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Organization:

Title:

Comments: Carolyn Upton, Supervisor

Lolo National Forest

RE: Comments On Proposed Lolo National Forest Plan Revision

Dear Supervisor Upton,

Please address the following comments on the proposed action in revising the Lolo Forest Plan.

1. Replace the proposed NCDE-AR-STD-05 with the habitat standard for developed sites recently adopted by the Yellowstone Ecosystem subcommittee.

The proposed NCDE-AR-STD-05 is meaningless, will result in long-term adverse impacts to the NCDE grizzly bear population, fails to provide adequate regulatory mechanisms to maintaining a recovered NCDE grizzly bear population, and will likely necessitate that the USFWS or federal courts reject any proposal to delist the NCDE grizzly bear population. Habitat management standards for federal lands inside the Primary Conservation Area must be actual commitments and not transient policies dependent on the vagaries of opinions of revolving agency leadership.

The IGBC-endorsed Conservation Strategy for the Grizzly Bear in the Northern Continental Divide Ecosystem documents that high density recreation results in habitat loss and displacement and increased mortality risk for grizzly bears in the NCDE. To conserve a recovered NCDE grizzly bear population, Effective habitat standards that maintain, and not reduce, baseline habitat conditions are essential.

As demonstrated by the Flathead National Forest's recent proposal to authorize a massive expansion of Holland Lake Lodge within the NCDE Primary Conservation Area (PCA) on the Flathead National Forest, NCDE-AR-STD-05 utterly fails to provide any meaningful limit on increasing capacity of overnight developed recreation sites within the PCA. The Flathead Forest Plan contains the exact same overnight developed recreation standard as the Lolo National Forest's proposed action NCDE-AR-STD-05. The proposed NCDE-AR-STD-05 would allow virtually unlimited increases in developed site capacity and development of restaurants designed to serve thousands of meals per week within the PCA. Such developments will greatly diminish the amount and quality of available habitat and significantly increase attractants, habituation and mortality risks. Within the PCA.

The proposed standard is illusory, and totally fails to provide an adequate regulatory mechanism to limit the habitat loss, displacement, and increased mortality known to result from high density recreation activities. Because NCDE-AR-STD-05 fails to provide an adequate regulatory mechanism to conserve a recovered grizzly bear population, the Lolo National Forest's proposed adoption of this standard will very likely cause the U.S. Fish and Wildlife Service or the federal courts to reject any proposal to delist the NCDE grizzly bear population.

The Lolo National Forest should replace the proposed NCDE-AR-STD-05 with the developed site standard recently adopted by the Yellowstone Ecosystem Grizzly Bear Subcommittee (YES) for the GYE grizzly bear population. The GYE habitat standard requires that on Federal lands within the PCA, "the number of developed sites and their capacity for overnight visitor use must be maintained at or below 1998 levels (Appendix E), with limited exceptions per the application rules." The application rules prohibit any net increase guest overnight capacity greater than 10% per site.

There is no reasonable biological rationale for the significant differences between the habitat standard for developed sites in the NCDE compared to the GYE. Unlike proposed NCDE-AR-STD-05, the GYE habitat standard provides meaningful and measurable habitat criteria that provide for no net loss of secure habitat with respect to the 19998 baseline conditions. Moreover, the proposed NCDE-AR-STD-05 fails to provide the adequate regulatory mechanism necessary to sustain a recovered NCDE grizzly bear population. Its adoption by the Lolo National Forest will likely cause the U.S. Fish & Wildlife Service or the federal courts to reject the IGBC's and the State of Montana's efforts to delist the NCDE grizzly bear population. Moreover, adoption of NCDE-AR-STD-05 would be inconsistent with Congress' express policy in the Endangered Species Act that federal agencies shall utilize their authorities to provide for the conservation of ecosystems on which endangered and threatened species depend.

2. Amend the proposed definition of "secure core" in Appendix 9 Grizzly Bear Plan Direction to require the inclusion of high-use trails in the determination of secure core areas.

Recent research further demonstrates the significant adverse impacts of high-use trails (including non-motorized trails) on grizzly bear habitat availability and utilization and bear mortality (e.g., A.K. Anderson J.S. Waller, D.H. Thornton, Partial COVID-19 closure of a national park reveals negative influence of low-impact recreation on wildlife spatiotemporal ecology. *Scientific Reports* 13, 687 (2023); C.L. Lamb et al., The ecology of human-carnivore coexistence. *Proceedings National Academy of Science* 117, 17876 (2020). These effects are very similar to the displacement and mortality effects of routes "open to public wheeled motorized use."

Given the significant effects of high-use non-motorized trails on grizzly bears thoroughly documented in peer-reviewed scientific literature, there is no reasonable biological rationale for excluding high-use trails from the calculation of "secure core." Application of the Forest Service's "best available science" principles requires that high-use trails be included in the calculation of "secure core."

3. Ensure that Forest Plan management direction maintains and enhances the existing wilderness characteristics of all remaining roadless area.

Prohibit mountain bikes and all other forms of mechanized transportation within the Great Burn Roadless Area.

Establish desired conditions for promoting leave no trace practices, including "pack-it-in-pack-it-out" practices for human and dog waste and litter for visitors (human and dogs) in all roadless and backcountry areas.

4. Modify proposed action section 4.2 MA2: Recommended Wilderness to add the following eligible areas to Recommended wilderness areas in Table 71.

Cube Iron-Silcox. This area is a vital wildlife corridor connecting the Cabinet Mountains and Bitterroot Mountains and the Mission Mountains. It is essential for the long-term recover and persistence of the threatened grizzly bear in the Northern Rockies. It is a popular area for wilderness recreation enjoyed by hikers and horseman. The area is rated high in the Lolo National Forest's wilderness evaluation and there are no existing uses that conflict with Wilderness designation.

Lolo Peak/Creek Area. This critical roadless area provides an important connection between Selway-Bitterroot Wilderness, Great Burn proposed wilderness, the Ninemile Connectivity Area, and the Northern Continental Divide Ecosystem. Protecting and enhancing connectivity between these areas of relatively secure habitat is essential for the persistence of wide-ranging wildlife species such as grizzly bears, wolves, wolverine, and Canada lynx.

Quigg/Rock Creek. Add the Stony Mountain Roadless Area, along with Quigg, to recommended wilderness.

This will provide needed protection for the Rock Creek watershed faced with every increasing negative impacts from ever-increasing development and recreation use levels.

Reservation Divide. The 2006 Lolo National Forest Proposed Action recommend this area for Wilderness designation based in part on recommendations from the Confederated Salish and Kootenai Tribes. The areas unique features and importance for wildlife habitat connectivity warrant Wilderness recommendation.

5. Add the following plan components to Recreation Special Uses (RSUP) direction.

FS-RSUP-DC-XX: Commercial recreation use special use permits are provided based upon documentation of a demonstrated need for such facilities and services based upon an area and activity specific needs assessment including pre-decisional public notice and meaningful opportunity for public comment.

FS-RSUP-DC-XX: Commercial recreation special use permits are authorized only where these facilities and services are not reasonably available or could be provided on private lands.

FS-RSUP-STD-XX: New commercial recreation special use permits and amendments to existing commercial recreation special use permits are authorized only where there is a demonstrated need and after pre-decisional public notice and meaningful opportunity for public notice comment.

These RSUP components are necessitated by the Forest Service's recently adopted categorical exclusion that exempts from any public notice, project file documentation, consideration of potential environmental or social impacts, or opportunity for public objection issuance of any new authorization or amendment to an existing authorization for recreation special uses unless specifically prohibited by Forest Plan direction (36 CFR 220.6(d)(12).

Without the desired conditions and standard described above, commercial recreation entrepreneurs will have nearly unlimited and unrestrained access to National Forest System lands regardless of impacts to established uses, local communities, public resources, and the public interest. Recreation on the Lolo National Forest will be increasingly commercialized to the point it severely diminishes traditional recreation values and opportunities, and eventually supplants DIY recreation.

Helicopter assisted skiing on Lolo Peak? A large "adventure lifestyle" resort at Monture with capacity for 300 visitors per night to match Paws Up? An outfitter permit for 100+ ATV vehicles per day along the Stateline west of Hoodoo Pass? Maybe commercial recreation permit for the Ranch at Rock Creek to provide June float trips on Rock Creek for their wealthy clients with a couple dozen launches a day? The list is nearly endless. If a wannabe recreation entrepreneur can scheme it up, the authorization is theirs unless prohibited by the Lolo Forest Plan. A return to the unrestrained excesses of the unmanaged wild frontier, but with 400 million people. Step right up: just submit your special use application. No public input, no meaningful consideration of environmental and social impacts. No objections allowed. It's yours for the taking UNLESS specifically prohibited by the Lolo Forest Plan!

6. Create a new Management Area (MA 6 Designated National Recreation Area) for the Rattlesnake RNA.

The proposed action's current inclusion of the Rattlesnake RNA in MA 5 with Ski Resorts, the Chain of Lakes, and other areas is inappropriate and fails to acknowledge the unique legislative history and management needs of the RNA. Unlike the other areas in MA 5, the RRNA is a Congressionally designated National Recreation Area to be managed consistent with unique purposes specified in legislation. The appropriate desired conditions, objectives, guidelines and suitability determinations for the Congressionally designated RNA are very different from those of ski resorts the other areas included in MA 5.

The RNA warrants separate and RNA-specific management direction to ensure management activities fulfill the RNA's Congressionally designated purposes and unique management needs.

The Lolo National Forest can adequately ensure effective management of the RNA only by defining the desired conditions, objectives, guideline, standards, and suitability determinations specific to this Special Management Area. The proposed action's inclusion of additional but separate management direction for the Greater Missoula geographic area adds unnecessary confusion resulting from potential inconsistency with the components of MA 5.

Providing clear and effective management direction for sustaining the Congressional purposes and traditional uses of this Special Management Area is more important than blindly adhering to some arcane discretionary structure for Forest Plan direction. By lumping management direction for the RNA with that for the other very different recreation areas, the resulting management direction of the proposed action's MA 5 is so broad and vague that it is meaningless, irrelevant, or inappropriate. Moreover, this lumping fails to ensure management activities are consistent with the Congressionally designated purposes of the RNA, its unique history, and current and anticipated management needs.

Missoula Ranger District staff, with input from the interested public, certainly can identify appropriate long-term desired conditions, management priorities/objectives and standards for the RNA that are much more meaningful and effective management direction than what's presented in the proposed action's MA 5 and GM-NRA. They will also be able to ensure the revised Lolo Forest Plan management direction for the Rattlesnake RNA promotes the Congressionally designated purposes of this Special Management Area.

7. Make the following changes to GM-NRA direction for the Rattlesnake National Recreation Area.

Edit GM-NRA-DC-03 to delete the word significantly.

Add GM-NRA-STD-XX: Commercial timber harvest and road construction and reconstruction is prohibited within the Rattlesnake NRA.

Amend GM-NRA-SUIT-01 to say: The Rattlesnake NRA is unsuitable for timber production. Harvest Noncommercial timber removal and other vegetation management practices such as providing for research, visitor safety, fuel reduction and achieving desired vegetation conditions, may occur if consistent with the purposes of the RNA specified by Congress.

8. Add the following standard to Forest-wide direction for Wild & Scenic Rivers.

FW-WSR-STD-01: Eligible rivers will retain free-flow, water quality and protection of identified outstandingly remarkable values pending congressional action or a suitability study. Any proposed project that impairment of these values is prohibited.

9. Incorporate anticipated fire disturbances into the calculation of long term sustained yield capacity, sustained yield limit, and projected timber sale quantity.

Given recent observed and projected trends in the frequency, extent and severity of wildland fire in the Northern Rockies, it is delusional to assume future fire disturbance will not affect the amount, age distribution, and aerial extent of timber on the Lolo National Forest. These projected effects will obviously affect the realistic estimate of long term sustained yield capacity. Failure to consider these effects in the LTSY, sustained yield limit, and projected timber sale quantity will result in Lolo Forest Plan direction (FS-TM) that is unreasonable, arbitrary and capricious in violation of the National Forest Management Act.

10. Amend Forest-wide direction for ecological sustainability to emphasize and prioritize restoration of fire adapted native vegetation in areas currently in vegetation Fire Regime Condition Class 3 and Fire Regime Group 1.

Add Forest-wide desired conditions (FW-VEGF-DC) for restoration historical fire regime groups and fire regime condition classes FRCC).

Add a Forest-wide objective establishing quantitative, time-specific objectives for acres restored to FRCC 1.

Add a Forest-wide guidelines encouraging land managers to give priority to implementing vegetation management practices designed to restore acres from FRCC 3 and 2 to FRCC 1.

Sincerely,

jfm