Region 2
3201 Spurgin Road
Missoula, MT 59804

July 23, 2018

Dear Interested Citizen:

Thank you for your consideration of and/or comments on a proposal by Montana Fish, Wildlife & Parks (FWP) to conduct forest habitat enhancement and restoration treatments on approximately 465 acres of FWP's 1,523-acre Nevada Lake Wildlife Management Area (WMA) located SE of Helmville in Powell County. The purpose is to improve elk winter forage, restore historic open-stand conditions dominated by large-diameter ponderosa pine, restore a stand structure that allows fire to burn at the low severity appropriate for the historic fire regime, recruit ponderosa pine regeneration, and reduce fuel loading. The treatments on the WMA would enhance aspen habitats, thin understory ingrowth, and improve forest resiliency by reducing the risk of stand replacement fire and beetle infestation. Treatments would include commercial thinning, fuels reduction (thinning, piling, burning), and removal of encroaching conifers within aspen clones and bunchgrass/sagebrush communities. To facilitate timber harvest and log hauling, an estimated 3.3 miles of road reconstruction and 0.7 miles of new road construction on the WMA would be needed.

Enclosed is a decision document in which FWP explains its rationale for choosing the Proposed Action alternative. Upon completion of the public involvement process and by inclusion of this Decision Notice, FWP accepts the draft environmental assessment (EA) as final.

FWP will request approval of this forest restoration project from the Fish & Wildlife Commission at its next meeting on August 9, 2018, in Helena. This meeting is open to the public, as are other regularly scheduled Commission meetings.

Please feel free to contact me at 406-542-5500 with any questions you may have. Thank you for your interest and participation.

Sincerely,

Randy Arnold
Regional Supervisor

RA/sr

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Decision Notice for
Draft Environmental Assessment,
Nevada Lake WMA Forest Habitat Enhancement Project

Montana Fish, Wildlife & Parks
Region 2
3201 Spurgin Road, Missoula MT 59804
406-542-5500
July 2018

DESCRIPTION OF PROPOSED ACTION (Alternative B)

Montana Fish, Wildlife & Parks (FWP) proposes to conduct forested habitat restoration treatments on 465 acres of its approximately 1,523-acre Nevada Lake WMA (NLWMA) located SE of Helmville in Powell County. The objective of the proposed forest habitat restoration would be to improve elk winter forage, restore historically open stand conditions dominated by large-diameter ponderosa pine, restore a stand structure that allows fire to burn at the low-severity appropriate for the historic fire regime, recruit ponderosa pine regeneration, and reduce fuel loading. The treatments would enhance aspen habitats, thin understory ingrowth, and improve forest resiliency by reducing fire and beetle infestation risks. Treatments would include, commercial thinning, fuels reduction (thinning, piling, and burning), prescribed burning, and removal of encroaching conifers within aspen clones. To facilitate timber harvesting and log hauling, an estimated 0.7 miles of new road construction and 3.3 miles of reconstruction would be needed.

Costs to FWP for these forest habitat restoration treatments are expected to be offset, in part or in full by the sale of merchantable timber byproduct. Any revenue in excess of project costs would be deposited into the legislatively established FWP Forest Management Account to implement further forest management projects pursuant to the provisions of 87-1-201(9)(a)(iv), Montana Code Annotated (MCA).

ALTERNATIVES CONSIDERED TO THE PROPOSED ACTION

Alternative A: No Action

If FWP decides not to proceed with the proposed action, the targeted stands on the NLWMA would not be treated. FWP expects that valuable wildlife habitat, including ungulate winter range would continue to deteriorate and the risk of high-intensity catastrophic wildfire would continue to increase.

MONTANA ENVIRONMENTAL POLICY ACT PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The proposed Nevada Lake WMA Forest Habitat Enhancement Project and its effects were documented by FWP in a Draft Environmental Assessment (EA).

PUBLIC REVIEW PROCESS

FWP released a Draft EA for public review of the NLWMA Forest Habitat Enhancement Project proposal on April 25 and accepted public comment until May 24, 2018 (for a 30-day comment period).

Legal notice of the proposal and availability of the Draft EA was published once each in the *Blackfoot Dispatch* (Lincoln, April 18), *Independent Record* (Helena, April 13), *Missoulian* (April 13), and *Silver State Post* (Deer Lodge, April 18) newspapers.

FWP mailed 27 copies of the Draft EA, and emailed approximately 28 notifications of the EA's availability, to adjacent landowners, interested individuals, groups and agencies. The EA was available for public review and comment on FWP's web site (http://fwp.mt.gov/, "Recent Public Notices" and "Submit Public Comments") from April 26 through May 24, 2018.

SUMMARY OF PUBLIC COMMENT

FWP received 4 public comments during the 30-day public comment period (Appendix). Three comments (representing 4 people) were made by people who own land nearby or adjacent to the WMA, but have other addresses (2 Missoula, 1 Alaska); the person submitting the fourth comment is from Helena. Two comments (representing 3 people) supported the project, one comment opposed the project, and one comment did not indicate support or opposition.

RESPONSE TO PUBLIC COMMENT

Below is a summary of public comments, questions and suggestions and FWP responses. (Numbers in parentheses below correspond to the numbering of the individual commenters and paragraphs in the Appendix.)

Comment: *My concern . . . is the lack of attention being given to the Knapweed problem in the total WMA. The Knapweed has become so prevalent in the WMA parks, it is destroying the feed needed to sustain the elk herd. I believe more could be accomplished for the animals in the Wildlife Management Area with a stronger knapweed attack. (#1.2, 1.3)*

> **FWP Response**: Thank you for sharing your observation. FWP has an active weed control program on the WMA and we are aware of the knapweed issues. We do recognize that knapweed is prominent at the entrance points and along some internal roads. However, throughout the WMA knapweed is relatively scattered and represents a low percentage of the ground cover and is not currently at a rate that would be considered a threat to the forage base for elk and deer. We do share your concerns about further expansion of knapweed and other noxious weeds, and therefore, will contract post-forestry weed treatments.

Comment: *We would expect all the slash piles to either be removed or burned shortly after the logging operation ceases, not to be left for a potential prescribed burn in the future. (#3)*

> **FWP Response:** Slash piles in most of the units that will be treated as part of this project will be burned once cured. Some units may receive "jackpot" burning treatments in areas where we want to stimulate regeneration of desirable trees (e.g., aspen, ponderosa pine).

Comment: *We understand that this potential logging operation will help prevent a catastrophic fire event but also believe that removing Douglas fir trees will also degrade the beauty of the forest. (#3)*

> **FWP Response:** The focus of this project is to thin high-density Douglas-fir stands to promote growth and vigor of large-diameter ponderosa pine and Douglas-fir and improve shade-intolerant grass, forbs, and shrubs that provide elk and deer forage. Historically, high-frequency low-intensity fire would have maintained a relatively open canopy of large diameter ponderosa pine and Douglas-fir overstory with a sparse and patchy understory of ponderosa pine and Douglas-fir. Our goal is to restore a forest condition that represents a more historical condition.

Comment: *We hope that any future decisions made regarding this section of Nevada Lake WMA will be what is truly best for the environment not just a way to generate some income from the harvesting of timber. (#3)*

"Historic" conditions should be documented if considered the driving factor for the proposed commercial logging--which it is--to raise "revenue" for the agency. (#4.2)

Since when is it FWP's mission to make money by selling off public forest resources? (#4.10)

> **FWP Response:** We appreciate and share your concern for the Nevada Lake WMA and your desire to see decisions made in the best interest of the environment. The intent of this project is to restore forest conditions that represent historic conditions typical of this forest type. Low-elevation dry ponderosa pine and Douglas-fir forests historically experienced regular low-intensity fires that maintained an open grass and shrub-dominated understory with an overstory of moderately open, large-diameter trees. Fire has been removed from this WMA for more than 80 years allowing young Douglas-fir to achieve higher density than would be expected if fires were not suppressed. This condition has been detrimental to shade-intolerant grasses, thereby reducing forage for wintering elk and deer, and reducing available resources for large overstory trees, increasing the risk of disease, insect infestation, and high-severity wildfire.
>
> To meet the objectives, trees with commercial value that will be removed would also result in forest products (such as veneer logs, sawlogs, post and pole, and pulp logs) that can be sold to offset the cost of the project. Whether there is any revenue above and beyond the cost of the project will depend on the log market conditions at the time of sale, and any revenue would be deposited in the legislatively-established Forest Management Account (§ 87-1-621, MCA) to implement other forest management projects pursuant to the provisions of § 87-1-622, MCA.

Comment: *EA states that thinning understory growth, logging Doug Fir and Ponderosa Pine will restore "historic" conditions to the area, it provides no scientific evidence for this assertion. "Historic" conditions should be documented . . . (#4.2)*

> **FWP Response**: Evidence that the project area was historically dominated by frequent, low mixed-severity fire is based on the numerous fire-scarred ponderosa pine stumps throughout the project area that show multiple fire events occurred prior to the era of active fire suppression. Historic (early 20th century) logging of mature ponderosa pine coupled with active fire suppression for over 80 years has led to a dominance of dense Douglas-fir stands. Due to successful fire suppression, we are proposing thinning trees that would have otherwise been thinned naturally by fire. FWP developed its silvicultural prescriptions for this project based on a publication that used reconstructions of historic stand conditions and spatial patterns of these forest types to guide restoration. This was not referenced in the checklist EA and probably should have been. Below is a citation for this paper:
>
> Clyatt, Kate A., J. Crotteau, M. Schaedel, H. Wiggins, H. Kelley, D. Churchill, A. Larson. Historical spatial patterns and contemporary tree mortality in dry mixed conifer forests. 2015. Forest Ecology and Management 361: 23-27.

Comment: *Although the EA states that the land proposed for logging and thinning are in compliance with the Nevada Lake Wildlife Management Area (NLWMA) Interim Management Plan, it seems to have ignored the mandate that "Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated." (#4.3)*

> **FWP Response:** The EA checklist evaluated impacts of the proposed action to the Physical and Human Environment and where potential impacts were identified, mitigation measures were described.

Comment: *The problem is evident in the photos provided in the EA and if the understory brush is removed, it will obviously impact lynx habitat since snowshoe hare, the primary prey of lynx, do not prefer*

"open stand conditions." Considering that the Nevada Lake area is federally designated "critical habitat" for lynx (see https://www.fws.gov/mountain-prairie/es/species/mammals/lynx/CHFinalRule2014/Lynx_CH_Unit3_2014.pdf) slashing out the undergrowth is exactly the wrong thing to do and quite opposite what the agency is supposed to be doing -- which is taking care of fish and wildlife, not providing logs for timber mills or turning natural forests with natural undergrowth into park-like "historic" conditions. (#4.4)

Here's what FWP's own website (fwp.mt.gov/fwpDoc.html?id=78779)[1] has to say about the importance of NLWMA to lynx: . . . Purpose: The Nevada Lake WMA provides critical winter habitat for elk and deer and is frequented by grizzly bears, as well as many other wildlife species. The WMA also serves as a linkage for Canada Lynx and other wildlife between the Helena National Forest and the Garnet Mountains. (#4.5 through 4.7)

> **FWP Response:** The proposed project is not located in the critical habitat designation for Canada lynx. The map you reference in your comment includes mostly federal land managed under the Lincoln Ranger District of the Helena-Lewis & Clark National Forest. Thinning the understory on a site that is classified as dry ponderosa pine Douglas-fir is the appropriate prescription for this site.
>
> As you reference in your comments, the NLWMA does provide an important linkage for Canada lynx because it provides a conserved parcel of land that connects the HLCNF to the Garnet Mountain Range to the south, and the land will be perpetually protected from development. However, that does not mean that lynx want to live there. Conservation for lynx on this site means preventing the development of an ecological sink for the species, in recognition that individual lynx will be affected by site management as they pass through from time to time. Management of the WMA for elk and deer winter forage and for minimal human disturbance by vehicles and in winter, is a compatible strategy for lynx given the capability of this site.

Comment: *Nor does the proposed thinning and logging enhance conditions for thermal cover that's vitally necessary to deer and elk during Montana's long and cold winters. Again, quite the opposite. Opening up the canopy and getting rid of the underbrush instead enhances the ability of wind and snow to penetrate the winter range, providing greater, not less, stress on deer and elk. (#4.8)*

> **FWP Response:** The proposed project will thin young Douglas-fir that is detrimental to the native shade-intolerant grass and shrub understory. These grasses and shrubs provide excellent late-summer, fall, and winter forage. A recent, and extensive body of literature, including FWP-led elk research has demonstrated late-summer and fall forage to be the most important for elk and deer nutritional condition and strongly associated with overwinter survival and reproduction (please see the paper referenced below for more detail). Therefore, our prescription aims at increasing forage resources for elk and deer by restoring favorable and sustainable forest conditions on this particular site.
>
> Lukacs, P. M., M. S. Mitchell, M. Hebblewhite, B. K. Johnson, H. Johnson, M. Kauffman, KI. M. Proffitt, P. Zager, J. Brodie, K. Hersey, A. A. Holland, M. Hurley, S. McCorquodale, A. Middleton, M. Nordhagen, J. J. Nowak, D. P. Walsh, and P. J. White. (2018), Factors influencing elk recruitment across ecotypes in the Western United States. Jour. Wild. Mgmt., 82: 698-710.

Comment: *FWP is behind the ball on fire science. Claiming that thinning and logging is going to "reduce fire and beetle risk" is simply not defensible in light of current science that actually finds the opposite. Sure, you can cut down the forest, but in doing so, especially simply by "spacing" remaining trees means you will likely be taking out trees that have natural genetic resistance to beetles. And there's no current science that supports thinning or logging have any effect on fire risk whatsoever. Wildfires have burned through clearcuts near Seeley Lake and current studies find already dead trees to be less of a risk for crown fires than live trees with their pitch-filled green needles. And once again, FWP provides no*

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[1] Habitat Montana, Report to the 65th Montana Legislature, Montana Fish, Wildlife & Parks, Wildlife Division, January 2017. Available at <http://fwp.mt.gov/doingBusiness/reference/legislativeReports.html> Assessed 18 July 2018.

supporting documentation for the EA's claim that "the shade-tolerant conifer understory...makes the remnant ponderosa pine vulnerable to intense stand-replacement crown fires." Similarly, there is no documentation or references provided for the assumption that "dead and dying trees further increase the risk of intense stand-replacement fire on the WMA and could potentially damage winter range conditions for deer and elk." Given that these are fire-adapted forests, it's no surprise FWP provided no scientific references for its opinion, because there are none. Fires have come and gone in the Northern Rockies for eons and somehow deer and elk--and the forests--are still here. (#4.9)

The "forest health" excuse has already been disproved by current science, there are no "500 homes" within miles and miles of Nevada Lake, and burning understory merely removes natural ecosystems that are not dictated by merchantable timber. Remember, this is a "wildlife" management area--not a tree farm and equally not only for huntable wildlife like deer and elk. (#4.10)

It's time for FWP to do its homework on forest ecology and fire science before shipping out proposals like this for public review and comment. (#4.11)

FWP Response: It's certainly fair to ask for our documentation and references. The best way we found to provide this for you in a form that may be most useful is to provide this link to the Fire Effects Information System online, and to the page entitled *Fire Regimes of Northern Rocky Mountain Ponderosa Pine Systems*. No further online navigation is required except to browse the page at that link. Specific to your question and this project, you will find a review of research results under major headings such as Historical Fuels and Fire Regimes and Contemporary Changes in Stands Structure, Fuels and Fire Regimes. The link is: *https://www.fs.fed.us/database/feis/fire_regimes/Northern_RM_ponderosa_pine/all.html*

As you can see, there is an extensive body of research on fire science related to the condition of dry ponderosa pine/Douglas-fir forest types. The research clearly states that thinning the overgrown understory can reduce fuel load and ladder fuels and alter fire behavior, reducing the risk of high-intensity stand replacing fire. The science and forest conditions you refer to in your comments are not present on the NLWMA site proposed for forestry treatments. The conditions you refer to in your comment are associated with mixed and high-severity fire regimes that were historically much less frequent.

Some of the objectives of this project include: "restore a stand structure that allows fire to burn at the low-severity appropriate for the historic fire regime" and to "reduce fuel loading". FWP acknowledges the fact that thinning and logging do not reduce the risk of fire or beetles occurring; our objective is to change the way those disturbances behave if and when they occur on the NLWMA. The three factors that influence fire behavior are fuel, weather, and topography. By changing the amount of fuel (including both live and dead fuels), which is the only factor we can influence, this project would influence fire behavior and has a greater likelihood of reducing fire severity than if no thinning were to be implemented.

We concur that the project is not located adjacent to a densely populated area. Rather than trying to address "forest health" which is in the eye of the beholder or hazardous fuels in the wildland urban interface, this project would attempt to restore fire adapted forest ecosystems.

The proposed action developed for this project is based on an understanding that reducing canopy cover will decrease shade and promote conditions favoring shade intolerant grasses, shrubs, and forbs. Furthermore**,** reducing fuel influences fire behavior; and based on our on-the-ground assessment, evidence shows a history of frequent fire, therefore by restoring historic conditions, we anticipate that if and when fires occur that they would be more likely to burn at a low-severity appropriate for the historic fire regime.

DECISION

Based upon the Draft Environmental Assessment (EA) and the applicable laws, regulations, and policies, we have determined that the proposed action will not have measureable negative effects on the human and physical environments associated with this project. Therefore, I conclude that the EA is the appropriate level of analysis and the preparation of an Environmental Impact Statement is unnecessary.

The proposal is consistent with Montana statute that requires FWP to implement programs that address fire mitigation, pine beetle infestation, and wildlife habitat enhancement on forested lands it owns. This project meets all those objectives based on the current timber harvest prescriptions.

CONCLUSION

By notification of this Decision Notice, the draft EA and the information discussed in this Decision Notice are hereby made the final EA. The finding of selection for the Proposed Action (Alternative B) is the product of this Decision Notice. I am pleased to recommend to the Fish & Wildlife Commission that it approve this project.

Randy Arnold
Region 2 Supervisor
Montana Fish, Wildlife & Parks

7/23/2018
Date

APPENDIX. Comments on the proposed Nevada Lake WMA Forest Habitat Enhancement Project, received by FWP during the Draft-EA comment period of April 25 through May 24, 2018. (Comments received via E = email.)

Com-men-ter #	Via	Para-graph	Comment
1	E	1	Thank you for sending the DEA on the Nevada Lake WMA Enhancement Project. My name is [name], and my wife [name] and I own a cabin just south of the Nevada Creek Reservoir facing the WMA. I have hiked, hunted and picked sheds in the WMA for many years and know that country like the back of my hand.
		2	My concern isn't anything the FWP is proposing to do but is the lack of attention being given to the Knapweed problem in the total WMA. The Knapweed has become so prevalent in the WMA parks, it is destroying the feed needed to sustain the elk herd.
		3	I do notice the equipment will be washed and herbicide will be used in the areas worked. I believe more could be accomplished for the animals in the Wildlife Management Area with a stronger knapweed attack.
2	E		I just went over the EA for the Nevada Lake management area, I have a cabin directly across the lake from the management area and think your proposal looks good to me. I notice that this area is used extensively during the winter by elk and deer and think that your plan would enhance the use by wildlife.
3	E		To whom it may concern, after reading the Draft Environmental Assessment that was sent to us we would like to be on record as supporting actions that will enhance wildlife habitat in the area. We are not opposed to logging where it is deemed necessary but we would expect all the slash piles to either be removed or burned shortly after the logging operation ceases, not to be left for a potential prescribed burn in the future. We understand that this potential logging operation will help prevent a catastophic fire event but will also believe that removing Douglas fir trees will also degrade the beauty of the forest. We are not experts on forests or what is best for wildlife but we hope that any future decisions made regarding this section of Nevada Lake FMA will be what is truly best for the environment not just a way to generate some income from the harvesting of timber. Thank you for allowing us to have some input. Sincerely,
4	E	1	I would like to submit my opposition to the planned forest and vegetation treatments at the Nevada Lake WMA for the following reasons:
		2	1. Although the EA states that thinning understory growth, logging Doug Fir and Ponderosa Pine will restore "historic" conditions to the area, it provides no scientific evidence for this assertion. "Historic" conditions should be documented if considered the driving factor for the proposed commercial logging--which it is--to raise "revenue" for the agency.
		3	2. Although the EA states that the land proposed for logging and thinning are in compliance with the Nevada Lake Wildlife Management Area (NLWMA) Interim Management Plan, it seems to have ignored the mandate that "Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated."
		4	The problem is evident in the photos provided in the EA and if the understory brush is removed, it will obviously impact lynx habitat since snowshoe hare, the primary prey of lynx, do not prefer "open stand conditions." Considering that the Nevada Lake area is federally designated "critical habitat" for lynx (see https://www.fws.gov/mountain-prairie/es/species/mammals/lynx/CHFinalRule2014/Lynx_CH_Unit3_2014.pdf) slashing out the undergrowth is exactly the wrong thing to do and quite opposite what the agency is supposed to be doing -- which is taking care of fish and wildlife, not providing logs for timber mills or turning natural forests with natural undergrowth into park-like "historic" conditions.
		5	Here's what FWP's own website (fwp.mt.gov/fwpDoc.html?id=78779) has to say about the importance of NLWMA to lynx:
		6	*Nevada Lake Wildlife Management Area Addition*

7	*Purpose: The Nevada Lake WMA provides critical winter habitat for elk and deer and is frequented by grizzly bears, as well as many other wildlife species.* ***The WMA also serves as a linkage for Canada Lynx and other wildlife between the Helena National Forest and the Garnet Mountains.*** *This 760-acre addition to the WMA establishes a legally accessible connection between the WMA and National Forest, substantially enhancing public recreation and hunting opportunities. Acquiring these parcels helped protect the ecological integrity of the WMA by eliminating the possibility of residential development or other type of habitat conversion above the WMA, which would have directly diminished the WMA's habitat values. The addition also includes about a half mile of Chicken creek, an important tributary for westslope cutthroat trout.*
8	Nor does the proposed thinning and logging enhance conditions for thermal cover that's vitally necessary to deer and elk during Montana's long and cold winters. Again, quite the opposite. Opening up the canopy and getting rid of the underbrush instead enhances the ability of wind and snow to penetrate the winter range, providing greater, not less, stress on deer and elk.
9	3. FWP is behind the ball on fire science. Claiming that thinning and logging is going to "reduce fire and beetle risk" is simply not defensible in light of current science that actually finds the opposite. Sure, you can cut down the forest, but in doing so, especially simply by "spacing" remaining trees means you will likely be taking out trees that have natural genetic resistance to beetles. And there's no current science that supports thinning or logging have any effect on fire risk whatsoever. Wildfires have burned through clearcuts near Seeley Lake and current studies find already dead trees to be less of a risk for crown fires than live trees with their pitch-filled green needles. And once again, FWP provides no supporting documentation for the EA's claim that "the shade-tolerant conifer understory...makes the remnant ponderosa pine vulnerable to intense stand-replacment crown fires." Similarly, there is no documentation or references provided for the assumption that "dead and dying trees further increase the risk of intense stand-replacement fire on the WMA and could potentially damage winter range conditions for deer and elk." Given that these are fire-adapted forests, it's no surprise FWP provided no scientific references for its opinion, because there are none. Fires have come and gone in the Northern Rockies for eons and somehow deer and elk -- and the forests -- are still here.
10	Finally, since when is it FWP's mission to make money by selling off public forest resources? The "forest health" excuse has already been disproved by current science, there are no "500 homes" within miles and miles of Nevada Lake, and burning understory merely removes natural ecosystems that are not dictated by merchantable timber. Remember, this is a "wildlife" management area -- not a tree farm and equally not only for huntable wildlife like deer and elk.
11	Thanks for the opportunity to comment, but really, it's time for FWP to do its homework on forest ecology and fire science before shipping out proposals like this for public review and comment.