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September 13, 2023

Forest Service, Bozeman Ranger District

3710 Fallon Street, Suite C

Bozeman, MT 59718

RE: SCOPING COMMENTS FOR THE PROPOSED GOOSE CREEK FUEL BREAK PROJECT

Hello,

Native Ecosystems Council, the Alliance for the Wild Rockies, the Council on Wildlife and Fish, and the Center for Biological Diversity would like to provide the following scoping comments for the proposed Goose Creek Fuel Break Project.

We have included a hard copy of a publication, titled Spatio-temporal responses of Canada lynx (*Lynx canadensis*) to silvicultural treatments in the Northern Rockies, U.S. by Holbrook and others (2018).

1. The scoping notice states this is a 14-day public comment period, not 13 days.

The scoping notice was dated August 31, which means that a 14 day scoping period ends on September 14, not September 13 as claimed in the scoping notice. To date, the day of release of a document for public comment doesn't begin on the same day the notice was released. The agency is violating the National Environmental Policy Act (NEPA) by providing an invalid comment period.

2. The agency is violating the NEPA by failing to provide public notice for the scoping period.

NEC and AWR have received no public notice of the proposed Goose Creek Fuels Break Project scoping period, in violation of the NEPA. Both NEC and AWR have been extensively involved with the Custer-Gallatin National Forest, on public involvement opportunities. There is no reason for the agency to expect that NEC and AWR would not be interested in the proposed Goose Creek Fuel Breaks Project. Why weren't we notified of the comment period?

3. The Custer-Gallatin National Forest must undergo consultation with the U.S. Fish and Wildlife Service (USFWS) because this project will create adverse impacts for the Canada lynx, grizzly bear and wolverine.

We have included the research publication by Holbrook et al. (2018) to demonstrate that creation of miles and miles of barriers to lynx travel across the landscape is clearly an adverse may affect impact on this threatened species. The huge increase in motorized access, as well as construction of many miles of new roads, will also increase the "take" level on grizzly bears. The agency thus needs a take permit from the USFWS, which is obtained through consultation. This project will also adversely impact the wolverine by creating disturbances in occupied habitat, but also by creating reductions in landscape connectivity due to expansive disturbances and the creation of many miles of new temporary roads. Consultation on this species is also required. The USFWS needs to identify mitigating measures for all 3 of these species to address the many adverse impacts the project will have.

4. The Custer-Gallatin National Forest needs to complete a Forest Plan amendment, including consultation with the USFWS, before this new permanent fuel breaks program is implemented.

The public needs to be provided a reasonable level of information as to how this new permanent fuel breaks program will be implemented across the Custer-Gallatin National Forest. Piecemeal projects do not provide adequate information to the public, nor do they provide forest plan standards and guidelines that must be implemented in order to avoid significant adverse impacts to wildlife. These fuel breaks are to be permanent, which means that the new roads constructed for them will also be permanent as per disturbances/barriers to wildlife. There has to be a limit on total road densities that are constructed for these projects, and they need to include the cumulative effects of all current road and motorized trails within a project area. The actual designation of a project area is also required, as this is the only means that cumulative impacts can be measured on wildlife. As well, a Forest Plan amendment has to provide sideboards for the creation of these permanent fuel breaks on wildlife, such as the length that barriers may be created, the level of permanent disturbance allowed per watershed from these permanent projects, and the provision of minimum security areas for wildlife as per the current best science. Also, mitigation measures will be required for forest wildlife that cannot cross openings and/or low density forest areas of wider than 100 feet, such as the northern flying squirrel. Finally, a Forest Plan amendment needs to include a standard for wildlife that valid surveys will be done for all forest raptors that are Montana Species of Concern (MT SOC) before these projects are implemented, with the mitigation measures fully disclosed to the public as to how habitat for these MSOC are being addressed for each fuel break area. Also, the Forest Service needs to complete a Forest Plan amendment for these fuel break projects to provide information to the public on how wildfire risk areas are going to be selected for this program. This program will apparently have no time limit, so fuel breaks will continue to be implemented for decades. So the overall strategy for wildfire protection, and especially, how it is going to be coordinated with wildlife habitat, needs to have public involvement. The public needs to have some say in the criteria for which these projects are identified, and their general locations. At present, the agency seems to be suggesting that any place of the Custer-Gallatin National Forest is a wildfire emergency, and needs fuels management. This assumption needs to be supported with an actual analysis, not just conclusions, as is required by the NEPA.

5. The scoping notice was a “boiler plate” announcement with essentially no actual information provided to the public, in violation of the NEPA.

It is almost impossible for the public to understand how this permanent fuel break project was selected for implementation, or how it will be implemented. How were these areas identified as wildfire emergencies? What science supports fuel break across the backcountry? What will be the treatment of the existing trails along these fuel breaks? Will they be consistent with the current Travel Plan? We could not even locate all the proposed trails on the current travel plan. This plan also limits the time periods, if allowed, for motorized use. Will these time periods limiting motorized use be met with this fuels break project, and if not, will the agency need to amend the travel plan? Also, what is the impact to wildlife if motorized trails are converted to roads? What will be the impact of illegal ATV use when the current motorized trails are opened up to allow a vast increase in access to ATVs? Currently, the ATV access will be limited by forest vegetation, but will likely be expanded to 1000 feet. This is a significant increase in ATV access, and needs to be addressed in the travel plan, since fuel breaks will change the pattern of use on these trails from that identified in the travel plan.

6. The fuel breaks program is being mislead to the public as a fire management program when it is also a logging program.

The proposed Goose Creek fuels breaks project includes about 500 acres of logging, should this actually be a reliable estimate. And the scoping notice indicates that these fuels projects will increase the growth of remaining trees, improve forest health, and increase forest resilience. These are the very same rationales that are provided for logging projects. It is not clear there is any actual difference from a fuels and a logging project, unless there are no commercial trees present for logging. How can the agency clearly define why logging in the Goose Creek Fuels Break Project is not timber production, but is solely a fuels management project? How would this project differ if it was a timber production project?

7. The agency needs to provide quantitative measures as to how the effectiveness of the project will be measured for the public.

We would like to know how the effectiveness of these permanent fuel breaks in the backcountry are being measured for effectiveness for controlling wildfire, as balanced out for the costs to wildlife. What is the current scientific conclusion about the effectiveness of fuel breaks on stopping wildland fire spread? Also, please define how “forest resilience” is measured so that the public can understand how this definition is being applied to the Goose Creek Fuel Break Project. How is resilience measured as per fire, and how is it being measured for this project as per public benefits?

8. Please define the Wildland Urban Interface as per the Healthy Forest Restoration Act (HFRA).

The map of the WUI for the Goose Creek Fuels Break Project is not clear as to the designation of the WUI. The HFRA has specific definitions as to how communities at risk are delineated, with WUI extending 1.5 miles from these communities. This information needs to be provided to the public as to the basis for the WUI delineations for this project.

9. The agency needs to evaluate the impact of the proposed fuel break project on the visual impacts to the general public across vast miles of the backcountry.

It is clear this fuels break project is going to create adverse visual impacts on a large length of public trails in the backcountry. It is not clear how this public impact was considered for this project. The creation of miles and mile of visual “eye sores” for the public needs to be justified by the net benefits, which are

highly questionable as per protecting homes that are adjacent to these public forests. If these homes do not invest in significant "hardening" of their homes from fire, the "claimed" benefits of a fuel break a mile or more away from these homes is misleading to the public. The real benefits of home protection are not being evaluated, while the public is being provided false information by the Forest Service to justify this project.

Regards,



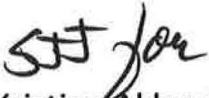
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