

Testimony in support of H7293: Old Growth Forest Protection Act

Dr. Hans Scholl, 71 Fales Avenue, Barrington, RI 02806

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To Chair Bennett and the honorable Members of the House Environment and Natural Resources Committee:

I believe that it is important that we retain, or re-grow protected forests that are kept with minimal human intervention—*ideally* these forests should resemble the forests that have covered New England for tens of thousands of years before the arrival of European settlers.

I also believe, that there is little disagreement that most of us would love and enjoy to visit and spend time in such a forest, and that most of us would consider it a big loss if these forests would no longer exist. We are already late to protect our few remaining oldest forests. Only one percent of the forests that are left in Rhode Island are over 100 years old, and we have very few state-owned forests protected in their natural state.

What I'm concerned about is the current confrontational discussion and debate about this year's forest bills¹, with seemingly unreconcilable differences between the proponents and opponents of the various bills, as witnessed through my own experience and a recent press article².

How can we end this confrontation and come to a solution that is agreeable to the various actors and assures that Rhode Island will not gradually lose its forests?

I think what seems to be missing is a shared appreciation that we need both,

- forests that are mostly free from human intervention (“passively managed”), with the goal to re-grow forests that represent historic, pre-settlement New England forests, and
- forests, predominantly or exclusively with native tree species, that are “actively managed” for harvesting lumber, *in a sustainable way* (i.e. without permanent substantial loss of forest over time—otherwise there will be nothing left to harvest).

(What we don't want are vast areas of monoculture, fast-growing forests for the sole purpose of logging, mostly through clearcutting).

I also think it is necessary to recognize that the above needs must be looked at as guiding principles, with no guarantee of reaching all of the intended outcomes—none of us knows what the impact of a warming climate will be, and we may possibly find out that tree and vegetation species typical for historic, pre-settlement New England forests may no longer be sustainable with increasing temperatures and morph into forests that we currently find in Maryland or further south.

In any case, a first step would be to look at our current forest inventory and agree on a short and long term ratio of passively managed vs. actively managed forest. We currently have not set any ratio for Rhode Island, nor earmarked specific forests in our inventory for a “passively managed” / “Old Growth Forest” designation.

¹ Bills H7618, H7550, H7358

² Uprise RI, April 2, 2024: <https://upriseri.com/a-fight-is-brewing-over-rhode-islands-forests/>

I'm not sure that it would be possible to follow the January 27, 2021 Presidential Executive Order³ and conserve 30% of our forests by the year 2030. However, we might be able—and should pursue this goal—to manage towards reaching that percentage over time.

With respect to H7293:

Though, in principle, I support a bill that defines and protects “Old Growth Forests”, H7293, despite all of its good intentions, needs revision before getting to a floor vote.

I suggest a Sub A to

- either leave the authority and roles of the proposed Natural Heritage Program within the Department of Environmental Management (DEM), with a requirement that the DEM have sufficient resources for forest management, in particular additional dedicated resources with specific authority, experience and expertise in the matters relevant to Old Growth Forests, natural heritage areas, rare forest ecosystems, and in “passive forest management”, compliant with recent forestry and forest conservation science,
- or, limit the authority and scope of the proposed Natural Heritage Program to Old Growth Forests, natural heritage areas, rare forest ecosystems and the related inventory. Assignment of current forests and future acquisitions of forests to these designations should follow defined, specific criteria and be made jointly by the Natural Heritage Program and the DEM.

My preference would be to avoid resource duplication, leave the overall authority with a properly staffed DEM, as described in the first bulleted paragraph above, and to work out any of the current disagreements or misunderstandings.

Thank you very much for considering my input, and thank you to Representative Shanley for introducing this important bill.



Dr. Hans Scholl

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“As Aldo Leopold pointed out decades ago, we need well-kept farms and home places, well-managed forests, and large Wilderness Areas. None of these needs to compete with any other. Of the four, wilderness protection is by far the hardest to achieve. It is a societal choice that requires an ecologically literate public, political leadership, economic interests with a long-term view, and above all, the humility necessary to place limits on what we do...”

—David W. Orr: *The Nature of Design*, 2004

³ Sec. 216 of the order sets a goal of goal of conserving at least 30 percent of our lands and waters by 2030. This is also in compliance with the United Nations agreement to protect 30 percent of the planet's land and oceans by 2030 (signed by 190 Nations in December 2022).