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Hello,

Native Ecosystems Council (NEC) and the Alliance for the Wild Rockies (AWR) would like to provide scoping comments for the proposed Selway Saginaw Vegetation Management Project, as announced via Pre-scoping on the Forest Service Web Page (copy attached) that was published in the Montana Standard on October 7, 2020. The September 2, 2020 mailed Forest Service letter introducing the proposed Selway Saginaw Vegetation Management Project, however, stated that this project was being released for public comments as a “combined scoping and 30-day comment period of a “preliminary analysis.” But there was no actual preliminary analysis, which one would assume was a preliminary environmental assessment. NEC requested a “hard copy” of the preliminary analysis via certified mail on October 5, thinking this was a preliminary environmental assessment, but only received the original scoping letter instead. So there apparently is no actual “preliminary analysis” or draft environmental assessment as of yet for this project proposal, even though the agency is requesting public comments on this nonexistent preliminary analysis.

In regards to the claimed “preliminary analysis,” the scoping letter stated that it contained the preliminary findings regarding environmental effects to better help the public understand the effects of the proposal, but there was almost no information provided on project impacts to wildlife. The scoping letter includes only about 2 pages that summarize impacts to all wildlife that may occur in the project area, including sage grouse, big game winter range, elk displacement to private lands, wolverine, and impacts on this key linkage areas for grizzly bears between the Northern Continental Divide Ecosystems and the Greater Yellowstone Ecosystem.

In conclusion, the agency cannot ask for a 30-day comments on a preliminary analysis that does not exist. In addition, since the project is

defined as “pre-scoping” and also scoping on the Forest Service web page, there would be no specific time limit for public comments as per 36 CFR 218 Subparts A and B. As such, NEC and AWR expect to receive a copy of the draft Environmental Assessment and Finding of No Significant Impact (FONSI) when it is released for public comment.

We also have concerns about the clear attempt of the agency to exclude the general public from involvement in this huge, environmentally-destructive project not just by attempting to limit the public’s ability to be involved with this project as per the National Environmental Policy Act (NEPA), but also by working extensively for several years with the Beaverhead-Deerlodge Working Group on developing a vision for the Big Hole Divide. NEC and AWR are not aware of having any opportunity to provide input to this self-convened group. It is clear that this group, along with the Forest Service, has not represented the interests of the general public, given that there are 60 logging regeneration units that range in size from 11 to 337 acres, and average 105 acres each. When one looks at the combined size of adjacent regeneration harvest units, these created openings will range from 254 to 773 acres, and average 409 acres. The impact these openings will have on wildlife, including the Management Indicator Species (MIS) elk, will be massive. These impacts do not represent the general hunting public. We also note that over a dozen of the regeneration units lie directly adjacent to existing large natural openings, which means that the effective size of cover loss on wildlife is even greater than indicated by the unit size alone. This project proposal clearly does not represent those publics who are concerned about elk displacement to private lands, and wildlife viability in general.

We request that the agency provide an actual “preliminary analysis,” including impacts on wildlife that will occur over the year project, in a draft environmental assessment that is provided to the general public, including NEC and AWR, for a 30-day comment period.

The following are some of our major concerns with this project.

Opening Sizes Will Create Massive Impacts on Wildlife Which Require Completion of an Environmental Impact Statement (EIS) and a Forest Plan Amendment.

As noted previously noted, proposed individual opening sizes range from 11-337 acres, and average 105 acres. However, the combined sizes of openings is much larger. The following are examples, which in some cases include precommercial thinning units as cover will be removed:

- Units 430 and 425: 280 acres
- Units 330, 325, 1320: 505 acres
- Units 440 and 355: 382 acres
- Units 230, 225, 240 and 220: 773 acres
- Units 250, 275 and 270: 332 acres
- Units 205 and 200: 254 acres
- Units 450, 455, 445, 485 and 460: 511 acres
- Units 350, 360 and 340: 314 acres
- Units 315, 310 and 305: 333 acres

These combined openings average 409 acres, ranging from 254-773 acres.

A large number of these individual and combined openings lie adjacent to natural openings, such as Units 315, 296, 290, 280, 297, 220, 205, 200, 210 and 215. So the actual opening size to be created will be much larger than either individual or combined harvest units. Again, the impact on general habitat for wildlife, and security for grizzly bears and elk, will be massive, especially when combined with thinning of past logging units. We would also like to note that the agency attempts to define separate harvest units by leaving tiny unlogged strips in between proposed units will have no value to wildlife. Unless these leave strips provide hiding cover for a width of at least 600 feet, they have no cover value to wildlife. In addition, a large part of these tiny leave strips will likely blow over within several years. The impact of this proposal is clearly massive for the affected landscape, with large tracts of wildlife habitat being removed. Also, the impact on the northern goshawk and great gray owl, sage grouse and the pygmy rabbit are unknown and/or uncertain, due to a lack of any current surveys of these species in this project area. If the impacts are unknown, the agency needs to adhere to the NEPA by defining why these impacts cannot be measured, or in effect, why the agency is unable to implement valid wildlife surveys for these species.

The Agency also needs to do several Revised Forest Plan (RFP) amendments, first to allow the lack of wildlife surveys for the goshawk and great gray owl, since the RFP (Standard 9 at page 49) requires that known active nest sites be protected. It would not be possible to have “known active nest sites” without surveys. These nest sites cannot be protected without adequate surveys, so the agency needs to do a site-specific amendment to the RFP to exempt the survey requirements for these species.

The agency also needs to do an amendment to the RFP to assess the environmental impacts of the greatly expanded openings sizes that are going to be implemented with this project, including combined openings of over 700 acres. The RFP at 39 says that in general opening sizes will be limited to 40 acres except in cases where disturbances as fire and insects have eliminated the forest cover. This is clearly not the case in the Selway Saginaw project area. The impact of these huge openings on elk security as well as viability of great gray owls and goshawks was never evaluated in the RFP FEIS, so these impacts remain undisclosed to both the agency and the public.

Finally, the agency needs to amend the RFP to exempt the requirement to maintain at least the minimum old growth criteria while logging old growth. For lodgepole pine old growth, the minimum criteria is at least 10 trees per acre over 13 inches dbh. This type of treatment will likely result in blow-down of all reserved trees.

The Agency is Violating the NEPA by Failing to Provide Important Resource Conditions and Vegetation Conditions in the Project Area Before a Decision is Made and Implemented in the Project Area.

There will be no wildlife survey data provided to the public before the project is implemented. The scoping notice suggests these will be done at some future date. This means that if such surveys are done on over 7000 acres for the goshawk and great gray owl, the public will not know the results of these surveys. The public will also not know how important this landscape is to these Montana Species of Concern. Also, the agency has a responsibility to the public to demonstrate that wildlife surveys will actually be done, instead of just saying they will be done at some future time. This is

also essential in order for the agency to demonstrate compliance with the RFP. One of the major stated purposes of the project is to implement the RFP. This needs to include a high level of accuracy in surveys for the goshawk and great gray owl over enough years that the probability of detection is reasonably high. The NEPA requires that the agency provide “high quality” information to the public, which includes “high quality” surveys for Montana Species of Concern that if not detected in occupied area, will clearly have severe adverse impacts.

There is also no information provided for the project area on old growth, including acres that exist, which old growth type these are as per Green et al. (1991), or any maps. The agency also did not identify how many acres of old growth will be logged, because it was noted in the scoping notice that stand exams have not yet been done for the project, exams which would identify old growth habitat. Since the RFP was implemented over 10 years ago, the agency also needs to provide the monitoring data that supports the RFP claim that logging old growth stands down to the minimum criteria as per Green et al. (1991), also maintains the pre-logged level of use by several dozen wildlife species associated with old growth. The RFP did not actually evaluate how logging old growth would impact associated species, so this is required for site-specific assessments as well.

The scoping notice did not address how this minimum 10-year project, with 3 different timber sales, will maintain elk habitat effectiveness as per the Region 1 recommendations by Christensen et al. (1993) that at least a 50% level is maintained during project implementation. If this cannot be demonstrated for the project area as a whole, then significant adverse impacts will be triggered for elk, a Forest MIS, which means significant adverse impacts will also occur to other species, including the grizzly bear and the wolverine.

The scoping notice did not address how this project will impact elk security, as defined by the current best science, or at least 250 acres of contiguous forest cover at least 0.5 miles from an active motorized route (Hillis Paradigm). This definition has been recently evaluated in a research project by the Montana Fish, Wildlife and Parks in the Elkhorn Mountains, and it appears that distance of elk from active motorized routes is actually much higher than was recommended by the Hillis Paradigm. Given the high density of new roads being proposed, and the large, vast tracts of hiding cover that will be removed (e.g., openings over 700 acres in size), it seems

highly unlikely that the minimum recommended levels of security for elk can be met with this project. This information needs to be provided for the complete project. If the minimum level of security cannot be maintained, including long after the project is completed, then this project does not qualify with an Environmental Assessment. It seems likely that the security in this landscape is already below levels required by elk, as the scoping notice indicated that elk population levels are above state objectives. This is the best indicator of a lack of security on public lands, with elk moving to adjacent private lands where elk harvest is more difficult for MFWP to achieve.

The Agency Did Not Define in the Scoping Notice that Adherence to the RFP Goals, Objectives and Standards Will Occur With Project Implementation

There was no information in the scoping notice as to how this project will comply with numerous RFP goals, objectives and standards. For example, there was no map to show that old growth will remain well-distributed in the project area after logging. Wildlife goals were not addressed, including maintaining 40% of sagebrush habitat within 12 miles of active and historic leks, or maintaining the levels of elk security identified in Table 13, RFP page 45, for the Lima-Tendoy Landscape (1.0 miles per section in the summer) and the Big Hole Landscape (1.2 miles per section in the summer). Pygmy habitat was not mapped. No surveys were provided for goshawks and great gray owls. The RFP goal that elk security will be managed to provide quality elk habitat, and the RFP objective that the agency will maintain habitat conditions for elk security, were not addressed, even though vast tracts of large openings without hiding cover are planned. The scoping notice did not address how the Hunting Unit goals in the RFP as per Table-14 at page 46 are being met in the project area for fall open motorized trail and road density. Also, the scoping notice did not demonstrate that this project will adhere to the RFP goal at page 45 that forest management will contribute to wildlife linkage by providing secure habitat to facilitate large animal movements, including the grizzly bear and wolverine. The RFP objective to maintain or improve habitat for sage grouse and the pygmy rabbit was not addressed, even though sagebrush habitat will be burned in this habitat occupied by both the sage grouse and pygmy rabbit. How the project will comply with the RFP goal of meeting the Northern Region Plan and Conservation Strategy for the goshawk, black-backed woodpecker,

flamulated owl, and pileated woodpecker was not addressed. And as we previously noted, the RFP wildlife standard 9, to mitigate management impacts around known active nests sites of sensitive bird species, including the goshawk and great gray, was not addressed.

Rationale for the Proposed Logging is Not Supported by Science

The scoping notice identifies fire control and/or reduction of fire severity as one of the reasons for the project. However, the agency needs to also address opposing views on the benefits of logging to reduce fire, including those recently published in the Bozeman Daily Chronicle by Dr. McWethy, a Montana State University professor and fire scientist. He noted in the October 18 article that if we continue to respond to wildfires in the way we have in the past, people will continue to be vulnerable; houses are consistently rebuilt in wildfire-affected landscapes and most of the Forest Service budget goes toward preventing and fighting fires; fuel reduction projects have been shown to alter fire behavior if they're targeted at small trees and small shrubs, but traditional logging projects have not been shown to alter fire spread and behavior; data shows that if you remove small diameter woody fuels – shrubs and small saplings – it can drop a severe fire to a ground fire.

The proposed vast regeneration harvest proposed in the Selway-Saginaw project will exacerbate the future potential for severe, uncharacteristic wildfire by creating large expanses of young regenerating forests, which fire experts call “fire bombs.”

The agency needs to support claims of fire control with this project by providing the current science as well as discussing opposing views, as is required by the NEPA.

The Agency Claims that Changes in Fire Frequency is the Cause of Conifer Encroachment is Invalid.

The scoping notice refers to an unpublished white paper by Barrett (2005) to support the rationale for slashing and burning ecotone habitat in the project area. There is an abundance of current published science that shows the fire cycles in sagebrush and adjacent ecotones are much longer than needed to

exclude conifer expansion from adjacent forests into sagebrush areas. The NEPA requires that the agency use good data as well as the current best science in the analyses of project impacts, and this needs to be done for the Selway Saginaw project in regards to natural fire regimes.

The Agency Needs to Adhere to the NEPA by Evaluating Project Impacts on Elk According to the Current Best Science, Instead of Limiting Analyses to Forest Plan Standards.

Please evaluate the direct, indirect and cumulative impacts of the proposed project on elk vulnerability and displacement to adjacent private lands. This project involves a huge loss of elk security as defined by the Hillis Paradigm, and the agency needs to provide the public with reliable assessments in regards to the potential for significant adverse impacts to elk.

Also, the agency needs to define what the habitat effectiveness (HE) level, as defined by Christensen et al. (1993) will be during the entire 10 years of the proposed project. If the HE level is going to fall below 50%, then the project will trigger significant impacts to this MIS, which requires an EIS.

The Agency Needs to Provide the Public with the Most Current Forest Plan Monitoring Results of the RFP to Define the Cumulative Impacts to Wildlife Habitat from Forest Plan Implementation.

The RFP monitoring program states that the agency will use MFWP data to determine how elk populations are changing since Plan implementation, and how this relates to the RFP. The RFP also notes that the agency will monitor the acres of sagebrush habitat that has been affected by ecotone treatments within 18 kilometers of active and historic sage grouse leks. Also, how are the desired conditions, stated to be objectives for this project, being measured for self-sustaining or viable populations of native wildlife species? And on big game winter ranges, which will be burned in the proposed project, are the RFP identified forage utilization levels by livestock being met, including forage use by livestock being limited to 35% on 85% of the winter range, with no more than 15% of the winter range having over 55% forage utilization? This RFP direction is especially important for the Selway Saginaw project, as the agency is proposing to burn conifers and sagebrush from several thousand acres of big game winter range to increase forage

(grass) for elk and deer. However, if forage is currently inadequate, is the recommended level of livestock use being met, and if not, why isn't this level being reduced? This type of management would prevent the severe loss of nongame and big game habitat that is caused by slashing and burning, as well as the loss of sage grouse habitat.

The Agency Needs to Provide the Public with the Habitat Criteria That is Being Applied to the Big Game Winter Ranges and Sage Grouse Habitat that Are Proposed for Burning of Sagebrush and Conifers.

There has never been any analysis in the RFP FEIS as to why slashing and burning sagebrush and conifers represents habitat improvement, or even habitat management, for big game winter ranges. The public is supposed to assume that there are some "magical" results when wildlife habitat is burned and removed, but what these are has never been provided to the public. The overall strategy of burning up big game winter ranges is nothing more than a carry-over of the agency's long-standing practice of burning sagebrush to increase forage for cows, and more recently, burning conifers to improve sage grouse habitat. We note that slashing and burning conifers in sage grouse habitat where increases in grouse use occurred did not involve burning of sagebrush. Any such projects where sage grouse management was involved in Oregon clearly went to great lengths to protect sagebrush. We would like the Forest Service to include the specific habitat criteria that are being implemented for the big game winter ranges that are proposed for burning of conifers and sagebrush, including levels of hiding cover, levels of thermal cover, and desired forage plants. We would also like to know specifically how many acres of sagebrush will be burned with these treatments, and why big game do not use sagebrush as winter forage.

The Proposed Action is a Violation of the Roadless Area Conservation Rule.

Although the majority of the slashing and burning planned for this project will occur outside of the Inventoried Roadless Area (IRA) lands located in the Project, the 900 acres that will occur within an IRA is a violation of the Roadless Area Conservation Rule (RACR). The agency clearly shows that this proposed slashing and burning is just a standard management practice, as many such treatment acres are planned outside IRAs. The agency needs to

clearly define what wildlife species are lacking suitable habitat within these proposed treatment areas, how this was determined, and the data and/or published science that shows that burning of trees and sagebrush will restore habitat for these species, including many Montana Species of Concern and big game species as well.

The Scoping Notice Did Not Address how the Proposed Project Will Affect Climate Change.

It is clear that logging increases the level of heat-trapping gasses in the atmosphere, especially carbon. This project is clearly one that will directly increase the effects of climate change by reducing the area of mature forest habitats. This issue is not addressed in the scoping notice. At a minimum, the agency needs to define why climate change is not a priority for management of these public lands.

The Scoping Notice Did Not Address the Ongoing Severe Decline in North American Birds, Including Western Forest Birds and Birds Associated with Arid Environments, Such as Ecotones; the RFP Needs to be Updated to Address The Plight of Forest Birds, so That These Species Are Managed for Viability Across the Forest, Including Within Specific Project Areas; the Project as Currently Proposed Will Have Severe Adverse Impacts on Western Forest Birds, Which Requires Completion of an EIS.

The ongoing decline of North American Birds has been well publicized, and the Forest Service must also be aware of this problem. Western forest birds have had severe declines in population for the majority of these bird species, including many Montana Species of Concern. The RFP is clearly outdated in regards to the preservation of this broad group of bird species, as there is essentially no effective management strategy or requirements in the RFP for these species, other than some survey requirements for goshawks and great gray owls. The most vulnerable forest birds include those that depend upon forested snag habitat, undisturbed older forest habitat, and old growth habitat. The RFP snag management strategy does not actually address the habitat needs of birds that require snags, since there are no landscape requirements for forested snag habitat for these 25% of all forest birds in the

Northern Rocky Mountains. Although some birds will use snags left in logging units, the RFP has so many loopholes for snag retention in harvest units that one can expect few to no snags in almost all logging units. To make matters worse, the RFP does not require any monitoring of snag-associated bird populations, so the impact of the RFP will never be known, including to the public. The typical environmental analysis for projects on the Beaverhead-Deerlodge National Forest is that there will be “plenty” of snags left in untreated areas. However, since projects reduce the amount of untreated areas, including what is proposed in the Selway Saginaw project, there is no escaping that habitat for wildlife dependent upon snags within forests is progressively being reduced through implementation of the RFP, on many thousands of acres of forest. As a result, the RFP clearly needs to be updated before any further habitat erosion occurs without habitat planning for wildlife that depend upon snags within forests for viability.

In addition, the RFP does not require locally-distributed levels of old growth forests, which also provide habitat for one of the most vulnerable groups of western forest birds. The standard definition of well-distributed populations is every 10,000 acres, not across millions of acres of a forest. In addition, any of the local old growth habitat that occurs within a project area, such as the Selway Saginaw project, can be logged and still called old growth. Almost all forest birds associated with old growth will not use logged old growth in comparison to use in unlogged old growth, if they will use it at all. Thus the failure of the RFP to maintain viable populations of western forest birds that rely on old growth habitat needs to be addressed through a Forest Plan update.

The Proposed Action is a Violation of the Migratory Bird Treaty Act.

Given the documented plight of western forest birds, and those birds also associated with arid forest conditions, the Forest Service will intentionally violate the Migratory Bird Treaty Act (MBTA). However, there was no mention of this Act in the scoping notice. It will be impossible for the proposed project, which involves the loss of thousands of acres of western forest bird habitat, not to have a cumulative adverse impact on the populations of these western forest birds for this region, including on the Beaverhead-Deerlodge National Forest. Habitat management and protection of western forest birds is required to ensure compliance with the MBTA.

The Project Will Violate the Endangered Species Act (ESA) by Degrading a Documented Linkage Zone for the Grizzly Bear between the Greater Yellowstone Ecosystem and the Northern Continental Divide Ecosystem.

The RFP at 45 notes that a goal of the RFP is that forest management contributes to wildlife linkages by providing secure habitat to facilitate large animal movement. Secure habitat for the threatened grizzly bear has been defined via the current best science as unroaded areas of at least several thousand acres. The Selway-Saginaw project will clearly create severe adverse impacts to the current landscape not only by reducing hiding cover, which promotes grizzly bear habitat use, but will result in a huge increase in roads on this landscape. These roads will be in place for at least 10 years, and will remain as a road for the future until it is filled in with trees, and no longer appears as a road to grizzly bears. Although this is not a recovery area for bears, they have increasingly been documented in this Big Hole landscape. It is also known that this Big Hole landscape will promote genetic flow between the 2 occupied grizzly bear populations to the north and south. As it is currently proposed, the project will clearly increase the mortality risk to grizzly bears due to increases in open and total roads, and by decreasing the amount of secure habitat that lies between these roads. The project is clearly an adverse impact on grizzly bears, which requires a take statement from the U.S. Fish and Wildlife Service, as identified in a Biological Opinion. The Forest Service Biological Assessment for grizzly bears also needs to address the long-term impact of new roads on not only illegal off-road vehicle use, but trail use by hunters. Conflict with hunters and grizzly bears has already been documented in the Big Hole landscape.

The Agency Needs to Provide a Valid Assessment of Management of Big Game Winter Ranges on the Wolverine.

Wolverines are clearly highly dependent upon big game winter ranges for winter survival, as well as mortality of big game species, and gut piles, during the hunting season. This project will have direct adverse impacts on the wolverine by increasing big game displacement to private lands in the fall hunting season, as well as reducing big game populations due to burning and thus degradation of their winter ranges. This adverse impact needs to be clearly disclosed to the public through a Biological Analysis, and cumulative impacts of this burning program identified. The RFP requires monitoring of

the wolverine populations on the Beaverhead-Deerlodge National Forest, and the results of this monitoring since Plan implementation needs to be provided and evaluated in regards to the ongoing program to reduce big game winter ranges.

The Impact of this Project on the Two Common Prey Species for Forest Carnivores and Forest Raptors Needs to be Provided in the NEPA Analysis.

This project will eliminate vast acreages of to essential prey species to forest carnivores (e.g., martin, wolverine, coyotes, lynx, bob cats, coyotes, wolves) and forest raptors (e.g., goshawk great gray owl, boreal owl). The impact of logging on the red squirrel and snowshoe hare need to be evaluated. What level of habitat loss, including from past logging, is considered as a trigger for significant population decline of these 2 prey species? How will this level of decline be prevented for this project/

Please Provide the Public with A Reasonable Measure of the Expected Costs of this Proposal.

We would like to know the specific costs that are associated with this project, not just for the logging, but for the slashing and prescribed burning program of big game winter ranges as well.

Regards,



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