implemented last year that requires Chris French, deputy chief of the National Forest System, to sign off on all proposed timber projects in areas that include old-growth trees.

“Every project that has been reviewed has improved or maintained old-growth conditions and improved forest resilience,” a Forest Service spokesperson said in an email. “There have been about 150 projects reviewed and less than 3% of the acres included in the proposed treatments were in old-growth forests. We are focused on creating healthy and resilient forests. Conserving and expanding old-growth forests are a core component of healthy and resilient forests.”

Pressed about how the review ultimately affected old-growth timber, the Forest Service acknowledged that “no acreage was taken off the table because of the review process.”

“The projects that included old-growth acreage either did not impact old-growth trees, or the project enhanced the health of old-growth through restoration work,” it said.

The agency also downplayed the analysis showing a 24% increase in logging on national forest lands under Biden's watch, noting that trees cut in recent years could be tied to timber sale contracts awarded as far back as a decade ago.

Critics charge that Biden's biggest misstep was not forcing federal agencies to shift away from an entrenched, logging-centric approach to

forest management. And with Trump returning to the White House, they expect those agencies to sprint back to their old ways.

“The original sin here was trusting the Forest Service to govern itself, to reform itself,” Pedery said. “That was just a bad calculation.”

The Forest Service maintains that harvesting trees, via “thinning” and “fuel reduction,” is key to combating the growing threat of wildland fire and protecting older stands — a position that some forest ecologists reject. In its statement, the agency swung back at critics that it says “believe that no timber harvest — anywhere — is the answer for our national forest system.”

“What we know from listening to scientists across the country as well as Indigenous knowledge holders is that some active management in old and mature forests is likely required, including some areas where biomass must be removed before returning fire to the landscape,” a spokesperson said. “We know that there is no one-size-fits-all and that we need to treat different forest types differently.”

Forest scientists, such as Beverly Law, a professor emeritus at Oregon State and an expert on the forest carbon cycle, and Dominick DellaSala, chief scientist at forest advocacy group Wild Heritage, have accused the Forest Service of [cherry-picking science](#) that supports increased logging while ignoring a growing body of research showing old-growth forests’ [resistance to fire](#) and capacity for storing carbon.

“They’re not using the current and robust science,” Law said.

Thinning of smaller trees is [widely embraced as a tool](#) for reducing fuel loads and curbing extreme fire, especially when followed by prescribed fires. But a 2019 [study](#) led by Forest Service researcher Damon Lesmeister found that thinned forests in the Pacific Northwest had “more open conditions, which are associated with higher temperatures, lower relative humidity, higher wind speeds, and increasing fire intensity.” The Forest Service did not cite that study in its draft EIS for the proposed national old-growth amendment.

In her comments on the draft EIS, Law challenged a recent Forest Service analysis that found “wildfire, exacerbated by climate change and fire

exclusion, is the leading threat to mature and old-growth forests, followed by insects and disease” and that “tree cutting (any removal of trees) is currently a relatively minor threat.”

Law dismissed the government conclusion as “completely wrong” and cited several studies, including one that found logging accounted for 50% of all forest carbon loss across the western United States, compared with 36% from insect damage and 18% from wildfires, and another she co-authored that determined carbon emissions from logging-related activity in Oregon, Washington and California were five times higher than the combined emissions from wildfires in those three states.

“Logging is the major impact on mature and old forests,” she wrote.

‘Red Meat’

Biden’s Nov. 17 trip to Brazil was meant to cap what the White House described as the president’s “historic climate legacy.” During his remarks, Biden announced millions of dollars in new U.S. investments to help conserve the Amazon rainforest.

For Pedery, of Oregon Wild, the trip felt like a fitting end to four years of muddled forest policy.

“While he was down there talking about the importance of saving the Amazon and the carbon that are in those trees, the Forest Service was up here launching the process of reopening commercial logging in forests in the U.S.,” Pedery said.

Two days before Biden’s Amazon jaunt and less than two weeks after Trump’s election victory over Vice President Kamala Harris, the U.S. Forest Service moved to boost logging across millions of acres in the Pacific Northwest — some of the most carbon-rich forests in the United States. The first-ever proposed amendment of the Northwest Forest Plan (NWFP) could lead to as much as a doubling of timber harvest over 2023 levels, according to a draft environmental impact study (EIS) that the Forest Service released Nov. 15.

The Northwest Forest Plan, which the Clinton administration adopted in 1994 to prioritize conservation and restoration forestry following decades

of destructive clear-cutting in the region, covers nearly 25 million acres across 17 national forests and other federal lands in Oregon, Washington and Northern California. It has long been viewed as a model for safeguarding old-growth forests and imperiled species, such as the northern spotted owl. And while carbon storage wasn't on anyone's mind when the plan was first created, it ultimately transformed forests from likely net sources of carbon into key carbon sinks.

In its draft EIS for the proposal, the Forest Service concluded that increased logging in certain areas is needed to reduce the risk of wildfires, jumpstart timber economies and foster the development of old-growth forests. The agency's preferred alternative calls for opening what are known as "late-succession reserves" (LSRs) — areas set aside in the 1990s to promote the growth of older trees — to increased logging by raising the maximum age of trees that can be harvested from 80 to 120 years.

Talberth called LSRs "the heart of the Northwest Forest Plan" and said raising the age limit of trees that can be cut will lead to a "huge increase" in the amount of mature and old-growth acres that can be logged.

Three people who served on an advisory committee that guided the Forest Service's proposed NWFP amendment — Franklin, Brown and Mike Anderson, a senior policy analyst at The Wilderness Society — dismiss such arguments, noting that the goal of the proposed amendment is to retain the oldest trees while allowing for increased logging in specific areas to reduce the threat of wildfire and restore wildlife habitat. That includes thinning unnatural, single-species tree plantations that were planted after extensive clear-cutting.

"We still have plantations, old clear cuts in LSRs, that need restoration," Brown said. "We felt that it was appropriate to raise the age threshold from 80 to 120 so that we could restore those plantations and put the LSRs on a better trajectory towards meeting their purpose and need, which is those large blocks of habitat. The science is pretty clear on that."

Brown said she's been surprised that some in the environmental community aren't celebrating the proposal's provisions that would bolster protections for both old and mature trees in so-called "matrix" lands, which are currently open for timber harvesting.

“When I look at the sort of ledger there of the potential changes that this amendment would make, it’s pretty clear to me that there is a much better ecological outcome at the end of the day with the amendment than without it,” she said.

Brown views the Northwest Forest Plan amendment as the one potential forest policy win that could come out of the Biden administration. And while she shares others’ concerns about what the Trump administration will ultimately decide to do with the proposal when it takes over next year, she’s confident in the science and process that went into it.

“It’s possible they pick it up and they do really bad things with it, in which case we built that record and I’ll see him in court,” she said. “We can play that game. We’ve done it before; we can do it again.”

For Pedery, the proposed overhaul feels like the Forest Service attempting to unshackle itself from a management plan that stripped it of its discretionary authority to manage forests however it sees fit. Furnish called it “red meat” for the incoming Trump administration.

Though Biden can’t accelerate the rule-making process for the Northwest Forest Plan amendment, Talberth says he can and should scrap it.

“The last thing we need is a plan finalized by the Trump administration, because they’re not going to go with the proposed action,” he said. “They’re going to go with the one that maximizes timber production and minimizes any kind of protections for old growth.”

Asked about the timing of the proposed changes to the NWFP, the Forest Service said the amendment is two years in the making and working through a normal timeline process. The agency stressed that the changes “are not a wholesale revision of the NWFP but rather a focused amendment that targets needed adjustments to address key issues such as wildfire resilience, climate change adaptation, tribal inclusion, sustainable communities and the conservation of old-growth ecosystems.”

The agency declined to comment on what it expects from the Trump administration, saying it would be “inappropriate to speculate.” During a Dec. 5 webinar on the proposal, Jacqueline Buchanan, the regional forester for the Forest Service’s Pacific Northwest Region, said the agency

is focused on moving the process forward and has not received any signal to shift gears.

Reflecting on the last four years, Hanson, of the Earth Island Institute, argued that the current situation is worse than Biden simply failing to cement a meaningful legacy on old growth trees.

“They’re handing a series of ultra-regressive logging policies to Donald Trump with a bow on it,” Hanson said, adding that he expects the new administration will take “maximum advantage.”

Hanson, Talberth and others credit Biden for his early efforts to better protect old-growth, but they say much more was needed to take on a bureaucracy within the Forest Service that views chain saws as the solution to most forest threats.

As long as the Forest Service remains under the Department of Agriculture, things are unlikely to change, Talberth said.

“The tree farming model is all the Department of Agriculture will ever know,” he said. “It doesn’t matter who is president and what kinds of proclamations they make, when it comes to the bureaucrats that are actually staffing this agency at the level where it really counts — the line officers, as they’re called — they’ll continue to look for any excuse they can to log.”