

Dear Committee members, I strongly support the Old Growth Forest Protection Act, H 5294.

Rhode Island is the only state in New England where no state-owned forests are protected from logging, and there currently are no state laws that protect forests in Rhode Island!

This was acknowledged in a New England Report, “Wildlands in New England,” which Harvard University contributed to, that found Rhode Island was the only New England state to have no Wildlands on state land, and only 20 acres of Wildlands on private land, less than any other northeastern state. Wildlands are areas shaped by natural processes with minimal human disturbance which means no logging.

[Wildlands-in-New-England-Rhode-Island-Summary.pdf](#)
(wildlandsandwoodlands.org)

According to DEM in a presentation before the House Fire Commission on October 12th, 2023, “Currently, Rhode Island laws do not provide protection for forestland apart from existing wetland protection laws.”

<https://www.rilegislature.gov/commissions/FMC/commdocs/10-12-2023---Division%20of%20Agriculture%20and%20Forest%20Environment%20Presentation.pdf>

The Old Growth Forest Protection Act would create the first state laws to protect Forests and Biodiversity on public land in Rhode Island’s history!

This bill is needed now more than ever as DEM has been clearcutting forests on state-owned land causing deforestation.

In 2020, 195 acres was logged in a clearcut by DEM in the Arcadia Management Area which from aerial photos now looks like a bomb was dropped on the forest. Much of that clearcut area was in a Natural Heritage Area which are habitats identified by the old Rhode Island Natural Heritage Program as containing rare and endangered species. Unfortunately, currently all the Natural Heritage Areas are open to logging which results in DEM killing the rare and endangered species that live there.



2022 Aerial Photo of 2020 195-acre DEM Clearcut in the Arcadia Management Area

[State Land Stewardship: Forest Thinning and Timber Harvests | Rhode Island Department of Environmental Management \(ri.gov\)](#)
[Aerial Photography | Rhode Island Division of Statewide Planning](#)

This bill would prohibit clearcutting of forests on state-owned land so the Arcadia clearcut and others like it won't happen again.

It should be noted that these logging prohibitions are only applicable to public land, not private land, and that the bill would still allow selective logging in areas that are not Old Growth Forests or Natural Area Preserves.

Currently, the state government is not properly advocating for or protecting rare and endangered species since DEM defunded the Rhode Island Natural Heritage Program in 2007. 18 years ago!

Even before the Natural Heritage Program was discontinued, DEM never properly funded the program to the point that there was only one employee left in it when the Program ended in 2007.

[1990s Law Designed to Build Natural Area Preserves Instead Created a Mystery - ecoRI News](#)

[Rhode Island Environmental Laws Find Themselves in Land of the Lost - ecoRI News](#)

DEM was required by the Natural Areas Protection Act of 1993 RIGL 42-122 to create Natural Area Preserves to protect Rhode Island's most environmentally sensitive areas in their natural state, meaning they wouldn't be logged. This would have included the Natural Heritage Areas.

In the past 32 years since that law was created, DEM has designated zero Natural Area Preserves. When the Old Growth Tree Society requested in 2022 that the Natural Area Preserves be finally created, DEM took no action on it and later released a statement that they don't believe any areas in Rhode Island would qualify as Natural Area Preserves, despite knowing the existence of the unprotected Natural Heritage Areas.

[Natural Heritage Areas \(2023\) | Natural Heritage Areas \(2023\) | RIGIS](#)

[It is Time to Pass the Old Growth Forest Protection Act to Save Biodiversity - ecoRI News](#)

The Old Growth Forest Protection Act would bring back the Rhode Island Natural Heritage Program to once again monitor and protect Biodiversity.

Due to what happened to the last Natural Heritage Program, the reinstituted Natural Heritage Program would be under the RI Division of Statewide Planning, not under DEM.

The Natural Areas Protection Act of 1993 is amended in this bill to give the responsibility of designating and managing the Natural Area Preserves to the Natural Heritage Program which would manage through passive management where no logging would be allowed.

Then, the Natural Area Preserves would finally be created, and they would be legally protected from logging, due to this bill. This would allow the currently unprotected state Natural Heritage Areas where rare and endangered species live to finally be protected by being designated as Natural Area Preserves.

It also doesn't make sense for DEM, which has been clearcutting in Natural Heritage Areas where rare and endangered species live, to be responsible for protecting the Natural Heritage Areas and other rare forest ecosystems. Our state's remaining and irreplaceable wild forests need to be protected in their natural state which is something DEM doesn't believe in.

This bill would also prohibit logging in publicly owned Old Growth Forests which contain more biodiversity, have very few if any invasives, protect soil and water quality, are more resistant to wildfires, and store more carbon than any other forests making them important Carbon sinks.

Meanwhile, destructive logging destroys biodiversity, causes invasives to spread, degrades water and soil, contributes to Climate Change through the carbon released from the logged trees polluting the atmosphere, and contributes to wildfires.

The 2023 Exeter Wildfire started in a clearcut!

This is because logging causes flammable wood slash to be left on the forest floor. The removal of the tree canopy allows more sunlight to reach the ground, making the forest dry, and allowing for flammable underbrush and young trees to thrive. The removal of the tree canopy also allows more wind to flow through the forest.

[Logging slash flammability](#)

This legislation would require the newly created Natural Heritage Program to conduct environmental review by scientists, before state logging operations, to make sure no rare or endangered habitats and species are harmed and the RI State Planning Council would have final approval over state logging operations since DEM hasn't been honest about their forestry practices and might override the Natural Heritage Program's recommendations despite their logging threatening a critical habitat.

On DEM's website, it states,

“These projects are not clear cutting RI forests; DEM foresters strategically selected the trees to be harvested and mark them with blue paint. The work includes thinning out the tree canopy and removing dead trees, often harmed by repeated defoliation from forest pests like tent and spongy moth caterpillars, to promote healthy growth and improve its resilience to pests and storms. These harvests not only remove dying trees from the forest, but also decrease fire risks, stimulate the rural economy by providing register wood operators with timber to sell (often as wood chips, mulch, and firewood), and improve wildlife habitat. Low, dense shrubs and stumps remain to enhance wildlife habitat and promote healthy forest regrowth.”

[State Land Stewardship: Forest Thinning and Timber Harvests | Rhode Island Department of Environmental Management](#)

This contradicts DEM documents on the University of Rhode Island's (URI)'s website which lists Young Forest Demonstration Sites as clearcuts. For example, for the Nicholas Farm Management Area, it says, “A 35-acre clearcut created in 2015 by RIDEM.”

[Young Forest Demonstration Sites – Rhode Island Woods \(uri.edu\)](#)

[Nicholas-Farm-03.pdf](#)

Regarding DEM's arguments that logging dead trees is needed, this is not supported by the top Forest Ecologists at Harvard University who state that logging a forest affected by insect defoliation is more damaging to the forest ecosystem than leaving it alone.

[cbi_495.tex](#)

(Harvard Forest- Preemptive and Salvage Harvesting of New England Forests: When Doing Nothing Is a Viable Alternative by Dr. David R. Foster and Dr. David A. Orwig)

This position on how to treat forests with diseased and dead trees is echoed in the report of the Massachusetts Climate Forestry Committee which had some of the top experts on forests in New England.

“The Committee found no ecological rationale for salvage harvesting and noted that it usually represents a short term (10-20 year) carbon loss to the atmosphere in comparison to leaving the wood to decay. In most circumstances, it recommended foregoing salvage harvesting and leaving dead wood to realize the habitat quality and biodiversity benefits.”

[download](#)

(Report of the Massachusetts Climate Forestry Committee: Recommendations for Climate-Oriented Forest Management Guidelines)

According to Dr. David Foster and Dr. David Orwig of Harvard University, dead trees pose little fire risk.

[cbi_495.tex](#)

(Harvard Forest- Preemptive and Salvage Harvesting of New England Forests: When Doing Nothing Is a Viable Alternative by Dr. David R. Foster and Dr. David A. Orwig)

Regarding DEM's claims that they are creating habitat, according to their website this is early successional habitat which is unnatural chainsaw-made habitat created by clearcutting forests, often mature forests, to support gaming species.

This is despite the fact that early-successional habitat only represented 1%-4.5% of the original landscape of the northeast before European settlement.

The effort to create this “early successional habitat” is no more than a scam to profit the timber industry and support certain hunters. This national scam called the “Young Forest Initiative,” is outlined in this scientific paper, co-authored by Forest Ecologist Dr. David Foster of Harvard University.

[Frontiers | Forest-clearing to create early-successional habitats: Questionable benefits, significant costs](#)

On DEM's claims that management (logging) is needed to prevent wildfires, as stated previously, this is false. Instead, the low dense shrubs and stumps left behind after a logging operation, with no tree canopy to keep it damp, become major fire hazards. It is no mistake that many of the sites where DEM plans to use prescribed burns are in areas they formerly logged, including clearcut. However, prescribed burning carries its own fire risk if it gets out of control, as explained by Exeter Fire Chief Robert Franklin in his testimony before the House Fire Commission.

As DEM admits on their website, they give away public trees for free to loggers who DEM also pays to cut down those trees.

Currently, Rhode Island is behind the nation in the protection of Forests and Biodiversity, which is both embarrassing and dangerous due to the current Climate and Biodiversity Crises. With the Old Growth Forest Protection Act, we can be a national leader and set an example on Forest and Biodiversity protection. Please pass the Old Growth Forest Protection Act H 5294 to Save Rhode Island's Forests and Biodiversity.

Nathan Cornell

President of the Old Growth Tree Society

Coordinator of the Save Rhode Island's Forests Coalition

Warwick, RI 02886

ncornell.ogts@gmail.com