OBJECTION AGAINST THE DRAFT RECORD OF DECISION FOR THE HELENA-LEWIS AND CLARK REVISED FOREST PLAN

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July 6, 2020

To: Objection Reviewing Officer
USDA Forest Service, Northern Region
26 Fort Missoula Road
Missoula, MT 59804

Please note that this objection includes 10 appendices, A-J.

1. Objector's Names and Addresses

[redacted]

2. Name of the Project

Helena-Lewis and Clark Revised Forest Plan

3. Name and Title of Responsible Official

William Avey, Forest Supervisor, Helena-Lewis and Clark National Forest

4. Name of the National Forest and/or Ranger District

Helena-Lewis and Clark National Forest

5. Statement that Demonstrates Connection Between Prior Specific Written Comments on the Project and Content of the Objection.

On August 28, 2019, Native Ecosystems Council and the Alliance for the Wild Rockies submitted extensive comments on the draft Revised Forest Plan and the Draft Environmental Impact Statement. In order to avoid repetition of these comments, we have provided a copy of such in Appendix J of this Objection. Major issues were the lack of any specific direction and standards for any wildlife species, while at the same time the agency is proposing a massive logging and slash/burning program. It will be impossible for the agency to meet the requirements of the National Forest Management Act (NFMA) to maintain a diversity of wildlife as a result. The agency also completely failed to identify the severe environmental impacts this massive logging program to be implemented without a single effective standard for wildlife dependent upon snags in a forest and large blocks of undisturbed older forest (birds, forest raptors, forest carnivores, wolverine, grizzly bears, and lynx) means that the Revised Forest Plan is an extinction program for wildlife. Some of these serious impacts of this Plan were covered over by the agency's use of fake definitions for wildlife habitat, including elk security and hiding cover. Also, the current forest plan direction for grizzly bears and lynx promote extinction rather than conservation and need to be revised to meet the intent of both the NFMA and the Endangered Species Act (ESA). NEC and AWR submitted a proposed alternative that would address all of these flaws, and promote the conservation rather than the extinction of almost all wildlife species. This alternative was not evaluated by the agency.

6. Description of those Aspects of the Project the Objectors believe the Environmental Analysis or Draft Decision Specifically Violates Law, Regulation or Policy.

A. The Forest Service has violated the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), the Administrative Procedures Act (APA), and the Endangered Species Act (ESA) by failing to include an action

alternative that will maintain a diversity of wildlife species across the Helena-Lewis and Clark National Forest.

All of the evaluated action alternatives, including the alternative selected for implementation, will have severe impacts on almost the entire suite of wildlife species that occur on the Helena-Lewis and Clark National Forest. None of the action alternatives ensure that large blocks of unroaded, undisturbed habitats at all elevations across the national forest landscapes will be maintained and protected for wildlife. There is abundant science to indicate that these large blocks of undisturbed forests are essential for wildlife viability. The following are examples:

1. The Revised Forest Plan does not provide for the conservation of the Northern Goshawk.

The science is clear that this species requires larger blocks of more dense, older forest as hunting and nesting habitat. The current best science for management of goshawks (Reynolds et al. 1992) was actually identified in the Lewis and Clark Forest 2011 Forest Plan monitoring report that the agency believed these recommendations were valid for goshawks. As well, the importance of such areas for nesting has been verified on the Helena-Lewis and Clark National Forest (Murphy). Monitoring of goshawks has also indicated that hunting habitat can be limited on the forest, with goshawk pairs "hunting out" territories and then abandoning them for several years (Johnson 2015). The impact of forest thinning on goshawks has been documented by research, where red-tailed hawks increase while goshawks will decrease (La Sorte et al. 2004). Competition between goshawks and red-tailed hawks has been noted on the Helena-Lewis and Clark National Forest (Johnson 2015). The red-tailed hawk is a much more common raptor than the goshawk (Swant 2015, 540 goshawk sightings versus 2947 red-tailed hawk sightings over a period of years). In addition to converting goshawk habitat to red-tailed hawk habitat with forest thinning, key goshawk prey species are eliminated, including red squirrels (Herbers and KIenner 2007; Holloway and Malcolm 2006) and snowshoe hares, who avoid for clearcuts and sparse forest (Holbrook et al. (2017a). The goshawks on the Helena-Lewis and Clark National Forest prey on both snowshoe hares and red squirrels (Johnson 2015). Other research in Montana has found also that snowshoe hares and red squirrels are important prey species

for goshawks (Clough 2000). The availability of key prey species has been identified as a driving force in goshawk productivity (Salafsky et al. 2005).

2. The Revised Forest Plan does not provide for the conservation of wildlife dependent upon large blocks of natural, undisturbed forest habitat.

There are an estimated 20 bird species and 4 mammal species (excluding bats) that are strongly associated with older forest habitat at some stage of their life cycle (USDA 2019). There are also 28 birds species that depend upon snag habitat within forests for nesting (USDA 2018). These snag-dependent species of birds generally comprise at least 25% of all forest birds (Bull et al. 1997). This large suite of wildlife cannot be maintained as persistent, viable populations without a significant percentage of older undisturbed forests across the landscape. Historical levels of this type of habitat have been measured at 20-50% (Lessica 1996). However, based on fire cycles, lynx researchers have estimated that historically lynx habitat contained levels of forests over 100 years in age ranging from 36-71% of the landscape, depending upon the fire cycle for that habitat (McKelvey et al. 1999). Older recommendations for old growth for wildlife range from 20-25% for birds (Montana Partners in Flight 2000), 20% for the goshawk (Reynolds et al. 1992), and 25% for the pileated woodpecker (Bull and Holthausen 1993). These older areas of undisturbed forest are also essential for the creation of snag habitat within forests. As is noted by Bull et al. (1997), leaving snags in harvest units was found to be an invalid means of managing for this suite of wildlife. This notation that just leaving snags in logging units as a invalid means of managing for snag-associated wildlife, including woodpeckers, was reported in 1988 (Goggans et al. 1988). This research study developed the term "woodpecker management areas" which was needed for manage the three-toed and black-backed woodpeckers. This would ensure that in large blocks of habitat (a minimum of 528 acres for three-toed woodpeckers and 956 acres for black-backed woodpeckers, would maintain natural disturbance processes, such as bark beetles, essential for foraging by these species. The pine beetle has in fact been identified as a "keystone species" because they provide structural complexity to a landscape (USDA 2012). The practice of clearcutting lodgepole pine stands infested with pine beetles has been shown to cause a significant decline in the pileated woodpecker (5 down to one pair over 15 years), while pileated woodpeckers in areas without clearcutting maintained their populations over this time period (Bull et al. 2007), in part because they foraged on bark

beetles. Bark beetles have been shown to greatly increase the availability of snags on the Helena-Lewis and Clark National Forest, and expanded woodpecker and other bird populations as a result (Saab et al. 2012). That study identified the importance of snag habitat within forests, with the three-toed woodpecker nesting in stands with up to and over 70 larger snags per acres. Id. The strategy for snag management in the Revised Forest Plan for the Helena-Lewis and Clark National Forest relies on the vastly outdated strategy proposed back in the 1970s, and is not consistent with even the monitoring of cavity-nesting birds on the Helena-Lewis and Clark National Forest (Saab et al. 2012). Even the Lewis and Clark National Forest 2011 monitoring report noted that the three-toed woodpecker predominately nested in unlogged forest stands (USDA 2011). An abundance of snags within a forest stand has recently been noted as essential for the availability of suitable cavity trees due to snag hardness. Only 4-14% of snags are generally suitable for cavity construction (Vizcarra 2017; Lorenz et al. 20150.

Older, more dense blocks of forest habitat have been identified as essential to a suite of at least 16 forest birds (Hutto 1995) as well as the pine marten and red and northern flying squirrels. Old growth forests with heavy jackstrawed logs provide essential winter habitat for the pine marten (Sherburne and Bissonette 1994), as well as year-round habitat for the red squirrel (Patton and Vahle 1986) and northern flying squirrel (Smith 2007).

3. The Revised Forest Plan does not require management of prey species for forest carnivores and raptors.

There are many forest carnivores and raptors that rely on snowshoe hares and red squirrels as prey (e.g. goshawks, pine martens, lynx, and wolverines). Without a conservation strategy for these prey species, forest predators and raptors will not be maintained on the landscape. Both the red squirrel and northern flying squirrel populations decline in relation to the amount of forest habitat removed with thinning, including due to a loss of conifer seeds, protection from predators, and loss of forest mushrooms and fungi, for example (Herbers and KIenner 2007; Holloway and Malcom 2006; Vahle and Patton 1983). The snowshoe hare also depends upon dense horizontal cover, either within forests or within older regenerating harvest units (Holbrook et al. 2017a; Griffin 2004). In addition to the direct loss of prey, species of the pine marten are also harmed by the loss of suitable winter habitat, since they rarely use clearcuts in the winter (Fager 2003). As

more of the landscape is converted in to clearcuts, the potential for pine marten increasingly diminishes (Id.). In addition to the direct loss of prey and predators, logging fragments the habitat for both types of wildlife. The snowshoe hare has been found to be adversely impacted by forest thinning within 300 meters of their core habitat (Lewis et. al. 2011). Open forests with less than a 40% canopy create adverse impacts to this species (Id.). Both the red squirrel and northern flying squirrel are adversely impacted by openings, not just from direct habitat loss, but from fragmentation. Open areas become barriers to the red squirrel (Bakker and Van Vuren 2004) and also for the northern flying squirrel (Duncan 2003). This squirrel is limited by dropping one foot for every 3 feet it glides forward (Bodin 2014). Moriarty et al. (2016) cited a study where the northern flying squirrel was unable to cross openings that exceeded 261 feet. Due to the fragmentation impacts on this squirrel, patches of undisturbed forest up to 540 acres may even be too small for long-term population persistence. Id.

4. The Revised Forest Plan does not address the current crisis regarding a significant decline in North American birds, including forest birds.

The drastic declines in North American birds was identified in 2016 in an article in Scientific American, where it was noted that these birds had declined by 1.4 billion in the past 40 years; 46 species lost at least half of their populations. In 2019, Rosenberg and others published a scientific report in Science noting that in the last 48 years, North American birds had declined by 3 billion birds, or by 29% of their 1970 abundance. This paper signaled an urgent need to address threats to avert future avifaunal collapse and associated loss of ecosystem integrity. This study was widely reported on, including in the Bozeman Daily Chronicle (2019), where it was titled "where have the wild birds gone? 3 billion fewer than 1970. The Week also reported on this study, noting that American birds had dropped by nearly a third in the past 50 years, including a billion forest birds; this article noted that this decline was an indicator of environmental health. Also, Fitzpatrick and Marra (2019) in the New York Times reported on this research, noting that habitat loss was one of the major factors involved in these declines. There has been long-standing information that logging causes declines in a large number of forest birds. For example, Hutto et al. (1992) completed a detailed analysis of how various bird species in the Rocky Mountain west were impacted by logging, including both clearcutting and forest thinning. They reported that a large majority of species appear to be less abundant in

logged areas; 32 species were strongly affected by clearcutting, and at least 15 species were strongly affected by forest thinning (a 50% or greater decline). Overall, 41 of 60 species were less abundant in logged forests.

5. The Revised Forest Plan does not provide for of elk security on public lands.

Back in 1976, the forage/cover ratio for elk was recommended at 40% cover and 60% forage by 50 big game specialists (Black et al. 1976). That recommendation has become outdated, however, due to the increasing recognition that large blocks of hiding cover are essential for holding elk on public lands during the fall hunting seasons. Based on a 15 year study of elk impacts from logging, Lyon et al. (1985) identified that "good cover" for elk comprised 66% of the total landscape, while "poor cover" comprised only 33% or less of the landscape. Abundant cover is required in order to meet the current definition of elk security, where at least 30% of the landscape should be comprised of large blocks of at least 250 acres of contiguous forest cover and at least 0.5 miles from an active motorized route. This definition is titled the Hillis Paradigm (Hillis et al 1991), and has been accepted as an adequate minimum definition of security, based on heavily forested landscapes on the western side of the Continental Divide. Id. For example, this definition of elk security was reported in the Lewis and Clark National Forest's 2011 monitoring program (USDA 2011). It is also the accepted definition of elk security by the Montana Fish, Wildlife and Parks (MFWP) (Profitt et al. 2013). This definition was based in part on research by Weber (1996) who found that elk that survived the hunting season were selecting large blocks of heavily forested habitats. These blocks of heavily forested habitats were more recently noted by a MFWP employee as important elk habitat in the fall (Byron 2017). The lack of adequate elk security on public forest lands is recognized as a significant issue in public lands management. In 2014, MFWP provided extensive comments on the impacts of a lack of security for elk displacement to private lands in the hunting season (MFWP 2014). The lack of elk security on public lands is an indicator of the existing problem where MFWP has been unable to control elk population numbers in Montana due to elk seeking security on adjacent private lands where hunting is limited. In 2014, Lundquist (2014) reported that many of Montana's hunting districts are over population objectives due to elk leaving public lands in the hunting season. In 2015, Dickson (2015) reported in Montana Outdoors, the publication of the MFWP, that elk populations were too high in 58% of Montana's big game management

areas, resulting in additional risks of spread of brucellosis to private livestock. In 2017, Byron (2017) reported that Montana's elk population needed to be reduced by 29,000 animals. Although the Helena National Forest developed various security standards for elk in several Forest Plan amendments, such as for the Divide Travel Plan EIS, there are inexplicably no requirements for any elk security in the Revised Forest Plan.

6. The Revised Forest Plan and associated amendment does not provide for the conservation of the threatened grizzly bear.

It continues to be well-documented that roads are a major hazard to grizzly bears, including a huge literature review published in 2020 by Proctor and others. This study provided the most current management recommendations for grizzly bears, based on this vast literature review. These recommendations include for occupied grizzly bear habitat (a) at least 60% (from 55-68%) secure habitat, with no open roads in blocks of at last 2464 acres; (b) no more than 19% of the unit with an open road density at or below 1 mile per section, and (c) no more than 19% of the unit with more than 2 miles per section of closed roads. Roads were defined in 4 categories: vegetated and thus closed, closed but not revegetated, restricted with some motorized use, and open. The definition of revegetated roads for grizzly bears is consistent with the notation in Mace et al. (1993) that roads need to be completed revegetated with trees to prevent human access use, including nonmotorized, in order to be discounted as having impacts on grizzly bears. Mace et al. (1996) noted that grizzly bears avoid roads that have over 10 vehicle trips per day, and that avoidance increased with traffic levels. Mattson (1993) defined low motorized use in grizzly bear habitat as 0.5-1.9 vehicle trips per hour, based on 6 research publications. Mattson (1993) also noted that the impact of hiding cover along roads had a huge impact on displacement impacts to the grizzly bear; this study also noted that closed roads that are not revegetated should be classified as "trails" due to ongoing human use. The recommendations for security size and composition on the landscape provided by Proctor et al. (2020) is validation that past recommendations were valid for grizzly bear management. The NCDE Protocol Paper (2008) recommended security areas of at least 2500 acres in size and comprising 68% of the landscape. Mattson (1993) based on many years of his research of grizzly bear habitat use in the Greater Yellowstone Ecosystem recommended that 57% of the landscape provide grizzly bear security areas of at least 7,000 acres in size each. Proctor et al. (2020) also recommended that the least impact of open roads on grizzly bears occurred

when densities were under one mile per section; bear use began declining at 1.2 miles per section of active motorized routes. This decline is due to both increased displacement impacts as well as increased mortality of grizzly bears due to humans. Schwartz et al. (2010) noted that the most significant mortality factor for grizzly bears in the Greater Yellowstone Ecosystem was open roads, with the amount of security in the landscape being the second most significant factor in mortality; the annual survival rate for grizzly bears was highest in protected lands, and lowest in multiple use lands. Schwartz et al. (2010) noted that the grizzly bear is a "conservation reliant species" where ongoing management is needed to ensure their persistence on a landscape impacted by humans. The Helena-Lewis and Clark Revised Forest Plan fails to provide for adequate protections of grizzly bear in regards to open road densities, closed road densities, and security habitat in occupied grizzly bear habitat, which in turn will result in high mortality and displacement rates for this threatened species. In particular, not only the importance of roaded mortality risks, the Revised Plan fails to address the grizzly bear requirement for low elevation habitats, such as big game winter ranges, which are increasingly important to grizzly bears due to the loss of whitebark pine. Management of grizzly bears cannot be relegated to high elevation landscapes that are either unsuitable for logging or are protected from logging.

7. The Revised Forest Plan does not provide for conservation of the threatened Canada lynx.

The Revised Forest Plan adapts the existing Forest Plan direction for lynx, the Northern Rockies Lynx Management Direction (hereafter "Lynx Amendment"). This strategy is vastly outdated, completed in 2007, while a abundance of new lynx research from 2014-2018 indicate a much different strategy is needed for lynx conservation. The importance of an improved strategy, based on current science, has been highlighted by a recent research publication where in Washington state the distribution of lynx was found to be very limited and localized within the best habitats; lynx occupied only 20% of suitable habitat (King et al. 2020; Weintraub 2020). This study emphasized the importance of preserving what remains of the best occupied lynx habitat in the western United States. Kosterman (2014) identified what the best management strategy for lynx in Montana is: maintaining at least 50% of the lynx home range, which consists of approximately 13,500 acres, in older, dense contiguous forest blocks, and roughly 15% of the home range in older regenerating dense forest. This research was verified by Holbrook et

al. (2017b) where 60% of female lynx home ranges contained at least 50% mature older forest. When a female lynx home range becomes heavily impacted by vegetation treatments, fragmentation will likely prevent successful reproduction (Kosterman 2014). Fragmentation impacts occur when clearcuts and heavy thinning occurs, which are strongly avoided by lynx in the winter (Holbrook et al). Id. Fragmentation impacts from thinned areas and clearcuts have also been reported to have a strong avoidance impact on the Pacific pine marten (Moriarty et al. 2016); these marten selected home ranges with fewer openings, while they strongly selected for complex sands and avoided simple stands; pine marten have been reported to decline when openings range from 25-40% of the landscape. In addition, these logged habitats have significant reductions in use by lynx (50%) for up to 20 years for light forest thinning, and up to 34-40 years for clearcuts and heavy thinning, with clearcuts and heavy thinings being strongly avoided (Holbrook et al. (2018). In addition, the greater the distribution and composition of relatively unsuitable lynx habitat within the landscape (less than a 40% canopy cover from either the overstory or understory), the key factor the "adjacency" of mature forest next to regenerating forests, or optimum hunting conditions for lynx (Kosterman 2014; Holbrook et al. 2017b), declines. Clearcutting of lodgepole pine also eliminates a key forest type for snowshoe hares. Holbrook et al. (2017a) reported that abundant lodgepole pine forests are associated with snowshoe hare use, including mixed conifer stands with a dense canopy and trees at 5-10 inches dbh. They also reported that open habitats, with less than a 28% canopy closure, are sinks for snowshoe hares; hares select forest habitats with a minimum canopy closure of 40% in either the overstory or understory. They reported that snowshoe hares were relatively widely distributed across their random study plots, with an average 0r 67% of the plots occupied; however, occupancy was much lower in protected areas, such as wilderness areas or Glacier National Park, with occupancy only averaging 37 versus 59% on multiple use lands. Protected lands with lower snowshoe hare densities may not be able to sustain lynx populations. Across the study plots, snowshoe hare densities varied widely, from 0.28, 0.81, 1.48 to 4.21 pellets per ha: there was an increase in pellet density of 20% for every 10% increase in cover.

8. The Revised Forest Plan does not provide for conservation of the proposed wolverine.

There are a number of recent research publications on the wolverine, a species proposed for listing under the ESA, identifying a high sensitivity to the "human footprint." This includes roads, but also harvest units (Fisher et al. 2013; Scrafford and Boyce 2018; Scrafford et al. 2018; and Steward et al. 2016. Roads can cause significant avoidance by wolverine, with the effect increasing with increasing traffic levels (Scrafford et al. 2018). Roads appear to be perceived as a risk of predation; wolverine also have been reported to stay longer at feeding sites in protected landscapes (Steward et al. 2016). Vegetation management activities will also indirectly impact wolverine by reducing prey species, such as snowshoe hares (Scrafford and Boyce 2018). Also, a reduction of elk use of public winter ranges will have adverse impacts on wolverine, who feed on carrion on winter ranges. Id. In addition, the loss of carrion for wolverine is also an indirect impact of a lack of big game security on public lands, since hunter kill gut piles will be reduced in availability. Finally, road development at lower elevations will also indirectly impact wolverine who prey on elk calves in the spring (Kuglin 2018). Monitoring of wolverine occurrence on the Helena National Forest has demonstrated that habitat use by wolverine includes low elevation habitat, especially if good cover exists (Gehman et al. 2014).

The failure of the Forest Service to include even one action alternative that will maintain a diversity of wildlife species, including the key habitats required by them, is certainly not the result of the public's identification of the importance of managing for wildlife in the face of habitat disturbances by logging, road building, and fuels management activities. NEC and AWR have identified these wildlife issues over the year since the initial Helena Forest Plan and Lewis and Clark Forest Plans were implemented. Examples include appeals and objections NEC and AWR have filed against agency proposals:

Tenmile Logging Project
Telegraph Logging Project
Stonewall Logging Project
Elliston Face Logging Project
Elk Smith Burning Project
Castle Mountains Logging Project
Blankenship Logging Project
Cabin Gulch Logging Project
Cave Gulch Logging Project

McDonald Pass Logging Project
Miller Fuels Logging Project
Helena Forest Hazard Tree Removal Project
Clancy-Unionville Logging Project
Jimtown Logging Project
Ettien Ridge Logging Project
Chessman Reservoir Logging Project

It is clear that the Forest Service has not considered public input in the development of the Revised Forest Plan. Without using public input in the management of public forest lands, the agency is eroding democratic governance of these public lands.

B. The Analysis of Impacts for the Revised Forest Plan is a violation of the NEPA, the NFMA, the ESA and the APA.

The NEPA requires agencies to provide through detailed information on any environmental problems that are likely to result from the proposed action, in this case the Revised Forest Plan. The NEPA prohibits uninformed agency action. As noted in A above, no such information is ever provided for the public. These examples of lacking or invalid information include, but are not limited, to the following:

1. The snag management strategy is severely outdated by over 30 years, yet is provided to the public as the current best science to manage over 30 species of wildlife. The agency also failed to use results from agency-sponsored monitoring on woodpecker management in pine beetle-impacted areas, which identified a key importance of high snag densities as prey for woodpeckers, which invalidates any management strategy of simply retaining a few snags in harvest units.

2. The agency failed to identify any valid old growth management strategy, again for a large number of dependent species, without showing why the current best science should not apply to their management proposal.

3. The agency failed to respond to the ongoing crisis of severe declines in North American birds, which include forest birds; the massive logging program proposed will exacerbate these declines.

4. The agency failed to provide a valid analysis of elk security by using fake definitions of both hiding cover and elk security, providing a false impression to the public that elk security will be managed effectively instead of informing the public that the proposed massive logging strategy will cause severe losses in elk security on top of those that already exist.

5. The agency failed to provide a valid, scientifically-based management strategy for the wolverine, which will have massive habitat losses due to the massive logging strategy planned in the Revised Forest Plan.

6. The agency failed to provide a valid management strategy for the threatened grizzly bear by providing secure habitat and limiting open and total road densities, including controlling traffic levels on these roads in occupied habitat; the current best science for security areas has not been incorporated into the Revised Forest Plan, even though security is one of the 2 key factors in probability of mortality risk for bears; mortality and displacement impacts to grizzly bears under the Revised Forest Plan will be highly significant.

7. The agency failed to provide a valid management strategy for the threatened Canada lynx. The Northern Rockies Lynx Management Direction is severely outdated as per the current best science, and promotes logging rather than lynx conservation; this strategy needs to be significantly revised to incorporate the current best science for lynx management, including identification and management of occupied lynx home ranges by retaining at least 50% dense mature forest cover and 15% older regenerating forests, and at least 65% habitat connectivity within an average lynx home range size of 13,500 acres; these occupied lynx home ranges need to be identified using remote camera systems found to be highly effective as well as cost effective in monitoring lynx occupancy; without management of occupied areas, the lynx is headed for extinction in Montana.

8. The agency has not developed a valid conservation strategy for forest species that provide key prey species to forest raptors and forest carnivores, including the wolverine, lynx, goshawk, great gray owl, and pine marten, for example. Without management of habitat for red squirrels and snowshoe hares, all these forest predators are threatened by the implementation of a massive logging/burning program identified in the Revised Forest Plan. Both species are known to be highly sensitive to logging and understory removal,

and will be largely eliminated wherever logging and fuels projects are implemented.

9. The agency has not developed a valid conservation strategy for the goshawk, in spite of extensive information that has been gathered on ongoing goshawk monitoring programs; this program has identified that postfledging habitat is limited, and that also, goshawks appear to hunt out territories after several years and abandon these areas to allow prey populations to increase again. Under the massive proposed logging program in the Revised Forest Plan, goshawk habitat across the forests will be largely converted to red-tailed hawk habitat, with the loss of most goshawk territories as a result.

10. The agency has provided a false management strategy for big game winter ranges, as well as calving/fawning habitat, by proposing slashing/burning programs for ecotones areas, which include key areas for big game as well as Montana bird and mammal Species of Concern. These areas are not mapped or quantified in the FEIS or Revised Forest Plan, and the impacts of habitat removal for this considerable suite of game and nongame species is never identified. The Revised Forest Plan is just an ongoing continuation of the sagebrush/conifer burning program that has been a part of the agency culture for decades, in spite of the severe adverse impacts to wildlife, including the Loggerhead shrike, Clark's nutcracker, Brewer's sparrow, Sage thrasher, Cassin's finch, juvenile goshawks, Ferruginous hawks, flammulated owls, pinyon jay, golden eagle, and black-tailed jackrabbit, for example.

11. The agency has failed to address the importance of a keystone species on the landscape, which is the mountain pine beetle. These insect infestations are key to providing habitat for a large suite of wildlife; the current strategy to clearcut these lodgepole pine stands instead of allowing them to develop into high quality wildlife habitat will have highly significant adverse impacts to wildlife which is never identified in the FEIS for the Revised Forest Plan, nor addressed in any of the action alternatives.

12. The Revised Forest Plan will promote the creation of large forest openings without providing any analysis of the severe adverse impacts to wildlife due to fragmentation, such as elk security areas, or the creation of travel barriers for a host of wildlife species, from the lynx, pine marten, red squirrels, northern flying squirrels, and juvenile goshawks, for example.

These large opening also decrease security for the grizzly bear, including sows with vulnerable cubs of the year. There is no analysis to define how large openings of over 100 acres are consistent with the average home range size of 25 acres for the snowshoe hare, which is a keystone species for forest predators. The ecological rational for large openings is never supported with any wildlife science in the FEIS. This analysis failure also did not address how the creation of large openings impacts the requirement for wildlife of large blocks of undisturbed forest habitat, including security for female grizzly bears and elk during the hunting season. There is a direct conflict between these two factors, and the agency did not define why management of large areas for timber production is necessary even though this severely restricts an essential wildlife habitat of large blocks of undisturbed forest habitat. Overall, large clearcut and regeneration harvest units are completely inconsistent with habitat management for almost all wildlife species, and the rationale for allowing large openings in the Revised Forest Plan was never justified for wildlife management.

13. The agency is failing to address the ever-increasing expansion of noxious weeds across the forest landscape. The Helena-Lewis and Clark National Forest has vast acres of various noxious weeds which are not being controlled by the agency. The EIS claims that new weed infestations, including those that will develop along the vast miles of new roads that will be required for the massive logging program, will be eliminated. Yet if the existing weed populations are not being controlled by the agency, how is the public to expect that even more weed infestations will be controlled? It is clear that the agency has no intention of controlling the ongoing increase of noxious and invading species on public lands, due to massive disturbances and road building projects that are expected in the future.

14. The description of the proposed management of vegetation in the Revised Forest Plan is so complex as well as vague that the public could never actually understand how their public forests are going to be managed on the ground, or where these activities can be expected. This Revised Forest Plan is a severe violation of the NEPA due to the failure of the agency to provide a clear, understandable description of how the public forests will be managed. A good example of this lack of clarity is the snag management strategy, which we noted in our comments on the draft Revised Forest Plan could not be interpreted by anyone! The vague descriptions of forest management to "restore" unhealthy unlogged forests to health with logging, upon which the vegetation management strategy is based, is a clear attempt

by the agency to cover the real intentions of this new plan, which is to implement a massive logging program without a single wildlife standard. There is never any analysis provided to the public as to why logging will restore wildlife health, or why this logging is needed by wildlife to restore their populations. In effect, the agency has told the public that they will log their way to wildlife viability.

15. The agency has failed to use past monitoring and program analysis in the Revised Forest Plan. Examples include the snag monitoring program by Saab and others, which noted that three-toed woodpeckers nest in forest stands containing over 70 larger snags per acre, because of this rich foraging resource. The goshawk monitoring program on the Lewis and Clark portion of these forests has also provided important information on the management of goshawk post-fledging habitat, and the type of prey being used by goshawks, including snowshoe hares and red squirrels, species that will be eliminated in logging units, including large openings. In addition, the Helena portion of these forests has spent a huge amount of time trying to develop landscape elk security areas, which were mapped on the ground. However, there are no elk security areas mapped in the Revised Forest Plan, so that the public can monitor their management. Failure to carry forward information developed from forest monitoring is a violation of the NFMA, as past monitoring information on wildlife has been ignored in the new management scheme, without any rationale ever being provided for this lack of use.

16. There will be no monitoring of wildlife impacts in the new forest planning period except for a few species that are do not actually occur in forest habitats or forest ecotones. Thus the public will have no information ever available to them as to how the diversity of wildlife will be maintained over the next planning period, which is likely 15-20 years. This is both a violation of the NFMA as well as the NEPA, because the public will be denied any information on how the new planning direction is impacting wildlife. Wildlife is clearly a major concern and of interest to the public.

17. The Forest Service has provided no strategy to address climate change in the Revised Forest Plan. It is clear that logging increases the effects of climate change. Given the urgency of taking action on climate change, the Revised Forest Plan will have significant adverse impacts on the public by exacerbating rather than reducing the effects of forest management on carbon levels in the atmosphere, which continue to increase around the world.

18. The Revised Forest Plan continues the agency's failure to manage for natural wildfires on public forest lands, as well as to manage for fire in the home protection zone instead of across vast areas of wildlife habitat. The severe impacts of fuels management programs intended to reduce the effects of wild fire across these public lands was never identified or evaluated in the FEIS, meaning there was no basis ever developed for the planned extensive fuels management program.

19. The agency is planning to violate the Roadless Area Conservation Rule by implementing management interventions in Inventoried Roadless Lands; these interventions will further exacerbate the agency's failure to manage for large blocks of unmanaged forest blocks essential to most forest wildlife species. Without recognizing the key importance of these large blocks of forest habitat to almost all wildlife, the management strategy for intervention in IRAs for "restoration" has never been evaluated or justified to the public.

20. The agency has failed to provide any management strategy in the Revised Forest Plan to protect burned forest habitat from salvage operations, activities that remove the key habitat for wildlife that has been created by forest fires. Salvage of burned forest habitat is similar to the salvage of lodgepole pine forests impacted by pine beetles, in that these key wildlife habitats are being eliminated, to the detriment of many wildlife species.

C. The agency violated the NEPA, the NFMA, the ESA and the APA by failing to include NEC and AWR's proposed alternative in consideration as a management strategy for these national forests.

There was no action alternative the provides for a diversity of wildlife across these national forests. The alternative submitted by NEC and AWR would do this, but this alternative was dismissed. At FEIS 19, the agency's rationale for not considering this alternative was that this alternative would not provide for economic and ecological sustainability or be consistent with the laws, regulations and policies that guide forest plan revision; for example, the opportunities to manage some watersheds are limited or precluded by land designations beyond the scope of forest planning, such as designated wilderness areas – in these watersheds no lands would be appropriate for timber management; further, providing a mosaic of areas

designated for wildlife habitats tied to half of each watershed would not necessarily be sufficient to provide for the ecosystem components an linkages required by all species.

We should clarify that this proposal does not include interspersed areas of a watershed. It requires a complete block of unfragmented habitat for wildlife, with no inclusion of any vegetation management activities and roads. The key factor in this approach is that large blocks of unfragmented wildlife habitat will be managed for wildlife over time. The standard claim that wildlife needs a diversity of age classes has never been verified for any wildlife species, and has been used solely to justify logging. This strategy is clearly not what we are referring to for our proposed wildlife management areas. The key limiting factor for almost all wildlife on the Helena-Lewis and Clark National Forest are large blocks, thousands of acres, of undisturbed unfragmented forest habitat.

It is not clear why maintaining large blocks of natural forest habitat for wildlife on at least half of the forests would violate any of the current laws or planning regulations, or ruin ecological integrity of these lands. This is the only alternative proposal that would maintain wildlife habitat across the forests, including large blocks of unlogged, unlogged natural forests essential to almost all wildlife species. This proposal could have a variety of options, including maintaining entire watersheds for wildlife, or just drainages. It could incorporate existing IRAs, Wilderness Study Areas, and Wilderness Areas for these large blocks of unmanaged habitat, and when combined with other higher elevation areas, would provide habitat connectivity across important linkage areas for grizzly bears. Our only concern by using watersheds or drainages as a baseline for management is that key low elevation habitats, such as big game winter ranges and ecotones for many Montana Species of Concern, is provided, instead of only the "rocks and ice habitat" being designated for wildlife habitat blocks. This option would be developed by a collaboration of non-profit organizations, the Montana Fish, Wildlife and Parks, and publics who have no financial interest in the outcome, such as representative of the timber industry, which would be a conflict of interest. Areas selected for wildlife management. Areas selected for these wildlife management areas could be based on various wildlife needs and existing conditions, including protected lands, as well as site-specific knowledge by publics of wildlife habitat. The best options for these areas would likely be selected based on their ability to provide elk security, big game winter ranges, ecotone habitat, snag habitat

for wildlife, old growth habitat for wildlife, including forest birds and raptors, habitat for forest prey species as the snowshoe hare and red squirrel, and large blocks of secure habitat as well for the grizzly bear and wolverine. There would be no exceptions (no loopholes) allowed for timber and/or fuels management activities in these areas, as well as salvage logging. Roads not essential for limited access would be removed, so that open and total road densities are consistent with grizzly bear, wolverine, elk and lynx management. These areas would be identified by good quality maps on the ground, so that the public could easily understand where they are located and know what type of activities would occur in these areas.

This alternative would address the almost total lack of past Forest Plan monitoring of indicator species, and no actual future monitoring to be implemented for wildlife species in the Revised Forest Plan. Since wildlife populations will not be monitored, the only assurance for maintaining them in areas of the forests is to prevent the types of ad verse activities that require populations to be monitored, such as logging, fuels management activities, burning ecotones, and constructing roads.

These wildlife management alternatives would also be the only alternatives that would address the relentless expansion of noxious weeds and invasive species on public forest lands by the Forest Service. To date, the agency has failed to control and eliminate theses plants on public forest lands, so the best strategy to stop this endless increase is to stop disturbance activities that promote weeds, such as logging, fuels management, removal of ecotones, and construction of new roads.

This is the only management strategy that will address climate change. The Revised Forest Plan proposed to do just the opposite, in spite of the well-documented crisis relating to climate change. Any actions proposed that would exacerbate climate change means that public lands are not being managed for a public benefit, where forests absorb carbon.

D. The Forest Service has violated the NEPA and the Administrative Procedures Act (APA) by providing false rationales to NEC in regards to denying the provision of hard copies of forest plan revision documents.

We have included copies of various correspondence between NEC Director Sara Johnson and the Helena-Lewis and Clark National Forest in regards to her request for "hard copies" of the final Revised Forest Plan, and a hard copy of the draft Record of Decision. Previously the Forest Service has honored such requests, including for draft copies of the Revised Forest Plan Final Environmental Impact Statement (DEIS) and draft Revised Forest Plan. But in regards to recent requests by NEC for these hard copies, the Forest Service provided a variety of false and conflicting reasons why these documents would not be provided, including arbitrarily changing regular requests for such copies submitted by NEC into Freedom of Information Act (FOIA) requests which were then denied as these documents were available on the agency web site. Also confusing was that the agency initially agreed to provide the documents except for denying the FOIA fee waiver over 100 pages because this would not provide a significant addition to public involvement. Subsequently, the agency then denied NEC's request for a 100 pages allowed for the FOIA fee waiver. The agency also appears to have provided false information to personnel of Senator Tester's office, claiming that the public could have various portions of these planning documents printed out for them by the agency.

NEC started requesting hard copies of these documents on May 28, and by July 6, had not received any such documents, on the date the Objection was submitted. On that date, it took over an hour for the electronic copy of the draft ROD for the Revised Forest Plan to come up on the agencies web site. If one has a question in regards to these documents, which NEC will frequently have in the future, it is a significant inconvenience to have to wait hours for a document to download from the internet. We believe it is a common courtesy for the agency to provide "free" hard copies of requested documents, as they have done in the past, instead of expecting the public to pay for these copies. This would be quite a financial burden on the public over time, with them being required to spend hundreds of dollars to obtain just one or a few of the agency's NEPA documents. Hard copies of all the Revised Forest Plan documents (FEIS) and associated appendices alone would be many hundreds of dollars, at 20 cents per page! This would seem to be a direct effort to impede public involvement. Provision of hard copies of various NEPA documents to the public, upon a specific request, would clearly be a small part of the agency budget, including with respect to the money that is spent on timber management and subsidies to the timber industry.

7. Relief Requested

NEC and AWR request that the Helena-Lewis and Clark National Forest withdraw the proposed Revised Forest Plan due to the large number of violations of the NEPA, the NFMA, the ESA and the APA, and begin a new process of public collaboration where at least 50% of large blocks of the landscape on these national forests be set aside just for wildlife management, with no other vegetation management activities allowed, including no exceptions. This process would include a variety of alternatives for selecting these wildlife management areas via a public collaborative process which would include the Montana Fish, Wildlife and Parks, any non-profit environmental groups, and various interested public who would not have a financial conflict with establishing these wildlife management areas.

We also request that the Forest Service provide a clear rationale, including the associated administrative and/or policy directives, that the agency is using to deny hard copies of NEPA and NFMA documents to the public.

Signed this 6th day of July for the Objectors