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July 1, 2024

Objection Reviewing Officer

Northern Regional Office

Attn: Coyote-Divide

26 Fort Missoula Road

Missoula, MT 59804

RE: OBJECTION AGAINST THE COYOTE DIVIDE VEGETATION PROJECT

1. Objectors

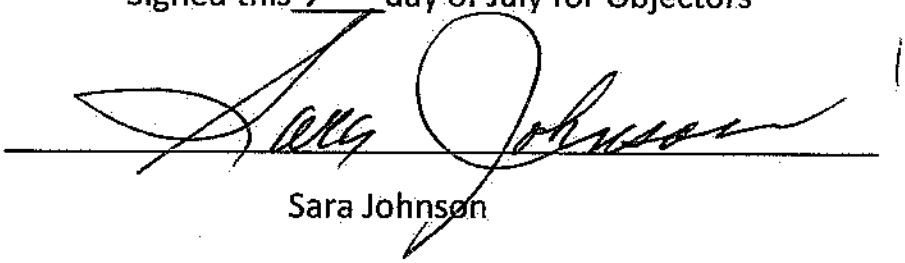
Lead Objector, Sara Johnson, Director, Native Ecosystems Council, PO Box 125, Willow Creek, MT 49760; phone 406-579-3286; sjjohnsonkoa@yahoo.com.

Mike Garrity, Director, Alliance for the Wild Rockies, PO Box 505, Helena, MT 59624; phone 406-459-5936; wildrockies@gmail.com.

Steve Kelly, Director, Council on Wildlife and Fish, PO Box 4641, Bozeman, MT 59772; phone 406-920-1381. troutcheeks@gmail.com.

Kristine Akland, Senior Attorney, Center for Biological Diversity, PO Box 7274, Missoula, MT 59807; phone 406-54409863. kakland@biologicaldiversity.org.

Signed this 1st day of July for Objectors



Sara Johnson

2. Name and Location of Project being Objected to

Coyote Divide Vegetation Project on the Belt Creek-White Sulphur Springs Ranger District of the Helena-Lewis and Clark National Forest (HLC).

3. Responsible Official

Helena Smith, District Ranger, Belt Cree-White Sulphur Ranger District

4. Attachments

This Objection includes 2 attachments. Attachment #1 has various documents, letters and/or reports on goshawk issues; this includes 3 colored aerial photos of the 3 goshawk nesting territories that occur in the Coyote Divide Project Area; Attachment #2 includes various reports and publications that are cited in the Objection but does not include many of these that have been previously provided along with NEC/AWR comments on 60 days openings for this project submitted on 11/21/22, or with the 10/24/22 scoping comments.

5. Connections between prior written comments on project and objection

Objectors submitted scoping comments on the Coyote Divide Vegetation Project on August 23, 2023. They submitted 60-day comments on proposed openings over 40 acres on November 21, 2022. They submitted 30-day comments on the draft Environmental Assessment for the Coyote Divide Project on August 23, 2023.

Due to the above submissions of many, many comments for the Coyote Divide Vegetation Project, we will only summarize the major issues. One includes the failure of the HLC to do an analysis in the RFP for changing the definition of old growth from the complete Green et al. (1992) definition to only minimum criteria. We would like to include this issue in this objection. There was no analysis in the RFP FEIS as to how just the minimum old growth criteria would maintain wildlife. Effects of implementation of this change in old growth management will clearly have significant adverse impacts on may associated old growth species, an impact that has never been disclosed to the public.

The HLC RFP uses desired conditions (DC) as the basis for management of wildlife. Yet there was never any analysis as to how vegetation DCs will maintain any wildlife species on the HLC. The Coyote Divide project is a good example of this use of DC for wildlife management. There were no other habitat criteria considered for wildlife. Without actual habitat standards, project impacts to wildlife are unknown, in violation of the NEPA. We are carrying this issue forward into this objection.

We raised a concern about agency claims that fuels reductions will protect forests from fire, and maintain forest ecosystems. AS with agency claims that vegetation DCs will maintain wildlife, the HLC RFP does not have any analysis of fuels management impacts on wildlife. Assumptions that no significant adverse impacts will be triggered on wildlife, such as in the Coyote Divide

project, have no factual basis. Conduction large-scale fuels reduction projects have unknown impacts to wildlife, due to a lack of analysis. Projects that claim there will be no significant impacts, such as the Coyote Divide project, have no analysis basis to make such claims. We submitted a report by the John Muir project that challenges the agency claim that logging and fuels reduction projects will protect forests from fire. We are carrying this issue forward into this objection.

We noted that treatments within Inventoried Roadless Lands (IRAs) has never been demonstrated by the HLC to "restore wildlife habitat." We requested that the specific vegetation that would be removed in treated IRAs be provided to the public, so that impacts on wildlife habitat could be defined. This information was never provided. Nor did the agency ever provide any information as to why Montana Species of Concern, and migratory birds, would benefit from treatments with IRAs. These are simply fuels treatments, with potentially severe impacts on wildlife, including the threatened Canada lynx and wolverine. We are carrying this issue forward into this objection.

We requested that the agency provide an analysis of hiding cover impacts of the project. This information was never provided in the draft EA or wildlife report. Since impacts to hiding cover are unknown, we are carrying this issue forward into this objection.

We raised many concerns about how the Coyote Divide Project will impact elk security. As is noted in this objection, the agency completely failed to provide any credible analysis of project impacts on elk security. We expanded on this issue in our objection. AS well, it is important to define elk habitat effectiveness during project activities. This was never done for the Coyote Divide Project, even though we raised this as an issue. We expanded on this issue in this Objection.

We noted that the Coyote Divide project does not address conservation of either the grizzly bear or lynx. The project will allow unmeasured "take" of both species, including a violation of Forest Plan direction within the Wildland Urban Interface. The WUI zone for the Coyote Divide Project is not a valid WUI as per the Healthy Forest Restoration Act (HFRA), so that exemptions for logging/burning lynx habitat do not actually apply as claimed by the agency. The massive road impacts, including unauthorized roads (100 miles in the Little Belt Mountains), are not being addressed even though these are a huge wildlife management issue, while instead, logging and fuels reduction are being implemented, activities that will exacerbate current impacts on grizzly bears. Management of Zone 3 areas as per the HLC RFP is clearly an adverse impact on grizzly bears, and doesn't promote recovery as is required by the ESA. All the proposed burning and logging will also reduce/eliminate snowshoe hare populations, a key prey species for lynx. Impacts to the lynx and grizzly bear are issues that are being carried forward into this appeal as addressed in scoping and 30-day comments.

As noted, NEC and AWR provided 60-day comments on openings over 40 acres in size that were planned for the Coyote Divide Project. We addressed opening impacts on the goshawk, Black-backed Woodpecker, Brown Creeper, Pileated Woodpecker, Great Gray Owl, Canada lynx, wolverine, pine marten, red squirrels, red-backed voles, snowshoe hares, elk, and western forest birds, including the loss of old growth forests and snag forests. In spite of these concerns we provided to the agency, the project EA and wildlife report do not include any analysis of openings on wildlife. The only information on these impacts is what NEC/AWR have submitted into the record. We note that the HLC RFP also does not include any analysis of large openings on wildlife. The agency's practice of creating large openings has no valid NEPA assessment to date. As a minimum, this would require a site-specific analysis, which was not done for the Coyote Divide Project.

In our 30-day comments, we provided extensive discussions on issues and concerns (42 general comments plus additional comments on a failure to

evaluate opening impacts on wildlife, and a failure to define wildlife habitat conditions within IRAs that need to be changed to improve habitat. We also raised the issue of a failure of any action alternatives that addressed our scoping issues or large openings. Although we requested more information on how climate change would impact wildlife due to changes in local climatic conditions, this information was never provided in the draft EA or wildlife report. We also raised concerns about treatments in whitebark pine, including massive loss of genetic diversity by destruction of seedlings and saplings. Another huge concern we raised was implementing a 15-year project. One huge flaw of this project, as well, for wildlife is the complete failure of the agency to survey for forest raptors. Wildlife management is a meaningless claim if no inventory data is gathered. We also noted that the HLC RFP failed to include monitoring information obtained on the goshawk over the past several decades. Instead, the RFP has no management direction for this Montana Species of Concern. And as well, we noted that the use of DCs for wildlife management is invalid, and a Forest Plan amendment is needed to include valid conservation strategies for numerous wildlife species.

We are carrying this multitude of issues and concerns into this objection, and are expanding on many along with references.

6. Remedy

Due to failure of the agency to address any of our issues and concerns, as well as a failure to adhere to the various laws (National Environmental Policy Act -NEPA, the National Forest Management Act – NFMA, the Administrative Procedures Act -APA, the Endangered Species Act-ESA, the Roadless Area Conservation Rule, and the Migratory Bird Treaty Act-MBTA, we believe the Coyote Divide Project needs to be withdrawn. The lack of valid HLC RFP direction for management of all wildlife species means that this project will trigger violations of these laws and/or administrative direction. Until the RFP failures are addressed, projects on the HLC need to be withdrawn.

7. **Legal and administrative violations that will result from project implementation**

A. The agency will violate the National Forest Management Act (NFMA), the National Environmental Policy Act (NEPA), the Administrative Procedures Act (APA), the Endangered Species Act (ESA), the Roadless Area Conservation Rule, and the Migratory Bird Treaty Act (MBTA) with implementation of the proposed action for the Coyote Divide Vegetation Project.

1. Elk Management

The Project Area is 36,400 acres. The agency did not define the active motorized route density that currently exists, or will exist during the 15 year project. The active motorized route density measures "habitat effectiveness" or HE for elk. This is the amount of habitat that is available to elk use in the summer based on habitat lost due to road displacement. Active motorized routes that displace elk are 2-4 vehicle trips per 12 hours (USFS/MFWS Collaborative Recommendations 2013). An active motorized route density of less than a mile per section provides a 70% HE level, while 2 miles of active motorized routes provides a 50% HE (Christensen et al. 1993; Lyon et al. 1985). A minimum of 50% HE is defined as adequate management for elk (Christensen et all 1993). Thus it is essential for the agency to fully define HE during project activities, in order to measure project impacts on elk. Since the HE for the proposed project is never defined during project implementation, the agency has not defined direct project impacts to the public. The agency has not taken a "hard look" at project impacts to elk HE, which is essential in order to develop action alternatives.

The public is unable to measure HE for elk during project implementation because the agency did not provide adequate information on motorized route disturbances that would occur during the project. There is no identification of unauthorized routes within the project area. The EA at 4-5 (Table 5) and 26, and the Wildlife Report at 31 note that there are 100 miles of unauthorized roads that need to be decommissioned due to the Little Belts Travel Plan. The mileage of these unauthorized roads in the Coyote Divide Project Area are unknown; how many of these 100 miles of unauthorized roads are present in the project area will clearly affect elk HE.

The addition of new roads and opening of closed roads in the project area will be 18.8 miles of temporary roads (Wildlife Report at 35) and 1.7 miles of closed roads opened for haul routes (Wildlife Report at 31).

The Revised Forest Plan (RFP Final Environmental Impact Statement (FEIS) at 486 states there are 486 miles of motorized trails in the Little Belt Geographic Area (GA). The agency did not identify how many of these motorized trails occur in the Coyote Divide Project Area. Motorized trails will affect HE for elk.

The EA at 28 states that according to Lyon (1983) and Leege (1984), only public activity on roads displaces elk and impacts HE. Also, the Wildlife Report at 35 cites those 2 references as a basis that elk HE would remain unchanged during project activities because all project roads would remain closed to the public. These reports appear to be the basis for the road analysis on elk in the Coyote Divide Project. Table 13 in the Wildlife Report at 36 includes 2 categories of road impacts on elk, one that includes only existing open roads, and a second that includes both existing open roads plus new temporary roads and closed roads that will be used for log hauling. This table shows that the average current open road density across 5 elk analysis units is 0.61 miles per section (397 miles of open roads within 649 square miles). With project implementation, counting new roads used for the project (397 miles plus 20.4 new roads or 417 total open road miles) a project open road density would be 0.64 miles per section (417 miles divided by

649 square miles). Based on this average road density in the cumulative effects area, one could assume that the density within the Coyote Divide Project area would be similar, at roughly 0.64 miles per section. This would provide an elk habitat effectiveness level of over 70% (Lyon et al. 1985, Figure 1 at page 6). This is the HE level recommended by Christensen et al. (1993) to manage for elk.

The apparent open road density within the Coyote Divide project area and surrounding landscape (5 elk analysis units) appears to be significantly under reported by the agency. The open road density averaged across 5 elk analysis units in Table 13 of the Wildlife Report, averaged out at 0.64 miles per section, is well below the reported open road densities as per the 3 Grizzly Bear Analysis Units (GBAUs) that cover this landscape. Tables 7- 8 in the Wildlife Report at page 21 show the open motorized access miles within 3 GBAUs on Forest Service lands (304,752 acres) is 627.5 miles. This would provide an open road density on Forest Service lands in these 3 GBAUs of 1.3 miles per section (476 square miles divided by 627.5 miles), double that reported for elk. The total road density, including closed roads in GBAUs, would be 2.07 miles per section, with the addition of 350.9 miles of closed roads. This would provide a total road motorized density of 988 miles of roads within 476 square miles, or 2.07 miles per section. These total roads as per elk would likely include illegal motorized use on closed and unauthorized routes, although not all these routes would likely have consistent use impacting elk. Regardless, the total active motorized route densities within the Coyote Divide Project Area are likely well over double that reported by the agency. As such, it is likely that current, as well as project impacts on elk displacement impacts have not been accurately reported to the public.

Table 13 in the Wildlife Report does not indicate existing or proposed elk HE during project activities within the project area. If an assessment of project area habitat effectiveness before and during project activities had been done, significant adverse impacts to elk may be been reported, as we previously noted. Instead, the agency evaluated current and proposed project open road densities within large elk analysis units, so that new roads would not significantly change open road densities; these new road effects are "washed out" by the size of the

elk analysis units. For example, the Coyote Divide Project area is 35,400 acres (EA 1). The Adams Creek elk analysis unit is 44,160 acres, and will have 3.5 miles of additional active motorized routes during project activities. HE will barely decline, from 59% to 58%. The Belt Park elk analysis unit is 101,120 acres; it will have 11.5 of new open active motorized routes, but due to the size of the analysis area, elk HE will remain at 75% before and during the project. The Sheep Creek elk analysis unit is 56,320 acres, and will have 5.4 miles of new active motorized routes during project activities; elk HE will decline from 62 to 61%. The other 2 elk analysis units, Tenderfoot and Hoover Ridge, include no project activities; these analysis units are also very large, at 101,120 and 112,640 acres respectively. It is clear that use of these elk analysis to measure project cumulative effects "washes out" any actual impacts of roads due to the size of the analysis unit. The project EA at 38 notes that the average home range size for elk ranges from 20,000 to 35,000. This home range size would be consistent with evaluating road impacts in the Coyote Divide Project Area.

The only discussion in the EA regarding project impacts on HE is at 29, where only changes in HE in the 5 elk analysis units are addressed; it is notes that elk HE decreases in 2 of 5 elk analysis units, and 3 remain the same during project activities. There is no report on HE for elk currently or during project activities within the project area. Table 13 in the Wildlife Report was the basis for the EA discussion on HE, and Table 13 did not include changes in HE within the project area.

The failure of the agency to define the density of active motorized routes in the Coyote Divide Project Area currently and during a 15 year project, as we previously noted, appears to be a deliberate action to conceal existing and planned significant direct impacts on elk. The Project EA at 24 and the Wildlife Report at 26 both note that the project area has a "high road density" which is discouraging grizzly bear use. There is a significant difference between agency assessments of road densities for elk versus grizzly bears (0.61-0.64 miles per section reported for elk and 1.3-2.07 open/total roads reported for grizzly bears analysis units. As shown in Figures 7-8 and Figure 4 of the Wildlife Report, elk

analysis units and grizzly bear analysis units largely overlap with the 5 elk analysis units, so road densities can be expected to be somewhat similar. It seems clear that the agency is significantly misrepresenting the current level of open motorized routes for elk in the Coyote Divide Project Area.

The analysis of project impacts on elk security are also a NEPA violation, as actual impacts are concealed through invalid analysis methodology. And a key issue regarding elk management on public lands, as identified repeatedly in the USDA/MWFW 2013 collaborative recommendations for elk management, is displacement of elk from public lands in the hunting season due to a lack of security. Also noted in the collaborative recommendations was a concern that over time, this displacement of elk from public lands may extend throughout the year as well as be permanent displacement to private lands.

The agency defined 2 measures of motorized route impacts on elk. These are the "Open Motorized Route" method, as presented in Table 14 of the Wildlife Report and in Figure 7 of the Wildlife Report. "All Motorized Routes" are measured in Table 15 of the Wildlife Report and shown in Figure 8 of this report. Although the results are essentially identical in Tables 14 and 15, there are differences as per these methods shown between Figures 7 and 8. When all motorized routes are assessed, security is clearly reduced. There is apparently a mistake in Tables 14 and 15 that fail to show this difference in security, as it should be higher in Table 14 versus Table 15. Since security is an important public issue (USDA/MFWP 2013 collaborative recommendations), representation of accurate existing and project impacts on big game security is an important factor for addressing increases in roads and removal of elk hiding cover, including openings over 40 acres in size.

Tables 14 and 15 are also based on a misrepresentation of the results of the Lowrey et al. (2019) published paper. The Wildlife Report at 36 states that the Lowrey et al. (2019) paper defined elk security and elk preferred security at areas with at least 25% canopy cover; the difference between these 2 security areas was just distance from active motorized routes; security areas were noted to be

within 1.2 miles of an active motorized route, while preferred security was noted to be at least 2.3 miles from an active motorized route. However, the agency failed to note that there was also a difference in canopy cover levels between these 2 types of security. **Averaged out for both sexes of elk and hunting seasons, Lowrey et al. (2019) at page 145 reported that elk security contained an average canopy cover values of at least 30%, while preferred elk security contained canopy cover values of at least 53%.**

The agency's failure to identify the differences in canopy cover levels between security and preferred security is clearly demonstrated in the Wildlife Report in Figures 7 and 8. These figures are based entirely upon distances from active motorized routes, without any measures of canopy cover. The titles to these 2 figures state that they are based on motorized routes, either open or total. There is no mention of canopy cover levels. It is impossible to assess canopy cover levels in these 2 Figures. It is clear canopy cover levels were not included in these assessments of elk security, even though they were identified as one aspect of elk security by Lowrey et al. (2019). The EA and Wildlife Report did not define why canopy cover levels were not included in this analysis of elk security.

Also, the Lowrey et al. (2019) paper did not define every existing road as impacting elk security, as the Coyote Divide wildlife analysis did. As noted in the USDA/MFWP 2013 Collaborative Recommendations, closed roads that receive only sporadic, limited use may be eliminated as an elk disturbance factor.

The Lowrey paper, even if defined correctly, does not provide an actual means of measuring elk security on the landscape because a wide range of conditions are defined as some type of elk security, with varying values to elk. This paper did not identify the level of security in their study area in the Elkhorn Mountains. If this could have been done, it seems likely this information would have been provided. The Forest Service in fact only used distance from roads as a measure of elk security, without including canopy cover levels. This methodology for measuring

elk security would be extremely difficult to actually determined, which is likely why it was not fully evaluated in the Coyote Divide NEPA documents.

The Lowrey paper cannot measure changes in elk security based on canopy cover because their study area were in forest stands that had not been logged. These stands have significant understory vegetation, including smaller trees that quickly responded to pine beetles by growing up into the canopy. The Lowrey definitions of canopy cover in forested stands only apply to unlogged stands. A logged forest stand with a 23-50% canopy cover would be much different than the unlogged stands in the Lowrey report, where a significant understory of cover exists.

It is clear that the agency attempted to use the Lowrey et al. (2019) definitions of elk security as a means of concealing the impacts of the Coyote Divide project on elk security in the project area. As is demonstrated in Figure 3 (Proposed action haul routes) in the EA, a significant mileage of new roads would be implemented in an area that currently qualifies as elk security as per the Hillis et al. (1991) methodology that is reported as the agency means to measure elk security in the Helena-Lewis and Clark Forest Plan, as well as the USDS/MFWP 2013 Collaborative Recommendations. These documents note that security is measured by the Hillis et al. (1991) methodology, which includes contiguous blocks of forest cover at least 250 acres in size and at least 500 meters (0.5 miles) from an active motorized route. Figure 4 of the Wildlife Report shows grizzly bear security areas, which the Wildlife Report, as well as the HLC RFP, defines as over 500 meters from an active motorized route. This is the same definition used by Hillis et al. (1991). If the agency has used the Hillis et al. (1991) method, as recommended by agency documents, the amount of security in the project area would clearly have been higher than 1% reported in Table 14 of the Wildlife Report**. In fact, Table 7 of the Wildlife Report at 21 states that the Coyote Divide Project area contains 25% grizzly bear security.** As such, elk security would also likely be close to 25% in the Project Area, not "zero" or 1% as noted in Tables 14-15 of the Wildlife Report.

The level of elk/grizzly bear security in the Coyote Divide project area is below the landscape average for grizzly bear security of 36% as per Table 7 of the Wildlife Report in 3 grizzly bear analysis units that include the project area landscape.

The estimated level of elk security in the 5 elk analysis units as identified in the Wildlife Report Tables 15-16 show an average level of elk security of 17% as per agency analysis methods (72,243 acres of security within 414,685 total acres). However, the Little Belts GA is noted to have 31% security (RFP FEIS 426 Table-104). The Little Belts GA comprises 802,711 acres of National Forest lands, and 900,961 total acres (RFP 122, Table 30). So the 5 elk analysis units where elk security was estimated for the Coyote Divide project should be relatively similar to what is reported in the RFP FEIS. Instead, the portion of the Little Belts GA that includes the cumulative effects area for the Coyote Divide Project is reported to have only about half that of the total GA. This difference seems unusual, and supports what appears to be a significant under-measurement and reporting of elk security for the Coyote Divide Project.

The Coyote Divide Project will clearly eliminate much of this security, although it is not clear exactly how much would remain, due to a lack of disclosure by the agency. In any event, the 25% current security is below the minimum level of 30% recommended by Hillis et al. (1991). This lack of security will be exacerbated by the proposed project, not only due to new road use, but due to expansive removal of hiding cover. Hiding cover, as per both the Hillis et al. (1991) and Lowrey et al. (2019) definitions of elk security cover both require hiding cover. The Coyote Divide Project will remove 7,941 acres of hiding cover (EA Table 1 at 4), which is 22% of the project area. Since security blocks must be at least 250 contiguous blocks of hiding cover, road closures will not result in restoration of hiding cover.

There was no analysis in the Coyote Divide NEPA documents as to how this assessed lack of security is impacting elk displacement to private lands in the Wildlife Report or EA. The USDA/MFWP 2013 collaborative recommendations for

elk repeatedly noted the problem of elk displacement to private lands during the hunting season, displacement that may become permanent. RFP FEIS at419, Table 102 shows that across the HLC, 22 of 41 hunting districts are over MFWP elk population objectives, or 54%. In the Little Belts BA, 3 of 8 hunting districts are over objectives. The agency did not identify which hunting districts occur in the Coyote Divide project area, or in the 5 elk analysis units used for analysis of cumulative effects. High elk populations are an indication of inadequate security on public lands due to limited harvest levels on private lands (USDA/MFWP 2013 collaborative report). Due to this limited harvest scenario, elk numbers on the HLC have increased from an estimate of 13,500 in the 1980s to an estimated 45,000 in 2019 (RFP FEIS 422). The agency implies in the NEPA analysis, due to a lack of analysis, that elk displacement is not a significant management issue. This is a failure to take a "hard look" at how the proposed project will impact elk population numbers, including impacts to private landowners.

There was no action alternative that addressed the significant issue of elk displacement to private lands in the hunting season. Even the no-action alternative did not address how existing roads, including unauthorized roads, illegal use of closed roads, and motorized trails affect elk security, or could be managed to increase elk security.

The Coyote Divide Project NEPA documents did not address cumulative effects to elk HE and elk security. There are at least 3 other logging/fuels projects proposed or active in the Little Belts GA and 5 elk analysis units used for evaluation of cumulative effects. These include the ongoing Moose Creek project (Wildlife Report 27-EA 25), the Blankenship Project (also ongoing as per Wildlife Report 27, EA 25), and the Horsefly project, which is currently in litigation and inactive. This is the extent of any discussion on cumulative effects to elk HE and elk security as per the Coyote Divide Project. The project EA at 25 states that analysis of cumulative effects in "in the project record." So if this cumulative effects analysis has been done, it was not provided to the public. One particular aspect that is important as per this cumulative effects analysis is the overall landscape disturbances that are occurring to elk HE and security. The actual timeline that

these projects last was never identified. This timeline would indicate what the expected timeline will be for the Coyote Divide Project as well. The likelihood of multiple, long-term disturbances to elk across the 5 elk analysis units identified for a cumulative effects analysis for the Coyote Divide Project is certainly impacting elk in this landscape, an impact that needs to be included in a "hard look" at implementing yet another long-term (15 or more years) disturbance project (Coyote Divide). As just one example of how specifics are important, the public needs to see how the ongoing logging units in the Moose Creek project relate to those units in the Coyote Divide Project. The vicinity of units will affect the availability of undisturbed habitat for elk (HE).

The cumulative effects of multiple projects in the landscape of the Coyote Divide Project also requires an assessment of how ongoing climate change effects are being exacerbated by these multiple projects. Given that the average temperatures in elk summer habitat will be increased by forest thinning and clearcutting, as well as fuels treatments with understory removal, the agency needs to define how elk summer habitat is going to change. What is the expected increase in the level of "thermal stress" that will be experienced by elk across this landscape due to increased temperatures in treatment areas? This problem was not evaluated in the Coyote Divide Project. In addition, the agency did not evaluate how the loss of shade due to treatments, in combination with increasing summer temperatures, will affect elk forage. AS per the USDA/MFWP 2013 collaborative recommendations, the loss of shade will cause elk forage to desiccate earlier in the summer season, thereby reducing quality forage.

There was no analysis of how the Coyote Divide project will affect elk hiding cover. A 15-year collaborative study of elk between the Forest Service, MFWP and research units found that "good elk cover is 66% of greater of the landscape, while poor elk cover is 33% or less of the total landscape (Lyon et al. 1985). The USDA/MFWP 2013 collaborative recommendations discounted this expansive elk research project, without providing any alternative elk management recommendations to replace this study with. The RFP FEIS at 423 notes that hiding cover may enhance elk use of summer ranges. The RFP FEIS at 430 notes

that hiding cover is important to provide "thermal relief" for elk. And hiding cover is an essential component of elk security (250 acre or larger blocks of contiguous hiding cover) (Hillis et al. 1991). The agency provided a rationale for not evaluating project impacts on elk hiding cover, which include the removal of cover on 22% of the Coyote Divide Project area, by citing RFP FWL-GDL 01 which states that the agency with MFWP should identify actions that will reduce elk displacement from public lands (Wildlife Report at 9); the agency stated that the FS and MFWP determined there was no need to evaluate elk hiding cover since roads were more important for security. The NEPA requirements for analysis of elk hiding cover cannot simply be discarded by a decision of the agency and MFWP. The NEPA requires that this analysis be done, and in fact, this analysis is important to evaluate project impacts on security.

There was no analysis in the Coyote Divide NEPA documents as to how the large openings planned for this project would impact elk security. These clearcuts will eliminate elk security for at least 20 years, until cover again reestablishes in treatment units. These clearcuts will thus limit the ability of this landscape to increase elk security for this time period. Given the shortage of elk security in this landscape, and the significant elk displacement issues that exist in 3 of the 8 hunting districts of this landscape, the agency rationale for creating clearcuts, including very large clearcuts, was never addressed as per elk management. This issue was also never addressed in the RFP FEIS, so the conflict between elk security and clearcuts, including large clearcuts, remains unevaluated as a HLC management activity regarding elk.

The Coyote Divide Project NEPA documents did not map or quantify elk winter ranges, and elk calving ranges in the project area. The HLF RFP has a guideline (06) to manage vegetation on big game winter range to maintain or improve forage and to manage for adequate amounts of hiding and thermal cover. How this guideline will be met in the Coyote Divide Project is unknown. It is also not clear is disturbances activities will occur on winter ranges during this season, or how hiding cover will be managed on elk calving/deer fawning ranges. What are the

habitat objectives for these winter/birthing ranges, and will they be met by this project?

2. Whitebark Pine Management

The U.S. Fish and Wildlife Service (USFWS) 2023 Standing Analysis on whitebark pine (hereafter "WBP") states at page 11 that management activities impacting WBP require surveys using appropriate agency protocols to estimate the number of WBP individuals of all age classes. An example of adherence to this direction as per the recommendations of the USFWS is the Green Union Project on the Shoshoni National Forest (USDA 2024). Table 6 at page 42 of the EA for this project identified the number of seedlings, saplings, and mature trees within treatment areas, along with estimated mortality. The agency estimated that this project would kill 1,310,082 seedlings, 351,892 saplings, and 12,433 WBP due to activities on 9,677 acres. The estimated mortality rate for seedlings was 54.9%, 48.1% for saplings, and 11.3% for mature trees. For seedlings and saplings, the trees most impacted by management activities, the project will kill 1,345,974 trees, for **an average of 139 killed seedlings/saplings per acre** (1,345,974 dead trees divided by treatments on 9,677 acres).

The HLC did not estimate the number of WBP trees, including seedlings and saplings, that will be killed by the Coyote Divide Project. This not only failed to meet the recommendations of the USFWS as per the 2023 Standing Analysis, but is a NEPA violation for a failure to take a "hard look" at project impacts on this threatened species. Instead of estimating the number of WBP the project will kill, the agency simply provided general descriptions of WBP tree numbers in various treatment units. Since the agency did not make any estimates of expected WBP mortality, we have provided a very general approximation of what this mortality level could be. Using the Green Union estimate that roughly half of seedlings and saplings would be killed during project activities, we have estimated that the Coyote Divide Project will kill approximately 184,125 WBP trees, mostly seedlings and saplings. This would be half of the total seedlings/saplings estimated to occur

on treated acres (368,250). This estimate would indicate that **approximately 66 WBP trees** (seedings and saplings) will be killed per acre of treatment (184,125 total killed trees divided by 2,785 treated acres). This estimate of 66 killed seedling/saplings per acre may be low, as the Green Union project estimated that 139 seedlings/saplings would be killed per acre of treatment.

Our estimate of seedling/sapling WBP trees that will be killed by the Coyote Divide Project is based on the following information provided in Table 6, page 14 of the project Biological Assessment for WBP:

-Units 123, 160, 131g (60e acreage not provided) would be 103 acres; an average of 200-400 seedlings/saplings would be 300/acre; this would be 30,900 trees affected.

-Units 87b, 90, 91, 94b, 94c, 156 and 161 total about 92 acres; seedling/sapling density is stated to range from 200-600 per acre, which would be an average of 400/acre; this would impact 36,800 seedlings/saplings.

-Units 100, 106, 111, 112, and 115 total about 72 acres; average seedling/sapling density is stated to range from 150-500; this would be an average density of 325/acre; this would impact 23,500 seedlings/saplings.

-Units 104, 105, 505, 506, 122, 131f, 144b, 194a, 94A (missing 25c) would total roughly 550 acres; we would estimate the "common density" stated for seedlings and saplings as 325/acre; this would impact 178,750 seedlings/saplings.

-Remaining units would impact 1,968 acres of WBP seedlings and saplings(2,785 minus above 817 acres = 1,968); acres of incidental seedling/sapling densities are unknown, but are here estimated to average 50/acre; this would provide an estimate of 98,400 seedlings/saplings that would be impacted on these 1,968 acres of treatment.

TOTAL ESTIMATED SEEDLING/SAPLINGS IMPACTED BY THE COYOTE DIVIDE PROJECT IS 368,250 TREES; WITH AN ESTIMATED MORTALITY RATE OF

50%, THE NUMBER OF SEEDLING/SAPLINGS KILLED BY THIS PROJECT WOULD BE 184,125.

THE DEATH OF 184,125 SEEDLINGS/SAPLINGS ON 2,785 TREATED ACRES WOULD AVERAGE 66 KILLED SEEDLINGS/SAPLINGS PER TREATED ACRE.

As previously noted, our rough estimate of the death of 66 seedlings/saplings per treated acre in the Coyote Divide Project may be low, as the Green Union project on the Shoshoni National Forest estimated killing 139 seedlings/saplings per treated acre. These differences may be because our estimate was based on no actual inventory of seedlings/saplings in the project area. Or as well, seedling/sapling densities on the Shoshoni National Forest project area may be higher than on the HLC.

The Coyote Divide Project Area includes 19,097 acres of potential WBP (BA Table 6 at 14). This is about 52% of the project area landscape of 36,400 acres. Reducing WBP recruitment by roughly half on the 2,785 treated acres would impact roughly 15% of the WBP recruitment in this landscape. The agency failed to take a "hard look" at not only estimating WBP mortality from the project, but how the loss of roughly half of seedlings/saplings on 15% of the project area would impact this local population of WBP, a threatened species. The apparent "assumption" that is never actually evaluated is that new recruitment of WBP seedlings will over-compensate for the expected mortality caused by the project. This is a patently false assumption, and is not supported by any science.

As per the USFWS 2023 Standing Analysis for WBP, Seedling WBP are from 0-29 years in age, and saplings are from 29-40 years in age. Thus destruction of roughly half of all seedlings/saplings in a treatment area means that half of all recruitment that has occurred in the last 40 years will be destroyed. The impact of this loss of recruitment, along with a loss of genetic diversity, would be highly detrimental to this local population of WBP. In addition, the number of seedlings/saplings that

are resistant to blister rust is unknown, but would surely have a high persistence value again for this local population of WBP. Any claims that new regeneration will be abundant, so that killing existing recruitment will not impact persistence of WBP, has never been supported in the project BA. For example, Keane and Parsons (2010) reported that there appears to be a "lag period" of 40 years before new recruitment of WBP develops; they had not yet observed signs of WBP regeneration in many of their treated sites.

The assumption that seedling/sapling WBP within forested stands will never become canopy trees is also false, as is claimed in the Coyote Divide BA. As was noted by the Standing Analysis, WBP trees can tolerate many years of suppression under canopies, and can still have a release of growth after 150 years of such (pages 31, 69). To assume that seedlings/saplings have no recruitment value to a WBP stand is clearly false. The planned destruction of up to half of the WBP recruitment provided by the last 40 or more years, including its genetic diversity, will clearly have severe adverse impacts on treated areas.

Problems with WBP recruitment in treated sites are also known. For example, the 2023 Standing Analysis noted that treatments can interrupt water drainage, compact soil, and destroy microsites for cached seeds (page 32); compacted soil will limit tree rooting. Seedbanks are disturbed by movement of vehicles that cause soil displacement, compaction and rutting; seeds within those soils would experience displacement by erosion and movement, some reduction in germination success on compacted soils, and exposure to higher levels of predation (USDA 2024). The Standing Analysis also notes that the role of fire in WBP is uncertain; WBP has one of the lowest resistance scores to fire mortality of 29 conifer species; even low intensity fire can kill mature WBP; the ability of WBP to survive fire is largely unknown (page 68).

Keane and Parsons (2010) also addressed survival potential of WBP seedlings, including in treated areas. They did not observe any significant WBP regeneration in many of their treatment units. This was in part due to severe site conditions

that kill seedlings, such as being uprooted from snow creep in the spring; in addition seeds can be washed away by spring melting; lag periods of 40 years appeared to occur for site conditions to stabilize for germination of seeds.

Finally, creating open ground to provide caching sites for WBP is not a benefit to WBP recruitment, as 85% of WBP seeds are cached in tree trunks; Clark's Nutcrackers usually avoid caching seeds in the open (WBP Standing Analysis). Wells (2011) noted that this bird avoids caching seeds in open areas as well as exposed burns due to increased risks of predation. Thus creating openings from logging or fire is not going to create cache sites for WBP in general. Exposure to predation risk is likely one of the major reasons this bird caches WBP seeds in tree canopies, although caching seeds in openings is likely to make them unavailable in winters due to deep snows. Id.

In general, it is clear that successful recruitment of WBP is a slow, difficult process for this tree species, due to various reasons. The intentional destruction of half or more of existing recruitment, recruitment that has slowly developed over a long time period, is clearly not a conservation strategy for WBP. At this time, given the problems associated with treatments, along with the slow development of WBP recruitment, the best conservation strategy to this threatened species is to leave it alone. This would include thinning of other conifers from WBP stands to increase growth and vigor. Both the WBP Standing Analysis (pages 31, 63) and Six et al. (2021) note that improved growth of mature WBP may result in infestation/death by mountain pine beetles, who select larger trees that have good growth. Given the known impact of pine beetles on WBP, it is clearly not a conservation strategy to increase risk to mountain pine beetle mortality in remaining trees due to forest thinning.

In summary, the agency has provided unsubstantiated justifications for destroying vast numbers of seedlings/saplings of the threatened WBP in order to log almost 3,000 acres of WBP habitat. The HLC RFP direction is being applied to this project, which demonstrates that this RFP lacks any credible conservation strategy for

WBP. Implementation of this RFP direction is a death knell for any WBP treated areas. The RFP FEIS needs to be amended to address actual management impacts on WBP recruitment, in order to avoid large-scale elimination of 40 or more years of WBP recruitment on treated sites. Amendment of the HLC RFP regarding management of WBP needs to be done before any WBP habitats are treated.

One particular aspect of WBP management that is absent from the HLC RFP, as well as for the Coyote Divide Project, is the dependence of WBP for seed dispersal on the Clark's Nutcracker. The ties between this tree and this bird are an excellent representation of what constitutes "ecosystem management." The Clark's Nutcracker, a Montana Species of Concern, depends upon conifer seeds for viability, including not just WBP, but Douglas fir, Limber Pine, and Ponderosa Pine; this broad diet is a survival strategy given that conifer seed production is highly variable over time and over landscapes (WBP Standing Analysis 2024 at 61, 68; Vander Wall et al. 1981; Wells 2011). In effect, management of WBP requires the concurrent management of the Clark's Nutcracker. As noted by Wells (2011), conserving other forest types, such as ponderosa pine and Douglas fir, will be essential to the conservation of WBP. This management strategy was also noted by the 2024 WBP Standing Analysis. At 61, they noted that an optimal Clark's Nutcracker habitat mosaic includes moderate levels of Douglas-fir habitat where it is an important seed resource for this bird. Hence, the conservation strategy for WBP requires a conservation of adequate amounts of other mature conifer forests where abundant seed resources are available for the Clark's Nutcracker. If this species is present, there is a potential that they will harvest and disperse WBP seeds in WBP stands as well.

The importance of managing conifer seed resources for various forest birds, not just the Clark's Nutcracker, was identified as far back as an important conservation strategy by Benkman (1993). This published report addressed the conservation of various species of crossbills; it was emphasized that the protection of mature and old-growth forest stands was essential for the conservation of crossbills; the domination of forest stands by younger trees greatly reduces cone and seed production relative to mature and old-growth forests; most conifers begin producing seeds at about 20-30 years; younger

conifers produce smaller cone crops than do older conifers; an old-growth stand of Douglas fir produces 20 to 30 times more cones than a 50- 100-year old second-growth stand; maximum cone production for some conifers is not reached until trees are 2000 year of age, including Douglas fir; in addition, smaller cone-producing trees in a stand fail to produce cones more often than larger and presumably older trees; conifers may only begin regularly producing seeds at 90 years of age; in addition, forest thinning reduces cross-pollination and the number of full seeds per cone declines as mature tree density decreases, so there will be a lower limit to tree density where seed levels are not suitable for crossbills. Benkman's (1993) recommendations for management of conifer seed resources for crossbills was to maximize the amount of old growth forests; if little old growth is present, second-growth forests should be protected and allowed to mature.

This same conservation strategy for crossbills addressed by Benkman (1993) would also apply to the Clark's Nutcracker (Wells 1993; 2024 WBP Standing Analysis). However, neither the HLC RFP or the proposed project in the Coyote Divide Project Area include a conservation strategy for the Clark's Nutcracker. The HLC RFP clearly needs to be revised so that a valid conservation strategy for both Clark's Nutcrackers, as well as a host of other seed-eating birds, along with WBP, is implemented on this forest. For site-specific projects such as the landscape in the Coyote Divide, it is essential that the agency identifies what percentage of the landscape, and patch sizes, of unlogged mature and old-growth forests are required to address conservation of the Clark's Nutcracker and WBP. This conservation strategy would also address many other conservation issues on this forest, including a failure to manage for forested snag habitat, old-growth forests, and in general, neotropical migratory bird habitat.

3. Addressing Climate Change

The agency did not provide any actual analysis as to how the Coyote Divide project will impact wildlife as per climate change. Some general assumptions

were made that most wildlife can "adapt" to higher temperatures, including those created in logging units, such as large clearcuts. The NEPA requires more than just assumptions about impacts of agency activities. Because the agency did not take a "hard look" at how the Coyote Divide project will impact wildlife due to exacerbation of impacts of climate change, the agency failed to consider action alternatives that would address these wildlife impacts.

The Lewis and Clark National Forest monitoring program on the Northern Goshawk (hereafter "goshawk") included a summary by agency biologist Victor Murphy (2014) on the importance of thermal and hiding cover for juvenile goshawks. He noted that a very important function of post-fledging areas (PFAs) for these young birds is to provide cover from strong prevailing winds and to ameliorate the effects of frequent severe weather events like late spring and early summer heavy snow storms and cold, drenching rain and to protect goshawk young from violent summer thunderstorms; on the Lewis and Clark National Forest, goshawk nests are usually located in areas where landforms and forest structure protect them from the weather, including in areas of comparatively dense forest.

In a Montana Outdoors issue of March-April 2022 (page 8), the state climatologist predicted even warmer days ahead; by 2069, some areas of Montana can expect up to 5 more weeks of above-90-degree days each year; over the past 65 years, the state's temperature has increased 0.42 degrees per decade while the national average is 0.26 degrees per decade; this greater rate of change is due to Montana's higher altitude; by mid-century, computer models predict a 5-degree temperature in eastern and north-central Montana and a 4-degree increase in central and western Montana; also by mid-century, eastern Montana is expected to have 39 more days above 90 degrees each year and western Montana will see 10-15 additional days of 90-degree plus temperatures.

In a recent article in Forest News (Summer 2021) it was noted that much of the West is experiencing temperatures of 4-15 degrees above normal. The June 28, 2024 issue of the Week reported that this June in the Midwest and Northeast of the U.S., a heat dome settled in with temperatures 15 to 20 degrees above

normal; this heat dome followed record-breaking temperatures earlier in the month in parts of California and the Southwest; meteorologists predict that this summer may be the hottest recorded in the Northern Hemisphere in the last 2000 years.

Lawrence et al. (2022) addressed the unseen effects of deforestation on the biophysical effects of climate change; they concluded that at all latitudes, forest biophysical impacts far outweigh CO2 effects, promoting local climate stability by reducing extreme temperatures in all seasons and all times of day; deforestation is associated with an increase in the maximum daily temperatures during the summer at higher latitudes; the biophysical effects of forests also moderate local and regional temperature extremes such that extremely hot days are significantly more common following deforestation even in the mid- and high latitudes; deforestation has also increased the frequency and intensity of hot dry summers two to four fold; forests provide local cooling during the hottest times of the year anywhere on the planet; forests are critical to adapting to a warmer climate; continued deforestation could severely stress remaining forests by warming and drying local climates; forests provide essential local climate stabilization benefits by reducing surface temperatures during the warm season as well as during periods of extreme heat; the biophysical effects of forest cover can contribute significantly to solving local adaptation challenges, such as extreme heat at any latitude; deforestation must be considered in addition to its effects on atmospheric CO2.

Knoss (2016) reported on new research from the University of Colorado that newly exposed edges of deforested areas (clearcuts) are highly susceptible to drastic temperature changes, leading to hotter, drier and more variable conditions for the forest that remains; he identified this new science as "**thermal biology**" an emerging discipline that examines that effects of temperature on biological and ecological processes; temperature changes in fragmented habitats can potentially wreak havoc on species activity and other critical ecosystem functions; Kika Tuff, one of the authors of this study stated "when you chop down trees, you create hot spots in the landscape that are just scorched by the sun;

these hot spots can change the way that heat moves through the landscape; it was noted that there is a vegetation phenomenon known as the 'vegetation breeze' where low air pressure in the cleared areas pulls the cool, moist air out of the forest and feeds hot, dry air back in; no cleared areas get all the rain and the forests get sucked dry; the warming effects of clearcuts is most severe within 300 meters of the edge, where temperatures can be anywhere from 4 to 18 degrees Fahrenheit warmer than in the forest interior; this study emphasized that applying "**thermal biology**" on landscapes presents a new imperative for forest conservation.

The Coyote Divide NEPA documents do not provide any analysis as to how the proposed project, forest thinning and clearcutting on almost 8,000 acres, will impact the "thermal biology" of this landscape. In fact, the agency did not ever address how the proposed very large clearcuts will impact the thermal biology of this area. There was no analysis of the impact of clearcuts in the HLC RFP as well. The cumulative effects of clearcutting, as well as large clearcuts, across the HLC as per thermal biology remains unknown, including within site-specific projects as Coyote Divide.

The tolerance levels of heat stress created by extreme heat on neotropical migratory birds was not addressed in the Coyote Divide NEPA documents. It is unlikely that this large group of birds do not experience heat stress above certain temperatures, as has been noted for other wildlife. For example, research on the Lewis and Clark National Forest in the Little Belt Mountains reported that Boreal Owls are sensitive to heat stress (Carlson 1991). Hayward (1997) also reported that Boreal Owls are sensitive to heat stress. The Great Gray Owl, a species documented in the Little Belts (Carlson 1991) has also been reported to be sensitive to heat stress (Koshmrl 2013). Moose have been reported to suffer heat stress at temperatures over 59 degrees Fahrenheit (Dickson 2012). Wolverine are noted to be sensitive to heat stress (Parks 2009). At the Fielding Wildlife Preserve at Three Forks, Sara Johnson noted that when late June temperatures exceeded 90 degrees, many of the hundred or more birds using the bird feeders were panting. This is indicated by open beaks, and is similar to panting when dogs are overheating.

The stress to birds caused from high temperatures are not the only impacts of climate change. In the fall of 2020, hundreds if not millions of migratory birds died during fall migration due to severe weather (D'Ammassa 2020). Review of these bird deaths by the U.S. Geological Survey National Wildlife Health Center (2020) found that a major contributing factor to these bird deaths from severe weather was emaciation; apparently food resources were inadequate for birds to maintain body condition during extreme weather. This emphasizes the importance of managing public lands for abundant forage resources for birds, such as conifer seeds and juniper berries, and providing thermal cover.

In summary, the Forest Service has ignored how the Coyote Divide forest reduction project will impact wildlife due to local climatic changes created by forest thinning and forest fragmentation (thermal biology). These changes have a significant potential to reduce habitat suitability for a host, if not most, wildlife species. If these impacts are actually addressed, it is highly likely the agency would not proceed with changing local climatic conditions on over 8,000 acres in the project area given severe and cumulative adverse impacts on wildlife. These impacts need to be considered along with other ongoing forest reduction projects in this landscape, such as Moose Creek and Blankenship.

4. Failure to Implement HLC RFP Guideline FW-WL-GDL 09

Guideline FW-WL-GDL-09 states that the agency will avoid disturbing known active raptor nests and fledging areas during the breeding season when implementing management activities. The NEPA documents for the Coyote Divide project do not include any survey results for forest raptors, including the 3 goshawk nests that occur in the project area. There are 12 forest raptors that occur in the Little Belt Mountains as per an owl survey completed by Carlson (1991) and as per the Montana Bird Distribution, 5th edition (1996) by Skaar. These include the following: Western Screech Owl, Northern Saw-whet Owl, Boreal Owl, Great Gray Owl, Barred Owl, Great Horned Owl, Northern Goshawk,

Sharp-shinned Hawk, Cooper's Hawk, Red-tailed Hawk, American Kestrel, and Golden Eagle. This guideline "suggests" that protecting such nests and fledging areas is an important conservation practice when habitats are logged and/or burned. The only way that nest sites can be "known" is to complete surveys. So this guideline clearly indicates that surveys will be done so that the location of active nests of these 12 forest raptor species will be "known." The Coyote Divide NEPA documents did not define why raptor surveys for these species could not be done for the Coyote Divide Project area. Failure to meet a guideline requires that the intent of the guideline can still be met. Nesting and fledging areas of these 12 forest raptors cannot be protected unless they are located. So the intent of this guideline cannot be achieved without surveys. The agency did not complete a site-specific Forest Plan amendment to except the Coyote Divide project from this guideline. In addition, the agency did not estimate the number of forest raptor nest sites and/or fledging areas may be disturbed by the project, or what these impacts would be on local populations of forest raptors, in violation of the NEPA. These surveys are also required for the agency to adhere to the Bald and Golden Eagle Protection Act. Golden Eagle nest sites need to be protected by at least a 0.5 mile buffer during the nesting period (Suter and Joness 1981, Raptor Research 15:12-18).

5. Failure to Define Baseline Conditions for Wildlife

The Coyote Divide NEPA documents do not define the baseline condition for wildlife or key wildlife habitats. Thus the impact of the proposed action on wildlife and wildlife habitat cannot be defined, as is required by the NEPA. Key information on baseline conditions in the Coyote Divide project area for neotropical migratory and other landbirds include an inventory of mature forest conifer seed production areas, old-growth forests, and mature forest snag habitat. Landscape availability of these habitats is essential to define habitat quality for these birds, as well as many other wildlife species.

There are at least 25 species of forest birds that likely occur in the Coyote Divide project area that depend upon conifer seeds as forage (Smith and Balda 1979, Smith and Aldous 1947, Dobkin 1992). These include the Hairy Woodpecker, Pinyon Jay, Clark's Nutcracker, Gray Jay, Stellar's Jay, Mountain Chickadee, Red-breasted Nuthatch, White-breasted Nuthatch, Red Crossbills, Pine Siskin, Lewis's Woodpecker, Crow, Robin, English Sparrow, Evening Grosbeak, Pine Grosbeak, Goldfinch, Slate-colored Junco, Oregon Junco, Chipping Sparrow, Song Sparrow, Red-shafted Flicker, Cassin's Finch, Ruffed Grouse, and Blue Grouse. Four of these species are Montana Species of Concern, including the Pinyon Jay, Clark's Nutcracker, Evening Grosbeak, and Lewis's Woodpecker. Forest thinning and clearcutting will reduce and/or eliminate this forage resource for birds (Benkman 1996). To address this reduction in forage for these 25 species of birds, the Coyote Divide NEPA documents needed to define what acreage and percentage of the project area currently provides forage habitat for these 25 species, and how much will be available post-project. What reduction in conifer seed resources that trigger significant population declines of these 25 species also needs to be estimated for this project. Cumulative effects also need to be assessed for the ongoing Moose Creek and Blankenship logging projects in the Little Belts. This type of information is essential in order that the agency take a "hard look" at past, ongoing and planned reductions in conifer seed resources for wildlife. Without this analysis, project planning is happening in a void without considerations for wildlife, in violation of the NFMA.

There are at least 17 forest bird species that are associated with old-growth forests in the Little Belt Mountains (USDA 2018, USDA 1990, Skaar (1996). These include the Boreal Owl, Brown Creeper, Hairy Woodpecker, Golden-crowned Kinglet, Hammond's Flycatcher, Hermit Thrush, Lewis's Woodpecker, Pine Grosbeak, Red-breasted Nuthatch, Swainson's Thrush, Three-toed Woodpecker, Great Gray Owl, White-breasted Nuthatch, Red-naped Sapsucker, Barred Owl, Northern Saw-whet Owl, and Northern Goshawk. The Coyote Divide NEPA documents do not address existing old growth levels or wildlife that are associated with old-growth forests. It is unknown how much old-growth currently exists in the Coyote Divide Project Area, or how much will be removed via vegetation treatments.

Old-growth forests are not maintained with thinning and of course, clearcutting. Old growth inventories were done on the Lewis and Clark Forest by Whitford 1991. This thesis included descriptions of old-growth habitat that included: mean canopy cover levels of 55%; average large tree density (greater than 8 inches dbh) was 85-205 per acre, with an average of 130/acre; mean snag dbh was 11 inches, and average snag density was 45/acre; there was an average of 20 snags per acre over 10 inches dbh; downed logs averaged 195 per acre; 62% of sampled old-growth stands had more than one canopy layer; small tree density (under 8 inches dbh) averaged 206 per acre; the mean seedling density was 413/acre. Whitford (1991) emphasized that developing old-growth is essential In order that these stands are protected and allowed to develop into old-growth; as such, old-growth management should include representative stands of early, middle and late old-growth stages. The value of early-stage old-growth forests was also emphasized by the Forest Service Intermountain Region's criteria for old growth forests by Hamilton 1993. This report noted that younger forest stands with high infestations of pine beetles, such as lodgepole pine, can provide high-quality old growth for wildlife due to high densities of snags. Thus the management of mature lodgepole pine stands is an important factor in old-growth management.

Management of Canada lynx habitat also includes management of unmanaged older forest stands. Holbrook et al. (2017) defined mature forest stands used by lynx as the following: mid-seral stands over 40 years in age arranged in a multi-storied structure with a mixed species composition; they have a wide range of tree sizes; they have a median canopy cover of 56%; they have a median tree height of 65 feet, and a median basal area of 140 square feet per acre; tree density of trees over 5 inches dbh is 217 trees/acre; tree density of trees under 5 inches dbh was 1500 trees/acre.

The HLC RFP does not require provision of any old-growth forests, as all old growth can be logged down to the screening criteria identified in Green et al. (1991). The RFP and associated FEIS is silent on why logging would maintain old-growth values for wildlife. As per the descriptions of all old-growth characteristics

in Green et al. (1991), by those in Whitford's (1991) inventory of Douglas-fir old growth on the HLC, and the Holbrook et al. (2017) description of mature and older forests used by lynx, logging and fuels reduction treatment, as well as prescribed burning would not maintain old-growth for wildlife. At this time, the agency lacks any actual analysis as to how logging/burning old-growth affects wildlife values. So it is a violation of the NEPA for the agency to suggest that wildlife old-growth values are maintained in spite of logging, burning, and fuels treatments.

It is unknown what the current level of old-growth, including Douglas-fir and early seral lodgepole pine, is within the Coyote Divide project area, or as well, in the Little Belts where ongoing logging projects such as Moose Creek and Blankenship are removing old growth. The Bush et al. (2007) estimates for old-growth forests in Region 1 from 1996 up into 2002 provide an average level on 12 national forests of 13.3% at that time. The levels of old-growth on the Helena and Lewis and Clark National Forests was stated to be 10.9% and 13.3%, respectively. These levels were reported almost 30 years ago for the Helena and Lewis and Clark National Forests, and it is likely old-growth has continued to be reduced over this time. The HLC RFP identifies 11% old growth as a desired condition for old-growth forests, although there is no standard for old-growth levels. It appears that the estimates of Forest Service old-growth, excluding Alaska, developed by DelaSalla et al. (2022) of 9%, or by Bernett et al. (2023) at 10%, would reflect current old-growth conditions on the HLC, as addressed in the Forest News article in the summer 2023 issue titled "Mature and Old-growth Inventory" at pages 5-6.

Current levels of old-growth forests, including in the Little Belt Mountains of the HLC, are at best no more than half the percentage of the landscape recommended for neotropical migratory birds, which is at least 20%, although 25% is recommended for some habitats (Montana Partners in Flight 2000). These recommendations are similar to those provided for the Norther Goshawk (20%) by Reynolds et al. (1992), and for the Pileated Woodpecker at 25% (Bull and Holthausen (1993), a species present on the HCL but not present in the Little Belt Mountains. Until a valid inventory of various types of Green et al. (1991) old

growth within the Coyote Divide and cumulative effects area is completed, project and cumulative impacts on old-growth will remain unknown to the public. Nor will project impacts on old-growth be known. In spite of the key importance of old-growth forests to birds, including early seral lodgepole pine old growth, there will be no management of this key wildlife habitat. Associated species include 4 Montana Species of Concern, the Brown Creeper, Northern Goshawk, Great Gray Owl, and Lewis's Woodpecker.

There are approximately 22 forest bird species that depend upon snags, or cavities, for nesting. These include the Three-toed Woodpecker, American Kestrel, Black-capped Chickadee, Boreal Owl, Brown Creeper, Downy Woodpecker, Hairy Woodpecker, House Finch, House Sparrow, House Wren, Lewis's Woodpecker, Mountain Bluebird, Mountain Chickadee, Northern Flicker, Red-breasted Nuthatch, Red-naped Sapsucker, Western Screech Owl, Northern Saw-whet Owl, Tree Swallow, Violet-green swallow, White-breasted Nuthatch, and Great Gray Owl (nests on rather than within snags (USDA 2018). AT least 10 of these species are associated with old-growth, including the Boreal Owl, Northern Saw-whet Owl, Great Gray Owl, Brown Creeper, Three-toed Woodpecker, Hairy Woodpecker, Lewis's Woodpecker, Red-breasted Nuthatch, Red-naped Sapsucker, and White-breasted Nuthatch. And 3 of these species are Montana Species of Concern, including the Brown Creeper, Great Gray Owl, and Lewis's Woodpecker.

Most birds that use snags for nesting also require forested habitat (Bull et al. 1997). Thus simply counting snags as a proxy for populations of snag-associated birds has never been demonstrated to be a valid measure of population trends or viability. This invalid method was, however, carried forward into the HLC RFP from both the Helena Forest Plan and the Lewis and Clark Forest Plan. The snag per acre method in both of those forest plans did not measure impacts of logging on birds, nor will the HLC RFP. In fact, there is no actual analysis in the HLC RFP FEIS that defines how snag numbers can be translated into population numbers for 22 bird species. The current management strategy for 22 bird species associated with snags on the HLC, including within the Coyote Divide Project Area,

is invalid and promotes the loss of viable bird populations through progressive habitat loss due to removal of mature/old-growth forests.

Since the HLC RFP methodology of measuring project impacts on 22 snag-associated bird species is invalid, the Coyote Divide Project must include a valid assessment of project and cumulative impacts on these species via measuring the availability of older and old-growth forest habitat availability for these dependent birds. This would be a measure of all relatively mature and older forest habitat at moderate elevations suitable for bird nesting, or habitats that would not only provide snags for nesting, but associated habitat features essential for birds, including hiding cover, thermal cover, and forage resources (e.g., conifer seeds, berries such as juniper berries, insect pests that occur within tree canopies and on tree boles, such as bark and wood-boring beetles). Research on the Helena National Forest in the Elkhorn Mountains found that the Three-toed Woodpecker nesting in bark-beetle infested stands with over 70 larger snags per acre (Saab et al. 2012). These snag forests would in general not have any recent logging, as forest thinning not only removes forage and cover requirements for these birds, but it also reduces snags. A study that monitored snag loss with forest thinning found that 58% of snags over 9 inches dbh were lost (Holloway and Malcolm 2007). Any reduction of snags within a forested stand reduces nesting sites for birds, as research has found that overall, only about 4% of all snags provide suitable cavities (Vizcara 2017).

6. Failure to Manage for the Northern Goshawk

There are 3 goshawk nesting areas in the Coyote Divide Project Area. We have included colored aerial photos as per Forest Service records, along with a black-and-white map showing topography lines, of these 3 nesting areas in Attachment 1 of this Objection. These goshawk territories include the Monarch Mountain Territory, the Blanding Gulch Territory, and the Crawford Creek Territory. We have some records of nest activity in these 3 territories (Attachment 1), including a FOIA response to NEC. This FOIA response only provided goshawk nesting

results from 2007 through 2016. Nest activity from 2017 through end of the Lewis and Clark 1986 Forest Plan period up through 2021, when the Revised Forest Plan was implemented. Also, the FOIA records of goshawk nesting activity from 2007-2016 could not be read for the Monarch Mountain territory. Our information shows the past nesting activity of these 3 territories from 2007-2016:

Blanding Gulch: not active 2007-2008; occupied 2009-2001; not occupied 2011-2016.

Crawford Creek: not occupied 2007-2008; occupied 2009; not occupied 2010; active nesting 2011-2015.

Monarch Mountain: discovered in 2009; not occupied 2010; active nesting in 2011-12; no information on 2012; not occupied 2014; occupied 2015.

We have provided an "approximate" summary of how the proposed Coyote Divide Project will impact goshawk habitat in these three territories. We note this is "approximate" as we had to use small-scale maps provided in the NEPA documents for this project. The larger-scale maps NEC requested from the Forest Service via a Freedom of Information Act (FOIA) would only have been provided if we paid for them. Also, given the large number of treatment units within the 3 goshawk territories, some mistakes are likely in acreage summaries, as well as some unit acres were not provided in unit summaries. We made rough estimates of the area that would be the goshawk post-fledging area (PFAs) as defined by the HCL biologist Victor Murphy. The PFAs of these 3 nesting territories were note estimated for the Coyote Divide Project. Victor Murphy, after many years of managing the forest goshawk monitoring program, provided an in-house analysis of PFAs on 9/4/14 (Murphy 2014). He estimated that goshawk PFAs on the Lewis and Clark National Forest had a range in size from 120-360 acres, and were generally 180-300 acres in size. He noted that PFAs provide habitat essential for fledgling goshawks to learn how to fly and hunt in relative safety; an additional, very important function of PRA habitat on the Lewis and Clark Nait6onal Forest is to provide dover from strong prevailing winds and to ameliorate the effects of

frequent severe weather events like late spring and early summer heavy snow storms and cold, drenching rain and to protect goshawk young from violent summer thunderstorms. Murphy (2014) noted that he believed that goshawks would prefer larger PFAs, but generally cannot find them across the Forest because such large areas of acceptable contiguous PFA habitat are rare on the Forest; goshawks "make-due" with whatever PFFA habitat of sufficient size to meet goshawk family needs; **this may be the limiting factor to goshawk population increase on the Forest.**

The Coyote Divide Project will include 813 acres of treatments in the Monarch Mountain territory (T15 N R7E, sections 15-16), mostly (516 acres) within an estimated 0.25 miles of identified nest sites. These include slash/burning of trees under 8 inches dbh in units 208, 209, 210, 211, and 212. All these slash/burn treatment units are within an Inventoried Roadless Area (IRA). The agency provided no analysis as to how these treatments will impact the goshawk PFA, or foraging habitat, or why treatments will restore goshawk habitat within the IRA. As per monitoring on the Lewis and Clark National Forest, impacts to the Monarch Mountain goshawk PFA will clearly be adverse, with increased climate change impacts, and increased potential for predation by Great Horned Owls and Red-tailed Hawks.

The Coyote Divide Project will treat an approximate total of 1200 acres within the Blanding Gulch goshawk territory (T14 N R7E, intersection of PB 42, 47, 54 and 55). Estimated habitat changes within the PFA include 414 acres, including units 60a, 60b, 60c, 60d, 60e, 60f, 61, 62,67a, 67b, 75 and 78. These treatments include logging, pile burning, and aerial burning. Within the surrounding territory area, units that include aerial burning are 501, 502, 503 are logging/aerial burning units; units 51, 52, 53, 54, 56, 57, and 59 are aerial burning units; unit 58 is a 75-acre clearcut; 46b and 50 are logging units, and 64, 69, 46a and 49 are pile/burning units.

The Coyote Divide Project will treat an approximate total of 2,000 acres in the Crawford Creek goshawk territory, (T14N R7E PB 38 and 41). In what would be an estimated PFA, there will be about 650 acres of habitat change, including one clearcut of 171 acres (units 25a and 25c). Other units include 29, 40, 41, 44, 48,39b, 27, 22b, and 24; these are slashing trees under 8 inches dbh followed by pile burning. Within the surrounding area of this goshawk territory, there would be about 1,300 acres of habitat change. These include units 1, 3, 5, 9, 10, 11, 16, 18, 20d, and 20e which trees under 8 inches dbh would be killed, piled and burned. Units 7-8 would be broadcast burned. Logging would occur in units 20d, 20e, 30, 31, 34, 35 (87 acre-clearcut), 36, 20a (44-acres clearcut), 37, 21b-c with a 102-acre clearcut, , several treatment types, along with clearcuts 21c-21d of 102 acres, and clearcut 35 at 87 acres.

The Coyote Divide project only very incidentally even mentions goshawks. There is no analysis in the Wildlife Report on goshawks, or how the proposed treatments within 3 goshawk territories will affect habitat quality and thus persistence of goshawks in the project area. Murphy' (2014) belief that availability if PFAs may be the limiting factor for goshawks on the Lewis and Clark National Forest was clearly not addressed in the Coyote Divide Project. This includes creating clearcuts within likely PFAs. These clearcuts are noted to create movement barriers to fledgling goshawks (Murphy 2014); he noted that large forest openings, including harvested areas, meadows and prairie edges act as barriers to fledgling goshawk movement. The importance of dense forest cover within PFAs to protect goshawks from severe weather was also not considered in the Coyote Divide Project.

In October of 2015, NEC Director Sara Johnson went on a Forest Service field review of goshawk management on the Lewis and Clark National Forest. Sara summarized the information provided by Victor Murphy from this field trip, with review by Victor. These notes are provided in Attachment 1 of this Objection (Johnson 2015). Among the many goshawk observations Victor provided, one included that goshawks may rotate their territories every several years as prey get "hunted out." This indicates that overall, goshawk prey may be limited across

landscapes. This rotation of territories would also indicate that nesting areas in territories that are not occupied for several years may be occupied in the future, as goshawk prey recover. Victor noted that the prey base may be key to the time a goshawk territory is left empty of goshawks.

Some of the information Victor Murphy provided on the 10/15 field trip include the following: the primary good sources for goshawks on the Lewis and Clark National Forest are snowshoe hares, squirrels, flickers, three-toed woodpeckers, and gray jays, with cottontails becoming important prey at lower elevations; high snowshoe hare densities have resulted in high reproduction by goshawks; goshawks and Red-tailed Hawks are competitive, and will kill each other's nestlings; in relatively dense forest, the goshawk is dominant, while in open areas, the Red-tailed Hawk is dominant; the Great Horned Owl is likely the chief predator on goshawk young; this owls seems to become more prevalent when forests are opened up as a result of fire or active management; treatment of a goshawk PFA with fire or thinning that reduced overstory and horizontal tree cover could increase predation on goshawk nestlings and fledglings; lodgepole pole stands that burn or are clearcut likely take 125 years for PFA structure to again develop; lodgepole pine stand quality for goshawks appears to decline when the stand reaches approximately 225 years in age; maintain goshawks on the Lewis and Clark National Forest requires maintaining adequate PFA habitat; it does no good to preserve a 30- to 60-acre nest stands if the PFA is destroyed; maintenance of the PFA also maintains habitat for other species that depend upon mature and old-growth forests. **Victor concluded that the use of the goshawk as a management indicator species of overall forest health.**

In addition to a complete failure to use the long-term monitoring conclusions on goshawks by Victor Murphy (2014) on PFAs, the Coyote Divide NEPA documents also do not include any other Forest Plan monitoring on goshawk habitat on the Lewis and Clark National Forest. In 2004, the Forest released a monitoring report C08 Old Growth Habitat for Goshawks (provided in Objection Attachment 1). This monitoring report evaluated old-growth as per Green et al. (1992). Territories that were consistently occupied were included in this analysis. They reported that

goshawks on the Lewis and Clark National Forest on average were selecting PFAs with 11% grassland, 2% clearcuts, 1% saplings, 14% old forest, and 68% coniferous forest; the inventoried and modeled old growth on the Jefferson Division of the Forest is 14%; so goshawks appear to be selecting old-growth forest habitat for nesting areas similar to what is distributed across the forest. In 2006 (USDA 2006), this forest released similar results in a monitoring report, C-8 Old Growth Habitat for Goshawk (provided in Objection Attachment 1). This monitoring report again reported that goshawk PFAs 11.2% meadows, 2.6% clearcuts, 0.92% saplings, 13.7 old-growth, and 69.1% mature forest.

Based on Forest Plan monitoring, clearcutting in goshawk PFA would be detrimental to goshawk productivity. In addition, the maximum size of openings, which would include clearcuts, in goshawk PFAs is 2-4 acres (Reynolds et al. 1992). However, the Coyote Divide Project will create new clearcuts in 2 goshawk home range estimated PFAs. The Crawford Creek PFA is planned to have a clearcut 171 acres in size. We roughly estimated a 650-acre PFA in the nest vicinities; a 171-acre clearcut would still be 27% of even this large PFA, well above a 2.2% reported from monitoring. The Blanding Gulch goshawk PFA will have one clearcut 75 acres in size (Unit 58). This would be roughly 18% of our estimated PFA, again well above the 2.2% observed with monitoring. In addition this monitoring data, Clough (2000) found that goshawks nests closer to clearcuts had lower production.

The Coyote Divide NEPA documents do not define what the current level of old-growth forests are within the 3 goshawk territories in the project area. It is unknown if the 3 territory PFAs currently have 14% old-forest, as well as almost 70% mature forest. The impact of the proposed logging and burning treatments on goshawk PFA quality as per old-growth is therefore unknown. Overall, it is very clear the agency did not take a "hard look" at habitat needs and impacts of goshawks in the Coyote Divide Project. It is clear that logging and fuels treatments will directly reduce goshawk prey, including red squirrels (Salafsky et al. 2005, Salafsky et al. 2007). Logging has been shown to reduce red squirrel populations (Holloway and Malcolm 2006). Both logging and fuels treatments will also reduce

snowshoe hares, who require dense horizontal cover (Griffin 2004; Holbrook et al. 2017).

There was no information on goshawk population trend on the HLC provided in the Coyote Divide NEPA analysis. Monitoring information from the years 2017-2018 indicate a severe drop in occupancy rates of goshawk territories those years. Although NEC requested population monitoring data on goshawks for the last 10 years in a FOIA, the agency only provided monitoring data up through 2016 (see FOIA response in Attachment 1). Given our FOIA request, the agency should have provided all monitoring reports up through at least 2021, when the HLC implemented the RFP. The failure of the agency to provide the requested FOIA information seems to be an effort to conceal the goshawk population concerns. We were also to obtain a copy of the 2017-1018 monitoring report via a complaint NEC and AWR had filed against the HLC over the Horsefly Vegetation Project. The 2017-2018 goshawk monitoring data from that legal challenge is provided in Objection Attachment 1.

The HLC RFP and associated FEIS did not define to the public why all the previous monitoring information on goshawks on the Lewis and Clark National Forest for many years was not applied to implementation of a new planning period from 2021 forward. The agency has compiled considerable key habitat information on the goshawk that has not been used in the RFP. It is unclear why the RFP can sustain goshawks as a result. The only goshawk management directed in the RFP is that goshawks will be maintained if desired conditions for vegetation are implemented on the HLC. There was never any actual analysis as to why desired conditions for vegetation will maintain goshawks. Without an analysis, including how desired vegetation conditions will achieve goshawk habitat conditions developed from previous forest plan monitoring, the impacts of managing for desired vegetation conditions on the goshawk are unknown. Without any such analysis in the HLC RFP FEIS, the agency needs to complete such an analysis for site-specific projects, including the Coyote Divide project. To date, this has never been done, while the agency still concluded this project will not significantly

impact the goshawk. Conclusions provided in NEPA documents without any supporting evidence are a violation of the NEPA.

7. Failure to evaluate short- and long-term impacts of fuels reductions activities on wildlife

To date, there is no analysis in the HLC RFP as to how fuels reduction activities will impact wildlife. This includes a failure to have any cumulative effects analysis. AS is noted in a Forest News article in the long-term objectives of fuels management is to have up to seven fuels treatments within a specific area before objectives are achieved (Forest News 2021). One of the advocates of these massive fuels treatments is Finney, as discussed in that article. It was noted that the only was to maintain a forest in a low-hazard conditions is through repeated burning -but you can't introduce fire without some mechanical treatment first – you can't restore structure without mechanical treatment; this "structural restoration" would be a way of returning western U.S. forests to something that is sustainable. This article clearly demonstrates that agency fire management policies require massive disturbance and removal of wildlife habitat. Yet this massive, long-term strategy has never been through public involvement, either in the Coyote Divide NEPA documents or the HLC RFP FEIS. The public is being told this massive management program is essential to preserve our forests, without any actual analysis of impacts to wildlife. Until this deficiency of the HLC RFP is corrected, there should be no further fuels reduction projects on this forest.

Our concerns about the HLC program for fuels management is supported by a recent article by Barrett et al. (2024). This article notes that the strategy of managing the WUI to protect communities has not proven effective, since protecting structures requires creating a home-protection zone of a 100 feet or so, as well as ensuring all homes within an area are protected.

One huge issue we have with the HLC's strategy for fuels management is the suggestion that crown fires are destructive to forests and wildlife. As was noted by Hutto (1995) and Hutto and Patterson (2016) crown fires as well as the diversity of burned conditions created by wildfires provide essential habitat for a host of bird species. These reports also note that forest thinning will change the habitats provided by fire, to the detriment of wildlife, such as the black-backed woodpecker. We also note that the idea that IRAs need to be treated to prevent crown fires is a direct contradiction to the importance of crown fires to wildlife.

One final note in regards to the HLC's strategy to manage fire is that to date, we have never seen any scientific publication that identifies that vast acres of forests in Montana are uncharacteristically dense, and thus will support uncharacteristic fires. The Forest Service has 144.316,993 total acres (Forest News 2023). Yet all these acres have been determined to be "uncharacteristic" as per density, without any actual data. The agency is telling the public that forests will continue to increase in density, with increased risk of fire, without intervention. The agency has never defined why forest habitat types have no specific density potential. This is like saying that people will keep growing taller until they die, which we know is not true. The entire fuels management program on the HLC is based on this false claim, and needs to be corrected through a Forest Plan revision.

8. The Desired Conditions for vegetation do not ensure viability of almost all forest wildlife

The HLC RFP claims that the desired conditions for vegetation will maintain almost all wildlife species, except for the Flammulated Owl and Lewis's Woodpecker. As with agency claims that forests have grown too dense (including apparently for wildlife), there is no actual analysis to define why DCs for vegetation provide habitat strategies for any wildlife species. The agency is using this claim, as shown in the Coyote Divide NEPA analyses, that vast vegetation treatments (e.g., 8000 acres of treatment in the Coyote Divide Project) do not require any analysis of impacts to wildlife because their populations will

automatically be maintained because of DCs. Actually, the Coyote Divide analysis does not even define how vegetation DCs are going to be achieved. Much of the proposed project including fuels treatments will not affect DCs as defined by 5 age classes per forest type. However, the fall-back claim is that treatments will move the forest to the historic range of viability (HRV). In effect, any treatments will do this, so that any treatments will move wildlife to HRVs as well, which apparently will promote viability. Since it is essentially impossible to define HRV, claims that HRV will be achieved through management actions cannot actually be demonstrated.

9. The agency has failed to use previous Forest Plan monitoring data to develop wildlife conservation and old growth forest strategies in the RFP.

We noted in this Objection that during the previous planning period, the Lewis and Clark National Forest did extensive monitoring of goshawk populations. Victor Murphy, the manager of these studies, also developed habitat information for the goshawks based on this monitoring program, including descriptions of PFAs and their critical importance to goshawk persistence in territories. This monitoring program also identified goshawk PFA have 14% old growth. Finally, at the end of the 1986 Forest Planning period (2021), it was noted that in 2017-2018 that the forest goshawk population was seriously declining based on nesting activity. The status of goshawks on the HLC at present is unknown. The forest has no monitoring reports on their web page past 2016. It is a violation of the NEPA and the NFMA for the agency to be silent on goshawk population trends for the RFP as well as for the Coyote Divide Project. The current population trend data needs to be provided in both documents.