



August 30, 2022

VIA EMAIL

The Honorable Senator Ron Wyden  
911 NE 11<sup>th</sup> Ave., Suite 630  
Portland, OR 97232

The Honorable Senator Jeff Merkley  
121 SW Salmon Street., Suite 1400  
Portland, OR 97204

Re: August 1 letter regarding the Eastside Screens

Dear Senators,

On behalf of our seven organizations, we are writing to express our concern over themes raised by your offices in a recent letter to Worthy Garden Club (“WGC”) regarding the Trump Administration’s amendment of the Eastside Screens (August 1). Our coalition remains committed to working in good faith to address legitimate and science-based concerns about how to restore our beloved National Forests east of the Cascades. We hope to work in partnership with your offices to restore trust and chart a better path forward.

*Science-based.* In 1993, Congress convened the Eastside Forests Scientific Society Panel to examine the health of old-growth forests east of the Cascades in Oregon and Washington. In "A Report to the Congress and President of the United States," the Panel presented their findings, recommending that the federal government “cut no trees of any species older than 150 years or with a diameter at breast height (DBH) of 20 inches or greater.” The next year, the Forest Service adopted the rule commonly known as the Eastside Screens (“Screens”), providing protections for trees  $\geq 21$ ” on all eastside forests.

Following adoption of the Screens, the Interior Columbia Basin Ecosystem Management Project produced volumes of research on eastside forests and surrounding ecosystems, including a U.S. Department of Agriculture General Technical Report on habitat trends for 91 species of terrestrial vertebrates within the interior Columbia basin. The authors of that report identified three families of species—including a total of 33 species—that were experiencing habitat and population declines; these species require the retention of *all* large-diameter trees ( $\geq 21$ ”), most

often regardless of species or age of tree.<sup>1</sup> Recent research has continued to provide scientific support for retaining large trees in eastside forests, including their important role in mitigating the impacts of climate change.<sup>2 3 4</sup>

In addition, two Regional Forester memos reinforced scientific conclusions that retaining large trees is a valid and needed restoration standard. Regional Forester Linda Goodman's June 11, 2003 memo to eastside Forest Supervisors stated that "science findings ... reinforce the importance of retaining and recruiting large, old trees in the eastside landscape. ... The objective of increasing the number of large trees and LOS stands on the landscape remains."

Under the Obama Administration, Regional Forester James Peña's September 10, 2015 guidance to Forest Supervisors regarding site-specific amendments to the Screens stated that "[t]he Eastside Screens were intended to conserve old forest abundance and wildlife habitat in late and old structural stages. I emphasize these intentions remain in place. The direction in this letter and its enclosure, which provides additional information regarding the importance of maintaining [the] Screens ..."

The findings and conclusions in published literature, reports, and the Regional Forester memos further underscore the scientific basis by which the 21" diameter limit was established and the rule's importance for restoring and reversing declines in eastside forest wildlife populations.

*Biased political process.* The process of amending the Screens was novel, rushed, and unfair to the public. The Forest Service failed to provide an opportunity for public scoping and did not do the robust analysis required to prepare an Environmental Impact Statement. The final decision was made by a Trump appointee just two business days before President Biden was inaugurated, circumventing the objection process, and giving the public only a single opportunity for formal involvement, against the agency's own internal guidance and amidst the challenging summer of 2020.

In your recent letter to WGC, you stated that "to repeal the amendment and revive the rule *based on political pressures rather than solid scientific analysis* will not help the forests in the long run" (emphasis added). We strongly agree with the italics, however, disagree with your assertion that it applies to acting now to restore the Screens. It was solid scientific analysis that identified

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<sup>1</sup> Wisdom, Michael J.; Holthausen, Richard S.; Wales, Barbara C.; Hargis, Christina D.; Saab, Victoria A.; Lee, Danny C.; Hann, Wendel J.; Rich, Terrell D.; Rowland, Mary M.; Murphy, Wally J.; Eames, Michelle R. 2000. Source habitats for terrestrial vertebrates of focus in the interior Columbia basin: broadscale trends and management implications. Volume 1—Overview. Gen. Tech. Rep. PNW-GTR-485. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 3 vol. (Quigley, Thomas M., tech. ed.; Interior Columbia Basin Ecosystem Management Project: scientific assessment).

<sup>2</sup>DellaSala, Dominick; Baker, William. 2020. Large Trees: Oregon's bio-cultural legacy essential to wildlife, clean water, and carbon storage.

<sup>3</sup> Franklin, J.F., Johnson, K.N., Churchill, D.J., Haggmann, K., Johnson, D. and Johnston, J., 2013. Restoration of dry forests in eastern Oregon: a field guide. *The Nature Conservancy, Portland, OR.*

<sup>4</sup> Mildrexler, D.J., Berner, L.T., Law, B.E., Birdsey, R.A. and Moomaw, W.R., 2020. Large trees dominate carbon storage in forests east of the cascade crest in the United States Pacific Northwest. *Frontiers in Forests and Global Change*, p.127.

the importance of protecting trees  $\geq 21$ " for broad groups of eastside forest wildlife. It was a politically-driven process that resulted in its repeal under the Trump Administration.

*Controversy.* As you noted in your recent letter, "[t]he move away from this definable standard...is making needed forest health projects more controversial." This is a concern shared by us all. The opposition to the Trump-era amendment included climate, conservation, indigenous, and public health groups, along with independent scientists and former Forest Service leadership. The amendment process has seriously damaged the credibility of the Forest Service and forest collaboratives and is undoing decades of effort to find common ground among disparate groups.

*Democratic process.* The Trump-era decision puts large trees and the wildlife that depend on them at risk across millions of acres of public lands, just as we begin to seriously address the climate and biodiversity crises. The Screens were always meant to be a placeholder for stronger and broader protections. However, the Forest Service never completed that process. While the Trump Administration's amendment undermined public trust and cooperation, with the protections of the Screens in place, there is an incentive for all parties to work together in good faith to find a path forward as many of us have done with Senator Wyden in the past. We know that not only is a much more robust public process needed, but so are *stronger* protections for wildlife and the climate. Repealing the Trump-era amendment will allow for a fair, legal, and democratic process that follows scientific and agency norms.

We would like to request a meeting with your offices to discuss the Screens and chart a better path forward for our forests east of the Cascades. In the interim, please work with the Forest Service to immediately restore protections for large trees and allow our federal land managers to refocus on the non-controversial stewardship that is desperately needed. With your leadership, we can champion a new vision for the long-term management of our eastside forests.

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