



March 5, 2015

Via electronic submission at:

http://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=feb20-offsets-ws&comm_period=1

Greg Mayeur, Manager
Climate Change Program, Operations Section
California Air Resources Board
1001 I Street, Sacramento, CA 95812

Re: Comments Regarding the Proposed Update to the U.S. Forest Protocol

Dear Mr. Mayeur:

This letter is submitted on behalf of the Center for Biological Diversity regarding the proposed changes to the Compliance Offset Protocol for U.S. Forest Projects ("Forest Protocol") of the California greenhouse gas cap-and-trade program. These comments are submitted as part of the informal comment period following the public workshop on February 20, 2015.

When ARB proposed updates to the Forest Protocol in October 2014, the updates included some positive steps toward addressing the impacts of clearcutting in Forest Protocol projects.¹ Specifically, the proposed changes included the requirement that, when clearcutting or other even-age management is used as part of a forest offset project, each clearcut unit must be surrounded by a buffer area with a minimum level of tree stocking. In addition, the proposed changes set a clear standard of 50 square feet per acre basal area as a threshold for triggering these protective standards, the buffers would be required to maintain a minimum stocking level of at least 50 square feet per acre basal area, and the buffers would need to be maintained until the harvest area attained stocking levels of 50 square feet per acre basal area.

Even with these changes, the Forest Protocol would still allow for extensive use of clearcutting and other even-age management, and all the associated damage to forest ecosystems and wildlife habitat. Nonetheless, these proposed changes represented a positive step towards

¹ The proposed changes included the following new requirements for Improved Forest Management Projects, which include commercial logging, including clearcutting: "(4) If harvesting occurs within the project area, meet the following harvest unit size and buffer area requirements: (A) Harvest units that have less than 50 square feet of basal area retention must not exceed 40 acres in total area; (B) Open canopy harvest units, harvest units with an area of 3 acres or greater that have less than 50 square feet of basal area retention, must have a buffer area of forest vegetation containing at least 50 square feet of basal area retention must surround the harvest unit. The width of the buffer area must be a minimum of the area of the harvest unit, rounded up to the nearest acre, multiplied by 40; and (C) Cuts on harvest units that occurred prior to the project commencement date are exempt from subchapters 3.1(a)(4)(A) and 3.1(a)(4)(B) provided that no new harvests occur in the previously cut harvest unit or would-be buffer area until the harvest unit cut prior to project commencement meets the requirements of subchapter 3.1(a)(4)(A)..." <http://www.arb.ca.gov/regact/2014/capandtradeprf14/capandtradeprf14notice.pdf>

addressing the impacts to forest structure and wildlife habitat and connectivity. Furthermore, these provisions represented an improvement over the status quo in California where forests can be logged in successive clearcuts immediately adjacent to each other, and in other states with no corresponding standards.

In February 2015, ARB indicated that they are revising their proposal, eliminating these positive changes.² The buffer requirements would be reduced to the "harvested stand area or 20 acres, whichever is less, and 300 feet in all directions." Thus, a 40-acre clearcut (which is a minimum of 1488 feet wide, more than a quarter-mile) would require a buffer just 300 feet wide and an area of 20 acres, rather than 1600 feet wide and an area of 356 acres under the previous proposal. Also, instead of requiring buffer areas to maintain a basal area of at least 50 square feet per acre, the revised proposal would require only that buffer areas contain trees at least five years old or five feet tall, which may have stem diameters less than one inch wide, and no minimum basal area.

The revised proposal essentially proposes to apply nationwide some of the minimum legal requirements that apply to clearcutting and other even-age management in California. As this reflects the most damaging and intensive industrial logging practices in California, with all the associated impacts to forest ecosystems and wildlife habitat, this provides little in the way of forest conservation standards.

The Center for Biological Diversity urges ARB to raise the Forest Protocol's standards to protect forest ecosystems and wildlife habitat from the damaging impacts of clearcutting and even-age management. California's efforts to reduce our greenhouse gas emissions should not rely on the most damaging forest management practices in California and nationwide and come at the expense of forest ecosystems and wildlife habitat. Instead, management that promotes these important environmental co-benefits should be encouraged and rewarded.

Thank you for your consideration of these comments. Please contact me with any questions or response.

Sincerely,



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² http://www.arb.ca.gov/cc/capandtrade/meetings/022015/workshop_presentation.pdf