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Title:

Comments: The Council for the Bighorn Range objects to the Pole Creek Vegetation Management Project Decision.

1. Timber and other vegetation removal
2. Unaddressed resilience of the Bighorn NF Lodgepole pine
3. WUI treatment area concerns
4. Roads
5. One resource objective wiping out all other considerations

Timber cutting concerns:

In 1990, the Bighorn NF settled a regeneration lawsuit, *Sierra Club v. Cargill*, Civil Action No. 89-F-1242, concerning the length of time permitted for the regeneration of timber cuts. The BNF agreed to a five-year regeneration standard mandated by the National Forest Management Act. The lawsuit was initiated by a local chapter of the Sierra Club with large local public support and stands today as the only successful conservation legal action taken against the then out-of-control timber management program on the Bighorn NF.

Sierra Club v. Cargill was documented in Amendment #7 to the 1985 BNF Forest Plan. The settlement of the lawsuit established upper and lower elevation limits for future timber harvesting. The upper limit was set at 9200 feet. The lower limit was set at 7400 feet for north and east slopes and 7900 feet for south and west slopes. In review of the timber cut maps there are units above the 9200 feet elevation near Munkres Pass. Elgin Park Unit 400 is below the 7900-foot elevation and has a south slope. These cut units need to be removed from the proposal.

Amendment #7 stated, "The Bighorn National Forest will continue to sell no more than 7MMBF of saw timber annually per the May 9, 1990, amended judgment by the Federal Court of the District of Colorado" signed by Forest Supervisor Lloyd D. Todd, November 18, 1991. In further support of that ASQ, the 2005 plan established an attainable volume of 7.3MMBF. This EA described a much greater volume for the ASQ at 27,183 CCF. This analysis fails to state that volume is an absolute maximum. A citation from the 2005 LRMP Final Revised Plan, "annual ASQ is 27,183 CCF (11.2 MMBF). Because monitoring has shown that the 'ceiling' for timber output (ASQ) was not achieved during the first round of Forest Plans, the Revised Plan includes a Total Sale Program Quantity (TSPQ) of 18,931 CCF (7.3 MMBF). TSPQ is the Forest interdisciplinary team's estimate of what the actual timber output will be considering past experience and anticipated budgets."

The annual ASQ is 27,183 CCF (11.2 MMBF) in the 2005 Revised Forest Plan based on the suitable timber inventory without the 2001 RACR limits-a nearly thirty percent reduction without a Forest Plan Amendment.

Finally, timber sale analyses included the Purpose and Need that timber cutting supported local dependent industries. Recent analyses do not include that in the Purpose and Need. It purports to provide wood fiber for the nation. While true to an exceedingly small percentage of the total wood fiber needs of the nation, removing this timber and hauling it to Montana or South Dakota does little to nothing for the local economy.

Resilience of Bighorn NF Lodgepole pine:

Resolution: apply for resources to study the Bighorn National Forest Lodgepole pine resisted pine beetle infestations that ravaged much of USDA-FS Regions 2 and 4 in recent decades.

The evidence of a lesser pine beetle infestation or other disease in the Lodgepole pine or other conifers across the Bighorn NF, area BLM, State Trust, or private lands has largely been anecdotal. What is the actual condition? The Forest has repeatedly marveled in public statements about the resilience of our conifers as the epidemic ravaged the Region 2 and 4 USDA-FS lands. admitting often it was not active management.

CBR strongly recommends the Bighorn NF and Region 2 USDA-FS investigate that unique history and genetics through the Rocky Mountain Research Station. Seed stocks from the Bighorn NF could provide a more drought and insect resistant Lodgepole pine tree that could benefit the revegetation and future products in the region.

During CBR's research during the Invasive and Other Plant Management EIS (2019-2022) we discovered the spike in total acreage of Lodgepole pine across the Bighorn NF from the mid the mid-1920s to 1990s was from 20 to 60 percent. the continued push to justify cutting to reduce the possibility of large-scale mountain pine beetle infestation and mortality is not supported by Dr. Knight's 2005 report for the BNF's revised LRMP in the Historic Variability of Upland Vegetation.

Because of their resilience, the Lodgepole pine across the Bighorns may have a genetic advantage against the challenges created by insects, drought, wildlife. Clearing wide swaths of the tree with masticators, rationalized by spatial models, rather than observations of the tree history in our region does little to help us learn about adaptation to a changing c

WUI concerns:

"WUI areas were identified using structure the structure location of spatial into Wildland Fire Decision Support System, " (p.29 Appendix B)

The Powder River Ranger District should know every facility, shed, campground, range improvement, line cabin, and vegetative cover inside this project area. A satellite based modeling app defeats 117 years of experience from fire planning to resource administration on what is on the ground in our National Forest? A member of the public brought to CBR a short list of sites identified in the EA as for WUI interest. To apply for funding to treat WUI on this spatial analysis based on the EA would be a fraud.

Resolution: The RD goes back to the existing fire plan, use data from range, recreation, water and other resources on the District and put that existing ground truth back into the EA and design features.

Many of the identified areas are not suitable for treatment. Examples include:

* Sheep Mountain Lookout (44°11' 29" N, 107° 0' 16" W) as it is in the alpine above timber line and was not impacted by the 1994 Sheep Mountain Wildfire which burned directly towards it.

* Sheep Mountain Electronic Site (44° 11' 25" N, 107° 0' 8" W) the building is a prefabricated masonry or stone exterior. Highly unlikely to burn.

* Muddy Guard Station (44° 9' 34" N, 106° 54' 45" W) the building sets in the middle of a meadow. Mowing the grass around the building would suffice for mitigation.

* Pole Creek Cow Camp (44° 12' 3" N, 106° 56' 27" W) this camp sits at the edge of a wet meadow on its

southern side. Historically wildfires on the BNF burn to the northeast on the hot dry southern winds. Examples of this pattern of wildfire are Duck Creek Burn, Lost Fire and Gilead. This area if treated out to 1/3-mile would impact the Pole Creek Nordic Trails. Follow Cohen's and Firewise directions showing that 200 feet is adequate for structure protection.

* Pole Creek WYDOT camp (44°13' 2" N, 106° 55' 24" W) as detailed for the cow camp. The same rationale should be applied.

* Crazy Woman CG (44° 9' 59" N, 106° 55' 12" W) was decommissioned over 15 years ago. There are no improvements there. Eliminate this from any WUI mitigation.

* Esponda Cabin (44° 5' 7" N, 106° 59' 23" W) there was a recent fire to the southwest of this off forest cabin. There does not appear to be a need for any further mitigation.

* Doyle/Taylor creek exterior Forest boundary. These are entirely unnecessary if the 200-foot distance shown by Cohen's research to be adequate for mitigation were used. The intrusion into the roadless area is not necessary.

Roads:

Resolution, Changes in contracting that puts rehabilitation or closure of roads, temporary roads, and landings up front. In contractors fail, use of bonds for third parties to "warehouse" the project area and limit access. No new roads in the Bighorn NF. No more upgrades of roads through the sketchy, possibly illegal diversion of GOAA and infrastructure funds.

The 2005 Forest Plan and the 2015 Transportation Analysis Report both highlighted that the BNF has more roads than can be maintained to standards. Roads serve as vectors for noxious weed infestations and corridors for human use. The Bighorn NF statistics show that most fires are human caused so creating more avenues for access will only increase the risk of wildfire. One of the stated purposes of this project is to reduce the occurrence of wildfire. The document states there is no reduction in road mileage since some roads are closed while others are open. The BNF fails to take the opportunity to reduce the risks by not reducing the total mileage of open roads.

Temporary haul road or temporary roads: Since 2018, CBR has monitored the restoration or lack of closure in project areas of the Buffalo Municipal Watershed Project in the Clear Crazy Geographic Analysis Area (GAA). The area is some of the most heavily used by motorized recreation and hunting so a multiyear requirement to block access or delay naturalizing the tracks and landings is a breach of the guideline's intent.

The last Forest Plan Steering Committee meeting in the spring of 2024 exposed how little information and control over contractors doing commercial logging and vegetation management projects on the Bighorn NF have in 2023-2024. And these companies with projects are on the hook for implementing design features as described in Appendix A. Timber 4, "To stabilize soil and prevent unauthorized motorized access".

Temporary Road to timber cutting unit near Tie Hack CG. (2022)

Additionally, Forest Road 382, Trigger Lake Road was illegally upgraded contrary to the BMW analysis. FDR 382 from US 16 to Cloud Peak Wilderness boundary is classified as a Level 2 system road. It is now a surfaced road of at least a Level 3 category. The BMW EA did not disclose the change of road maintenance levels for FDR 382. In fact, as stated no change of road management standards was outlined in the EA. Surfacing is not needed for log trucks to haul out the timber. Any current Level 2 roads in this analysis need to remain at their current maintenance level.

Forest Road 382 prior to upgrading activity for the BMW project. (2018)

6 Forest Road 382 after undisclosed upgrades completed. (2022)

The Multiple Resources in conflict:

The clearcuts surrounding Doyle Campground will most certainly lead to a blowdown within the CG. A good example is the recent cutting near Tie Hack CG and the ensuing blowdown in the CG. These cut units will also obliterate the ATV trails TR 147, 143, and 148.

Example of potential blowdown resulting from timber cutting near a Campground. This picture is of Tie Hack CG after the cutting of unit just west of the CG.

The Council for the Bighorn Range commented on the conflicts between no-holds-barred vegetation management and the conflicts with other uses and resources in the project area. The Pole Creek Nordic and the Powder Pass 449 areas will be designated winter sports areas.

The areas were developed through public use, from pullouts and logging trails from the 1960s forward, and were then acknowledged in the 2005 Forest Plan. Local governments supported it. The State Trails program granted resources.

Despite public outcry and reasonable objection, the Bighorn NF intends to treat the forest cover as a problem and vector for bad fire behavior and disease.

The issue concerns CBR as vegetation management in the extreme is being allowed to check every other management prescription. It will be used as these projects spread out from the Powder River RD and are copied and pasted across the Bighorn NF.

The resolution will be the append the Pole Creek project to remove all S-5, winter recreation areas and the identified WUI structures and facilities and into its own project.