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Notice of Objection: Pole Creek Vegetation Management Project, Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice

Attention: Andrew K. Johnson

USDA Forest Supervisor, Bighorn National Forest

Thad Berrett

Powder River District Ranger, Bighorn National Forest

Thank you for the opportunity to submit a Notice of Objection to the Pole Creek Vegetation Management Project, Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice. This objection is submitted by the Bighorn Audubon Society.

We appreciate the Forest Service staff and management's dedication and hard work, especially when faced with difficult tasks, and budget and staffing constraints. After an extensive review we object to the decision of this unprecedented project encompassing 92,155 acres. Pole Creek Vegetation Management Project, Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice. Our objections focus on the significant impacts the project as proposed will have. A project of this size and scope which encompasses significant environmental impacts, should be analyzed as an Environmental Impact Statement not an Environmental Assessment in alignment with the National Environmental Policy Act.

1.Roads: We object to the decision allowing over 25 miles of Temporary Roads during the life of the project - over 20 years - and the finding that these miles of new roads will have no significant environmental impact. Our concerns were not answered or addressed which in-part follow:

Forest roads are widely recognized for environmental impacts and risks. The 2015 Bighorn National Forest Travel Analysis Report states: 'Environmental impacts or risks from motor vehicle use including impacts to water resources, soil erosion and risks from geologic hazards (e.g., landslides), concerns about fragmentation and wildlife security, impacts to vegetation (specifically introduction and spread of noxious weeds), and impacts to cultural resources. There are concerns about damage from motor vehicle use, including the following: a. Impacts to water resources: b. Soil and geologic hazards: Much of the analysis area has soils that erode easily. These soils are extremely susceptible to compaction, rutting, gullyng, and development of mud holes. Some roads are susceptible to mass movement such as landslides. c. Fragmentation and wildlife security: Roads may fragment wildlife habitat, create barriers to movement, reduce wildlife habitat capability to sustain populations, and increase areas of disturbance. d. Impacts to vegetation: Motor vehicle use may cause the spread of invasive species by dispersing seed sources. e. Impacts to cultural resources: Roads and use of these roads may impact cultural resources. Nearly 85 percent* of wildland fires in the United States are caused by humans. Human-caused fires result from campfires left unattended, the burning of debris, equipment use and malfunctions, negligently discarded cigarettes, and intentional acts of arson. *Source: 2000-2017 data based on Wildland Fire Management Information (WFMI) and U.S. Forest Service Research Data Archive'.

2.Clearcutting: We object with the finding in the Environmental Assessment that clearcutting will have no significant impact to the environment for reasons stated in our comments that in-part follow, and were not adequately answered or addressed at all in the Environmental Assessment : Clearcutting: In addition to removing wildlife habitat, clearcutting raises water temperature in riparian areas, impacts negatively the watershed and aquatic life with soil run offs, causes deforestation if regeneration is not properly achieved, increases the spread

of noxious weeds, decreases oxygen and increases carbon dioxide which results in negative climate changes, upsets the microclimate by increasing temperatures, dryness and wind, increases slides, spoils the scenery, impacts other forest canopies, and increases soil erosion and decreases soil quality. Clearcutting has been shown to negatively affect bird populations, and other wildlife, because of the complete removal of habitat. 'As a result of an accumulation of science demonstrating the negatives of clearcutting to wildlife and overall forest health most timber harvesting projects have moved away from clear cuts' (Askins 2002).

We do not find in this decision of no significant impact, that the BNF is using the best available science. In the project's decision Pole Creek Vegetation Management Project Forest Vegetation Report page 30: "Clearcutting has been a preferred even-aged reproduction method for lodgepole pine since the end of World War II for several reasons that are all still valid today (Alexander 1986)." This forty-year-old reference does not acknowledge the large amount of science since then that has demonstrated the impacts of clearcutting in the boreal forest on sensitive wildlife species including birds. (Drapeau, P.; Villard, M.-A.; Leduc, A and Hannon, S.J. 2016. Natural disturbance regimes as templates for the Distributions. 22:385-399).

We object to the findings in the Pole Creek Environmental Assessment that there are no significant impacts to the environment due to the failure to address, analyze and/or disclose the climate change impacts of the proposed action of clearcutting. BAS raised concerns about the impacts of clearcutting on habitat and climate change. Unfortunately, the EA has no analysis or mention of the increased CO2 emissions from clearcutting. According to the USGS and other scientific studies, "total national carbon emissions from logging exceed those from fire, even though in many areas more acres of land are affected by fire. The government's own assessment found this to be true on forests owned and managed by the federal government across the country, where overall fire affects many more acres than logging. In a first of its kind assessment from 2018 focused on carbon emissions associated with federal lands, the United States Geological Survey estimated that across the conterminous U.S., carbon emissions from logging of federal forests were more than double those from fire on those lands." (Merrill, M.D., Sleeter, B.M., Freeman, P.A., Liu, J., Warwick, P.D., and Reed, B.C., 2018, Federal Lands Greenhouse Gas Emissions and Sequestration in the United States: Estimates 2005-14: U.S. Geological Survey data release.)

3.Birds: We object to the decision that the project's large scope 92,155 acres will have no significant impact on nesting, migrating, and resident birds in particular sensitive species - several of these species are known to inhabit within this project's large-scale plan. Analysis and data are often contradictory to the finding and decision of no significant impact. The Biological Evaluation's analysis includes: Effects of the Proposed Action Common to All Activities and Species - All treatments could potentially result in introduction or spread of invasive plants which is considered an indirect negative impact, primarily potential degradation of foraging habitat or prey habitat for all species in the following analysis."

On American Goshawks: In addition to being a Region 2 Sensitive Species, goshawks were selected as a Forest Plan focal species to monitor impacts from Forest management to the integrity of the forest habitat ecosystem that provides the variety of forest structure that supports reproductive success of goshawks.

Cumulative Effects of Proposed Action Past timber harvest and wildland fire have influenced the current distribution of goshawk habitat structure within the project area. Past and recent timber management actions in and adjacent to the project area have reduced suitable habitat near known nest sites that have not been active in recent years. Furthermore, the increased intensity and duration of dispersed camping may reduce suitability of nesting habitat due to disturbance during the breeding season. Negative impacts of the proposed action may be additive to cumulative effects from these past activities on Forest and those ongoing on other ownership adjacent to the project area. The magnitude of added effects would be substantial where proposed clear-cuts in suitable habitat occur adjacent to existing clear-cuts and increase habitat fragmentation, especially near known nests. This could cause goshawks to abandon existing nest sites and seek new nest sites in remaining suitable habitat. At the forest level at least 9 goshawk territories have been affected by timber harvest projects in the last 5 years

or expected to be in the next 5 years. The Pole Creek project would add 7 territories affected in the next 10 to 20 years. Cumulatively, approximately 40% of known or suspected goshawk territories on the Forest are expected to be affected by current and foreseeable vegetation management projects.

This is a significant impact.

4. Watersheds: We object to the decision that there will be no significant impact to watersheds. Our concerns were not adequately addressed or answered. Analysis is lacking and not forthcoming. Monitoring measures are seemingly not in place currently, and without plans for monitoring before, during and after this project. A reminder that aquatic life and biological conditions in the North Fork Crazy Woman Creek were very significantly degraded requiring watershed restorations efforts which cost local, state and federal agencies over \$2.6 million ending in 2008. Major land uses in this watershed included cropland, livestock grazing and logging operations.

5. Old Growth: We object to the decision that there will be no significant environmental impacts on old growth, and we are concerned about the lack of consideration on old growth within the project area. Healthy forests depend upon old growth forest areas and need a proper balance of forest vegetation stages from seedling to old growth. The EA should disclose an inventory of old growth trees and mitigation to ensure protection of old growth trees in the BNF area of proposed action per Executive Order 14072.

6. Funding for Monitoring, Mitigation and Enforcement: We object because the Pole Creek EA fails to disclose how taxpayer funding for this project under the Inflation Reduction Act, the Healthy Forest Restoration Act and the Wildfire Emergency Act will be directed toward monitoring, mitigation, and enforcement to protect wildlife and watersheds. Just one example, will there be funding in place to monitor effectiveness of gates [on temporary roads] and add extra measures if they do not work per the Consideration of Comments? The EA fails to discuss or disclose the need and funding for monitoring, mitigation and enforcement that will reduce the impacts of the proposed project.

7. We object because the only alternative is no-action considering the wide scale of 92,155 acres this project encompasses. We believe the Bighorn National Forest under the National Environmental Protection Agency should propose a wider range of alternatives than just the proposed action.

Bighorn Audubon supports the project's aspen stand enhancement and riparian enhancement plans. We also understand the Bighorn National Forest has multiple uses with forest maintenance needs, and in addition, due to budget constraints and other factors, the Forest is experiencing staffing shortages that include limited enforcement, monitoring, and maintenance. Bighorn Audubon's monitoring project partnership has been effective in helping staff and the birds, and we are honored to do so, albeit on a small scale compared to Forest needs. We very much appreciate the biologist and district ranger's recent fast action on a goshawk nest avoidance that bred success. The Bighorn National Forest's recreational popularity has also soared in recent years, creating a need for more staffing to properly manage this growth. It appears federal funding is available for large-scale projects like this, yet federal funding for short- and long-term monitoring, analysis, enforcement, maintenance, and overall staffing is in short supply.

We find the Environmental Assessment is contradictory and lacks data regarding some vague future assessment and is missing details and analysis. The EA fails to comply with the National Environmental Policy Act and the National Forest Management Act which require disclosing and addressing the full impacts of this proposal. The project should be assessed through an Environmental Impact Statement and should propose a wider range of alternatives in addition to the proposed action and the no action alternative. Currently, the EA does not fully address or disclose the impacts of the proposed project and makes a premature finding of no significant impact without evidence. Rather this EA postpones important impacts or details regarding the site specific project design and the impact analysis or details until after the NEPA process. This is not in compliance with NEPA's central purpose that agencies examine and describe impacts and "look before they leap". Therefore, for these reasons

and all reasons noted previously in 1-7, we respectfully object to the Pole Creek Vegetation Management Project, Environmental Assessment, Finding of No Significant Impact, and Draft Decision Notice. We recommend either an alternative plan with substantial reductions in the project's scope or an Environmental Impact Statement to disclose the full impact of this project's environmental impacts.

On behalf of the Bighorn Audubon Society Board of Directors,

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