



May 7, 2010

Linda Adams, Chair
Gary Gero, President
Climate Action Reserve
523 W. Sixth Street, Suite 428
Los Angeles, CA 90014

Subject: Forest Project Protocol revisions related to forest clearcutting and conversion of native forests to even-age plantations

Dear Secretary Adams, Mr. Gero, and members of the Climate Action Reserve board:

As we have stated in our previous letters to the Climate Action Reserve, we continue to encourage the Reserve to revise the Forest Project Protocol with regard to forest clearcutting and the conversion of native forests to even-age plantations. In particular, we strongly urge the Climate Action Reserve to revise Sections 3.9.2 and 3.9.4 of Forest Project Protocol version 3.1 to clarify the intentions of the Reserve with regard to native forests, and to address threats to forest ecosystems, wildlife, and the climate. The specific revisions are provided below, with insertions in italics.

We recommend the following revision to Section 3.9.2, the definition of Natural Forest Management:

All Forest Projects must promote and maintain a diversity of native species and utilize management practices that promote and maintain native forests comprised of multiple ages and mixed native species at ~~multiple landscape scales~~ *within the project area and at the landscape scale* ("Natural Forest Management").

This revision clarifies the intention of promoting native forests within the project area. The previous language could have been misinterpreted as allowing Forest Projects to consider diversity in the surrounding forest as a justification for reducing diversity within the project area.

We recommend the following revision to Section 3.9.4, Balancing Age and Habitat Classes:

~~A variety of silvicultural practices may be employed in the Project Area during the course of a Forest Project though the protocol does not endorse any particular practice. A Forest Project may employ a variety of silvicultural practices but may not include conversion of native forest stands comprised of multiple ages or mixed native species to even-age or monoculture management. To ensure environmental integrity, Forest Projects must meet a minimum set of standards in the use of any such practices.~~

It is our understanding that the Climate Action Reserve had not intended to authorize or endorse the conversion of native forest stands to even-age plantations as a preferred or acceptable management scenario under the protocol. This revision clarifies that projects that would convert native forests to even-age plantation do not qualify under the protocol. The language describing native forest stands as comprised of multiple ages and mixed native species comes from the Forest Project Protocol version 2.0.

Finally, we recommend the following revision to Section 3.9.4, Balancing Age and Habitat Classes:

~~For projects that employ even-aged management practices, harvesting must be limited to stands no greater than 40 acres. Stands adjacent to recently harvested stands must not be harvested using an even-aged harvest until the average age of the adjacent stand is at least 5 years old, or the average height in the adjacent stand is at least 5 feet. On a watershed scale up to 10,000 acres, all projects must maintain, or make progress toward maintaining, no more than 40 percent of their forested acres in ages less than 20 years. Areas impacted by a Significant Disturbance are exempt from this test until 20 years after reforestation of such areas.~~

This revision would strike this entire paragraph. We understand it was the intention of the Reserve to provide a minimum set of environmental standards for forest projects utilizing even-age management. However, this paragraph as it is currently written seriously mischaracterizes California forest practice rules and fails to provide meaningful limitation on any current timber operation in the western United States.

The sentence limiting even-age management to 40 acres does not reflect the regulatory requirements in California, where clearcuts are largely limited to 20 acres. In addition, the size limitation means very little when entire watersheds may be clearcut at five-year intervals. Furthermore, even this minimal requirement may be flouted if a clearcut is replanted with five-foot-tall saplings, and in instances where regeneration has largely failed but is five years old.

It is unclear whether the limitation on the percentage of young stands refers to watershed-scale projects or to the watershed up to 10,000 acres surrounding any project. As written, this sentence could be completely ignored if the forest surrounding a project has a large component of trees older than 20 years, even if the surrounding area is under completely separate ownership. Furthermore, even if the entire watershed were owned by the project proponent, this provision still allows for complete clearing of the entire watershed on a 50-year timeline.

Finally, as this is the only instance in which the protocol identifies and prescribes specific silvicultural practices, this section inadvertently appears to endorse even-age management as a preferred management type under the Forest Project Protocol, although this is presumably not the intention.

These revisions are proposed to address flaws in the protocol that we have continually brought to the attention of the Climate Action Reserve since before their approval of the protocol version 3.0 in September 2009. The revisions specified in this letter do not address all of the environmental concerns associated with even-age management under the current Forest Project Protocol. Forest clearcutting has the highest risk of exacerbating the impacts of climate change while simultaneously threatening forest ecosystems, water quality, and wildlife, and we anticipate a comprehensive review of the protocol to address these threats. However, these focused revisions would help ensure that projects initiated while the review process proceeds would comply with the intentions of these critical environmental criteria.

We strongly urge the Climate Action Reserve to propose these revisions for adoption at the next meeting of the Reserve board. Please contact Brian Nowicki at (916) 201-6938 if you have any questions.

Sincerely,

Brian Nowicki
Center for Biological Diversity

Michael Endicott
Sierra Club California

Susan Robinson
Ebbetts Pass Forest Watch

Luke Breit
Forests Forever