

February 10, 2020

Bitterroot National Forest

1801 N First St

Hamilton, MT 59840

Comments submitted on the BNF website project page and via e-mail to Matt Anderson and Jeffrey Shearer

RE: Programmatic Amendment to EHE standards

Dear Supervisor Anderson, Project Manager Jeffrey Shearer, and Wildlife Biologist Justin Martins,

Thank you very much for considering my concerns about a programmatic amendment to Elk Habitat Effectiveness (EHE) standards in the Bitterroot National Forest (BNF) Forest Plan (FP). Also thank you for giving us more time rather than push this through during the holidays. Thank you also for the scientific references. Unfortunately, I just noticed that they were added yesterday so I did not have time to study them. The addition is dated 1-20-2020. It would have been nice to be notified of this addition, so that I would have had sufficient time meaningfully comment on the documents. It would also be more transparent to include full text of these documents.

I would first ask that this programmatic change to BNF FP be analyzed through an Environmental Impact Statement (EIS). Forest Plans should be changed using the correct process of forest planning which requires an EIS. It is telling that this programmatic change to the FP was first couched in the Mud Creek Project and then quickly removed from that project to its own entity. It should really be a part of the long overdue forest plan revision for the Bitterroot.

The Bitterroot National Forest has proposed a forest wide amendment to reduce Elk Habitat Effectiveness (EHE) including hiding cover, road densities, thermal cover, cover/forage relationships and hunter opportunity. The EHE standard, according to the BNF Forest Plan (FP), is to “provide optimal habitat on elk winter range” (appendix G, FP, p.II-5).

The FP is a very important contract between agency managers and the public. It was created by the public and agency representatives and should be followed and honored. The BNF has been amending the EHE standards for quite some time, see chart below. This standard was amended for over 225,00 acres of the 389,000 acres of suitable timber on the forest.

BITTERROOT NATIONAL FOREST PROJECTS and SITE SPECIFIC PLAN AMENDMENTS

Project	Project Boundary (acres)	Site-Specific Amendments	District	Date
Darby Lumber Lands Watershed Improvement Travel Management Project	28,758	EHE	Darby	2015
Darby Lumber Lands Phase 2	27,453	EHE Thermal Cover	Darby	2018
Gold Butterfly	55,147	EHE Thermal Cover	Stevensville	2018
Hackey Claremont Fuels Reduction	3131	EHE CWD	Stevensville	2008
Larry Bass Project	1200	Thermal Cover CWD	Stevensville	2012
Lower West Fork Project	38,400	EHE CWD Thermal Cover	West Fork	2010
Meadow Vapor	11,090	EHE CWD Thermal Cover	Sula	2017
Middle East Fork Hazardous Fuels Project	25,800	CWD Thermal Cover Snag Retention Unsuitable Lands	Sula	2006
Three Saddle Vegetation Management	6300	EHE CWD	Stevensville	2013
Trapper Bunkhouse Land Stewardship Project	23,140	EHE CWD Thermal Cover	Darby	2008
Westside Vegetation Treatment	5700	EHE CWD Visual Quality	Darby	2018
Burned Area Recovery Project	?????	Snag Retention EHE in Laird Creek Thermal Cover in Skalkaho Rye Geographic Area CWD	Darby Sula West Fork	2001
Slate/Hughes Watershed Restoration and Travel Management	?????	EHE	West Fork	2002

Each time the standards were amended for each commercial timber sale, the excuse is that there are plenty of elk, so no need to follow the standard. But no elk numbers or specifically numbers in specific units coinciding with EHE standards are noted. No numbers have been disclosed in this scoping document either. Nor does the scoping document consider other reasons for increased harvest or increased numbers in certain areas. This must be thoroughly analyzed before tossing out the only limitation to road-building in the BNF FP. Please make these numbers available with maps and lists of drainages in compliance with EHE and those not in compliance.

The BNF has been happily amending this standard for over a dozen years on just about every timber sale. Why the urgent need to change the standard with Forest Planning coming in the near future (should be here already, but seems to be stalled, latest prediction is 3-5 years out)? Seems BNF should just wait for the appropriate forum to make a programmatic change to the FP. It would be the most appropriate forum and would assure ample time for public comment and an environmental impact statement (EIS) and the thorough analysis that this amendment deserves.

I worry that the only reason to do this amendment is to make it possible for new timber sales to qualify for Categorical Exclusions (CE). With the current standard, no timber sale that needed the amendment would qualify for a CE because it would be in violation of the FP. That means that most of the timber sales of the future would not qualify for a CE without this programmatic change. Is the programmatic change based on science or increased and politically decided timber mandates? BNF has been tasked with increasing timber production by 50% (BRC meeting quote from then acting BNF supervisor). CEs are quick and stipulations for qualifications are dwindling, but they do not allow going against the current FP. Decisions concerning the contract between BNF and the

public owners of the land should be based on the best available science and thorough analysis, not a mandate to increase logs on trucks.

Please provide in your analysis, forest-wide maps of road densities for each 3rd order drainage (as stated in FP EHE standards) and each 6th order drainage. Please include and designate system and non-system roads as well as proposed or recently completed temporary roads. This should include an analysis of whether the drainage complies according to current EHE standards as per FP 1987. Please note in this analysis if the area was subject to an amendment from a timber sale. Please also provide detailed harvest and elk numbers in different areas of the forest. Analysis should include the type of management area as well.

EHE standards apply to many species on the BNF. In fact, BNF wildlife specialist in the Gold Butterfly Biological Assessment states, “the Forest Plan manages wildlife security based on elk habitat effectiveness” (p11). In the Grizzly and Lynx BAs for both Gold Butterfly and Darby Lumber Lands II, the specialist states, “The EHE standard results in areas of secure habitat for a range of species including grizzly bears”. (p. 10, Gold Butterfly BA; p. 9 DLL 2 BA). What will be the effects on other species that rely on the security of EHE standards? What has been the effect of over a dozen site specific amendments for other species like wolverine, fisher, lynx, grizzly and more? Please include baseline and current wildlife surveys that show a “range of species” and the effects of reduced EHE standards. Habitat for all animals is severely fragmented and degraded by the lack of hiding cover/thermal cover and roads. Please also analyze the effects on grizzly security core in the BNF and how reduced standards would affect core habitat.

According to the BNF Forest Plan (FP II-20-21, (11), “Elk population status will be used as an indicator of commonly hunted ungulate species and the status of their habitat.” The plan does not say that elk numbers are an indicator of the habitat quality of other species “commonly used and enjoyed by the by the public.” CFR 219.10(a)(5). In a recent project (DLLII) scoping letter, BNF states, “Suspension of the EHE standard is likely related to the consideration of habitat conditions for wildlife commonly used and enjoyed by the public.”

Evaluation of best available science and the slow natural migration of grizzlies in the area (bear 927m Ethyl, and the bear of the Stevensville golf course) strongly suggest increased protective standards are necessary to comply with the Endangered Species Act. Recovery of the ESA threatened grizzly bear population can only be achieved by protecting and enhancing the connectivity between the Selway-Bitterroot Ecosystem Recovery Zone and the Northern Continental Divide Ecosystem Recovery Zone and the Greater Yellowstone Recovery Zone. Natural migration of the grizzly essential to connectivity and a robust, sustainable, and recovered population would be incumbered by the proposed programmatic amendment.

Scoping claims that research has been conducted by Fish Wildlife and Parks (FWP), but no information is available. Has this research undergone independent peer review? Has it been published in scientific journals showing the research can pass scientific muster? Have all factors been evaluated? Scoping does not include specifics to the changes to EHE standards. EHE covers a range of elements including road densities, thermal cover, hiding cover, cover/forage relationships and

hunter opportunity. Which standards will be relaxed, how will they be amended, and how will the changes affect all of the other standards effectiveness? Without the answers to these questions it is difficult to make meaningful public comment.

Please also analyze habitat effectiveness and climate change. Note that scientific studies show that connected, unfragmented, protected habitat is essential to biodiversity in lieu of climate change. See: The performance of protected areas for biodiversity under climate change [Chris D. Thomas Phillipa K. Gillingham https://academic.oup.com/biolinnea/article/115/3/718/2440232](https://academic.oup.com/biolinnea/article/115/3/718/2440232).

I was unable to analyze the scientific references that were provided quite late in this process without notice to interested parties. It would also be helpful to provide full text of the references as sometimes it is hard for public to access the full documents.

EHE is measured by 3rd order drainage. Changing the standard and allowing roads will adversely affect 3rd order drainage water quality. How will the BNF mitigate the effect of higher road densities and protect the area's valuable fisheries, water quality, water quantity, and native trout? One glaring example of lack of road maintenance and its effects on fisheries is the debris flow in the Willow Creek drainage of just a few years ago. The sediment landed in Willow Creek, home to native bull trout.

If an amendment is used as it was in the past, more roads will be built in 3rd order drainages. Increased road density and loss of cover for elk causes displacement of elk to private land creating a loss of hunter opportunity. A full analysis of hunter opportunity and its relation to road building and private lands should be provided as part of the analysis.

To change a plan according to the 2012 planning rule, "The responsible official shall document how the best available scientific information was used to inform the assessment, the plan decision, and the monitoring program as required in §§ 219.6(a)(3) and 219.14(a)(4). Such documentation must: Identify what information was determined to be the best available scientific information, explain the basis for that determination, and explain how the information was applied to the issues considered." Instead BNF added a list of references without full text of the articles on January 20, only 20 days from the final comment deadline without informing the public of the new information.

For nearly five years citizen owners of the BNF have challenged FS managers regarding over-use of "project specific" exemptions for EHE Standards given to timber sales. BNF managers are finally responding, not by easing back on accumulating damaging impacts but by proposing to weaken legal limits, essentially moving the sidelines rather than stay in bounds.

Finally, BNF cannot change elk management without the substantive requirements for other species that are directly related. Basically, an EIS and full analysis is necessary before a change of this magnitude to the Forest Plan can be made.

I hope that you choose to do a thorough analysis of this programmatic amendment in an EIS or more appropriately, in the forest plan revision process.

Thanks again for considering my comments.

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