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Plan that is the subject of this objection: Land Management Plan, 2013 Revision, Kootenai National Forest

Responsible Official: Faye Krueger, Regional Forester, Northern Region

Statement of Issues - Objection Summary

(Exhibits for this document's Summary, Background, and Context sections may be found in Appendix A)

On September 28, 2013, the Kootenai National Forest (KNF) issued a Draft Record of Decision (ROD), Final Environmental Impact Statement (FEIS), and revision of its Land Management Plan (LMP, a.k.a. forest plan). Our three organizations – Montana Wilderness Association, The Wilderness Society, and Headwaters Montana -- had previously provided substantive comments on the Draft LMP and Draft EIS for the KNF plan revision, which was released in January 2012. The KNF Draft LMP "Alternative B" was modified in the Final Plan to become the selected "Alternative B – Modified."

Between the Draft Plan and the Draft ROD, the KNF failed to make any adjustments in response to comments requesting improved analysis and conservation of KNF wild lands. In fact, the KNF reduced recommendations for the conservation of the Forest's remaining wilderness and wild lands.

Alternative B Modified sacrifices conservation of wilderness values in favor of less protection and greater motorized vehicle access.

The members of our three organizations welcome this opportunity to provide substantive objections to the Final EIS and Draft ROD to help improve the final Decision and to better conserve wild lands for the future on the KNF.

All of the following objections were raised in the previous substantive comments provided by our organizations during the DEIS phase of the KNF land management plan revision (Appendix 1, Exhibit A). Each section of this document will link past substantive comments with current objections. The following objections are raised in this document:

1. **The standard wilderness assessment in the DEIS and FEIS results in biased and unlawful wilderness recommendations.** The draft Record of Decision (ROD) relies on a “cookbook” wilderness assessment, lacking site-specific information and analysis necessary to make informed decisions in the planning process. It further overlooks options such as boundary modifications that would conserve the wild lands of the KNF that have high wilderness values and low conflicts. (Comment #8 in Headwaters Montana comment letter dated March 30, 2012; MWA May 7, 2012 Letter to KNF Supervisor Bradford, pp. 1-2; TWS May 7, 2012 comment letter to KNF, p. 6)
2. **The final Plan arbitrarily proposes to reduce recommended wilderness for the Whitefish Range by 7,500 acres and reclassifies Tuchuck wild lands from non-motorized to motorized.** Changes between the draft and final EIS greatly reduce recommended wilderness in the Whitefish Divide area of the KNF and unwisely reclassify Tuchuck wild lands as MA 5b (motorized).¹ This conflicts both with management on the adjoining Flathead National Forest (FNF) in the Trail Creek Grizzly Bear Management Area and with a likely future recommended wilderness allocation in the forthcoming FNF land management plan LMP revision. (Comment #5 in Headwaters comment letter dated March 30, 2012; MWA May 7, 2012 Letter to KNF Supervisor Bradford, p. 2; TWS May 7, 2012 comment letter to KNF, p. 6)
3. **The draft ROD proposes to reclassify a series of irreplaceable closely connected wild lands adjoining and in proximity to the Cabinet Mountains Wilderness from MA2 Non-Motorized (in the 1987 Plan) to MA5b Motorized. It fails to adequately consider and recommend areas of outstanding wilderness and non-motorized backcountry values in the rugged southeast Cabinet Mountains between Leigh Creek and the Vermillion River, including the Allen Peak Inventoried Roadless Area.** This shift will diminish wilderness and quiet backcountry values in areas that the 1987 KNF forest plan pledged to conserve, unnecessarily expanding the impacts of motor vehicle traffic in the Cabinet Mountains. The final plan should at a minimum adopt a mix of MA 5a and 1b designations similar to the DEIS Alternative C. We also distinctly ask for the MA 5b cherry stem up Rock Creek Meadows to be upgraded to 1b. (Comment #6 in Headwaters comment letter dated March 30, 2012;

¹ There is an inconsistency between the published FEIS and the published maps for the LMP’s Alternative B Modified. In the FEIS, in Table 119, “Inventoried Roadless Area Management Area Allocation by Alternative” (pp. 457-458 in the FEIS for the KNF LMP), the Tuchuck Inventoried Roadless Area (IRA) is identified as allocated to MA 5a (non-motorized backcountry) under Alternative B Modified. However, the LMP map of Alternative B Modified has clearly changed the MA 5a allocation from 5a in the DEIS to 5b (motorized backcountry) in its Draft Decision. We ask that the KNF clarify the intended MA allocation for the Tuchuck IRA.

MWA May 7, 2012 Letter to KNF Supervisor Bradford, p. 7; TWS May 7, 2012 comment letter to KNF, p. 6-7)

4. **The draft ROD relies on arbitrary and impermissible grounds for the removal of the Ten Lakes Wilderness Study Area and adjacent wild lands from long-standing U S Forest Service Recommended Wilderness.** The draft ROD proposes to remove the Ten Lakes Wilderness Study Area (26,000 acres) and adjoining lands (6,800 acres) from Recommended Wilderness—these areas were previously recommended as wilderness in both the “Ten Lakes Wilderness Study Act Area Final Report and Proposal” submitted to Congress and current Kootenai National Forest Plan. This change and its rationale are contrary to the legal requirement under the Montana Wilderness Study Act of 1977 (P L 95-150) that the U.S. Forest Service maintain the area’s historic wilderness character and its potential for future wilderness designation. (Comment #9, 10, and 11 in Headwaters comment letter dated March 30, 2012; MWA May 7, 2012 Letter to KNF Supervisor Bradford, p. 2; TWS May 7, 2012 comment letter to KNF, p. 5)

Background – Wilderness on the Kootenai National Forest

The 2.2 million-acre (KNF) is located in the northwest corner of Montana along the Canadian border. Its eastern extent lies at the edge of the Crown of the Continent Ecosystem and its western edge borders the state of Idaho. Lying among the Cabinet, Selkirk, Galton and Whitefish ranges, the Kootenai is an inland rainforest, sustaining an incredible diversity of plant and animal life, as well as unusual and unique geology. Supporting these ecological values while providing economic viability for local communities through renewable forest products and hard rock mining in the near term, the US Forest Service also has the responsibility to look to the future and act to conserve remaining areas with high wilderness values across the KNF.

Thousands of miles of roads were constructed across the KNF in the second half of the 20th century. The 1987 KNF land management plan projected the total build-out of roads to exceed 10,000 miles. These roads fragmented and shrank the region’s wilderness quality land base (Appendix 1, Exhibit B). Concurrently, increasingly powerful off-road motor vehicles extended the impact of resource development into the backcountry. Today, the Kootenai National Forest has more roads, fewer non-motorized acres, and less wilderness than any other national forest in Montana in Region 1 (Table 1).

Table 1. Wilderness Acreage on National Forests within Montana, USFS Northern Region

National Forest	USFS Acres	Wilderness Acres	% of NF in Wilderness
Beaverhead-Deerlodge National Forest	3,356,044	221,572	6.60%
Bitterroot National Forest	1,587,070	750,444	47.28%
Custer National Forest	1,188,130	332,612	27.99%
Flathead National Forest	2,404,863	1,075,558	44.72%
Gallatin National Forest	1,848,646	719,206	38.90%
Helena National Forest	981,930	112,023	11.41%
Kootenai National Forest	2,219, 100	93,766	4.2%
Lewis and Clark National Forest	1,864,556	386,197	20.71%
Lolo National Forest	2,202,424	148,484	6.74%

Data sources: 1) www.wilderness.net

2) Land Areas of the National Forest System, USDA FS Publication FS-383, January 2013.

The draft ROD proposes almost 86 percent of the KNF be open for motorized travel, including over-snow motorized travel. (Draft ROD, p. 19) This percentage places the KNF highest among all other national forests in Montana in the area it allocates for motorized use. The new Plan proposes to convert large backcountry tracts from non-motorized backcountry (MA 2) under the 1987 plan² to motorized (MA 5b) under the 2013 revision, e.g. the roadless lands adjoining the southeast Cabinet Mountains Wilderness, Barren Peak and Allen Peak. In addition, the Plan revision also proposes to remove the Recommended Wilderness allocation in the 1985 Ten Lakes Montana Wilderness Study Act Area Final Report and Proposal and 1987 Kootenai Forest Plan for the Ten Lakes Wilderness Study Area and Ten Lakes IRA.

Some of these examples include wild lands with very high wilderness and backcountry values and low current user conflict. The failure of the Draft ROD and proposed plan to retain existing recommended wilderness and non-motorized backcountry contributes to an extreme imbalance and unwarranted change in management direction. The final ROD and Plan must correct these imbalances.

A revised Final Plan can retain areas of high wilderness value, recommended wilderness, and non-motorized lands without compromising the ability of the KNF to sustain timber and mining activities or offer a full spectrum of diverse outdoor recreational opportunities. For example, the KNF, under the 1987 Plan, already provides more than 75% of the 2.2 million acre Forest for snowmobiling, other motorized use, and mountain biking.

Current context and need

Twenty-six years have passed since the 1987 Kootenai Forest Plan was adopted. Today, the KNF and larger American society exist in a completely new context economically, socially, and environmentally. In the past the local communities near the KNF resisted conservation and wilderness designations based on the premise that conservation threatened timber and mining jobs. Historically, remote tracts of wilderness were reduced as the footprint of roads, motor vehicles and development expanded. Unfortunately, the draft ROD carries forward decades-old wilderness biases and fails to consider new approaches, new opportunities, or the new era of ecosystem management and collaboration.

Today, on the Idaho Panhandle, Lolo and other forests – and even the KNF -- people with diverse perspectives increasingly recognize the limitations of old biases and the failures that resulted from operating as opponents. Wilderness, conservation, timber, mining, motorized and mechanized interests today sit down together with greater frequency to work to resolve differences over national forest management issues. These current collaborative conversations have led to place-based solutions that provide benefits both for local communities and the land. Unfortunately, the decisions and management area allocations proposed under the revised Plan place the KNF significantly behind the curve of this emerging field of collaboration, foreclose opportunities for consensus, and will adversely affect the KNF's ability to implement meaningful land management.

² "I have not recommended the southern portion of Cabinet Face East roadless area for wilderness ...I have, however, assigned most of the area that was not recommended for wilderness to semi-primitive non-motorized recreation (Management Area 2)." Record of Decision, Kootenai National Forest Plan, September 1987, p. 20.

MWA and Friends of Scotchman Peaks, for example, work cooperatively with Revett Minerals in the West Cabinets, where the Troy (Silver Mine) Project has proven a good neighbor to the Scotchman Peaks Wilderness and Ross Creek Cedars. Revett Minerals has also publically supported the designation of a wilderness area in the Scotchman Peaks area. As demonstrated in a recent news article after release of the Forest Plan, Revett has also joined with MWA to support wilderness recommendations for the Scotchman Peaks area³. The close proximity and constructive relationship between the Troy Project and the nearby Scotchman Peaks Wilderness is a practical model of cooperation that should also be applied to a similar combination of resource values in the southeast Cabinet Mountains. If done correctly, we can both protect wild country and have extractive industries.

MWA, HM and TWS have also worked collaboratively with F.H. Stoltze Land and Lumber Company to find solutions to public land management in both the Kootenai and Flathead National Forests.⁴ Neither of these cooperative relationships would have happened in 1987. The actions of significant industrial employers like Revett and Stoltze demonstrate how industry has adapted to this new era and way of doing business, as have MWA, HM, and TWS.

Yet, the KNF proposed Plan does not reflect these changes and instead carries forward outdated biases against wilderness protection. It fails to consider or apply proactive solutions to wildland conservation on a forest where this resource is already substantially diminished. For instance, the Draft ROD provides the following rationale for minimizing recommended wilderness:

“I selected Alternative B Modified as the revised Plan [because] it recommends a similar amount of acres as the 1987 Plan...” (Draft ROD, p.20).

This decision caps future wilderness opportunities, uses arbitrary acreage criteria, and fails to use meaningful resource values to inform its decision regarding recommended wilderness on the KNF. Much has changed in the decades since the 1987 Plan was published, including acquisition of high value IRA inholdings and other factors that have added 11 wild areas (including Allen and Barren Peaks, for example) not considered in 1987. (See Table 2)

Table 2: Comparison of 1987 ROD and 2013 Draft ROD Wilderness Recommendations and Inventoried Roadless Area Acreages

KNF Plan document and date	# of IRAs	# of acres in IRAs	# of acres of Recommended Wilderness	% of IRAs recommended as Wilderness
1987 KNF ROD	32 IRAs	403,600 acres	102,500 acres	25% Rec'd
2013 Draft ROD	43 IRAs	683,030 acres	105,300 acres	15% Rec'd

Data sources: KNF 1987 ROD and 2013 Draft ROD

Yet, despite this increase in the inventory of roadless lands eligible to be considered in a wilderness evaluation, future wilderness is limited arbitrarily. The draft ROD offers more evidence of bias against wilderness with blanket generalizations, for example:

³ Appendix 1, Exhibit C and available online at: http://www.flatheadbeacon.com/articles/article/mining_company_conservation_group_team_up_for_wilderness_designation/35723/

⁴ Appendix 1, Exhibit D and available online at: http://www.flatheadnewsgroup.com/hungryhorsenews/outdoors/article_0b993176-4c78-11e3-be26-001a4bcf887a.html

“recommendation...of lands for wilderness will *necessarily* result in losses of other opportunities for other users such as snowmobilers and mountain bikers.” (Emphasis added) (Draft ROD, p. 20)

Many wild tracts arbitrarily omitted or removed from wilderness consideration and/or recommendation rarely see a snowmobile or mountain bike, with little or no effect on those users who already enjoy access to a huge percentage of this vast forest.

The rationale for recommended wilderness and wild land allocations presented in the proposed Plan demonstrates a strong bias against wilderness, and rests on an unsupported, limited-acres metric rather than site-specific values. Further, this approach assumes that wilderness subtracts, rather than adds, value to the overall suite of benefits – including non-recreation values – of the KNF. The KNF must move past these archaic approaches to wildland protection.

Because of this bias, the KNF misses opportunities to adjust boundaries or conserve areas with high wilderness values and low conflict. Instead, the Kootenai effectively—and unnecessarily—expands the footprint of motorized and mechanized off-road use, and/or anticipates an unsubstantiated and assumed conflict with future mining opportunities. Furthermore, the Kootenai sets an arbitrary acreage cap on recommended wilderness by intentionally maintaining nearly the same number of recommended wilderness acres as the 1987 plan (Draft ROD, p. 9) -- a “ceiling” criterion applied to no other management allocation.

As a result of the arbitrary cap on total wilderness acreage, the KNF drops deserving wild lands from consideration as recommended wilderness. For example, the KNF drops the Ten Lakes WSA/IRA (at 32,800 acres) from recommended wilderness while adding new areas such as Roderick and the Whitefish Divide as part of the “math” to balance 1987 recommended wilderness acreage quotas in the proposed Plan. Nevertheless, the outstanding wilderness qualities of Ten Lakes documented in the 1985 Ten Lakes Wilderness Study Area Final Report to Congress and the 1987 Kootenai Forest Plan have been disregarded by the KNF, contrary to law. The KNF would be compelled to recommend these (and other roadless lands) as wilderness were it to objectively consider their unique characteristics and outstanding wilderness quality and character.

Detailed Discussion of Objections

Objection 1: Substandard wilderness assessment results in biased and unlawful wilderness recommendations; the KNF’s approach to wilderness overall is limited by an arbitrary ceiling.

(Exhibits for this Objection may be found in Appendix B)

Objective data collection and assessment must precede any wilderness recommendations as required by the 1982 Planning Rule. (47 Fed. Reg. 43026, 43048) The KNF wilderness assessment does not meet this requirement, as it fails to take an objective view, fails to apply relevant criteria, and fails to identify unique, site-specific qualities of wilderness candidate lands on the KNF. Thus, the evaluation fails to meaningfully inform the planning process. The KNF Wilderness Evaluation (FEIS, Appendix C) relies on a fragmented, “cookbook” assessment of wilderness values that fails to inform the planning process. Lacking necessary detail in the site-specific analysis, the evaluation drops high-quality wilderness lands from further consideration, overlooks reasonable alternatives, such as boundary adjustments, and resorts to all-or-nothing scenarios that undermine conservation of wilderness values and future potential for designation. This evaluation is reminiscent of the

legally deficient RARE II evaluation⁵. MWA, TWS, and HM raised concerns over the quality, thoroughness, and specificity of the KNF's wilderness assessment in our comments on the DEIS, but the Final EIS fails to correct this flawed wildland evaluation.

To understand the fundamental failings of the KNF wilderness assessment, it is useful to compare it with the wilderness assessment used by the Forest Service in the 2009 Beaverhead-Deerlodge National Forest Plan.

The Beaverhead-Deerlodge National Forest (B-DNF) assessment included a site-specific description and evaluation of wilderness values, including a narrative discussion addressing in turn the capability, availability and need assessments. There was an assessment of how particular site-specific characteristics may (or may not) be enhanced or modified by boundary adjustments and other options available to the Forest Service to maintain wilderness characteristics (in whole or part). *Appendix 2, Exhibit A* provides an example from the B-DNF wilderness evaluation. The B-DNF assessment clearly discusses specific management options and therefore could be used to make informed wilderness designation determinations. The evaluation was also easily read and understood by members of the public, providing a foundation for dialogue and collaboration.

The KNF wilderness evaluation, as compared to the B-DNF evaluation, resorts to an arbitrary all-or-nothing approach, and fails to consider reasonable alternatives -- even simple boundary modifications -- that could both reduce conflict and maintain outstanding wilderness values long into the future. It also fails to provide the information necessary to conduct a well-informed assessment of the potential for evaluated areas to be included as recommended wilderness.

Solution Sought for Objection 1: Given the impracticality of redoing the wilderness assessment, we request that you recommend wilderness in the following places outlined in these objections where wilderness quality is high, conflict is low, and the assessment fell especially short. Our requested additions to the recommended wilderness in the Final KNF LMP include:

- 1) Krinklehorn-Krag-Deep Creek area of Thompson-Seton IRA, similar to Alternative B in the DEIS.
- 2) Cabinet Mountains Wilderness Expansion, similar to DEIS Alternative C, in the wild southeast Cabinet Mountains between Leigh Creek and Vermillion River.
- 3) Ten Lakes Wilderness Study Area and IRA, as close as possible to DEIS Alternative A.

Objection 2: The draft ROD arbitrarily removes from recommended wilderness the Krag-Krinklehorn-Krag Peaks region of the Thompson-Seton IRA and the Kootenai NF side of the Tuchuck IRA and proposed wilderness along the Whitefish Divide, bordering the Trail Creek Grizzly Management Area, on the Flathead National Forest.

(Exhibits for this Objection may be found in Appendix C)

- a. *The final Plan reduces recommended wilderness in the Whitefish Range arbitrarily and without merit based on unfounded public concern and unwarranted KNF response to that concern.*

The FEIS states that this reduction is in part due to public concern for management of the Wildland Urban Interface (WUI).

⁵ The RARE II EIS was found to be legally flawed in 1983 in part because it lacked site-specific evaluation and failed to consider reasonable alternatives. *California v. Block*, 690 F.2d 753, 765-769 (9th Cir. 1982). The 9th Circuit order expressly directed the USFS not to rely on this process in forest planning. *Id.* at 765.

“Changes in recommended wilderness for the Whitefish Divide area were made in response to public comment. These changes included removing areas above the town of Eureka and Williams Creek from recommended wilderness from DEIS to FEIS in Alternative B Modified due to concerns with management needs in the WUI and public water supply areas.” (FEIS, p. 445, emphasis added)

This reduction is arbitrary and capricious.

The WUI is defined in the FEIS as:

“(A) An area within or adjacent to an at-risk community that is identified in recommendations to the Secretary in a community wildfire protection plan and/or under the “Healthy Forest Restoration Act”; ...

(i) An area extending ½-mile from the boundary of an at-risk community; (ii) An area within 1 ½- miles of the boundary of an at-risk community, including any land that:

(I) Has a sustained steep slope that creates the potential for wildfire behavior endangering the at-risk community; ...

The Whitefish Divide Draft EIS recommended wilderness falls almost entirely outside of the WUI. (See Appendix 3, Exhibit A) Fires ignited by natural or human sources in this landscape tend to run up-slope, eastward and northward, and away from ‘at risk’ communities (Steve Barrett, USFS Consulting Fire Ecologist, personal communication). Reducing the Whitefish Divide recommended wilderness by 7,500 acres because of management concerns within the WUI is unwarranted, an arbitrary and capricious change from the draft Plan, and should be reversed.

Concerns with public water supply areas are equally unfounded and have led the final Plan to arbitrarily reduce the recommended wilderness in this area. Wildfire frequency and intensity in this area is periodic and rarely ‘catastrophic’.⁶ Wildfire disturbance can lead to water supply turbidity but recovery time and reduced turbidity occur more rapidly in roadless areas than in roaded landscapes, and overall watershed health and supply is superior in wilderness environments (see bibliography for various articles by Robichaud, P. R., et al, various dates). “Protected public lands typically produce the cleanest water,”⁷ and recent analyses have also shown that watershed conditions tend to be healthiest in wilderness and roadless areas.⁸

⁶ Steve Barrett, Consulting Fire Ecologist to the USFS and others, has communicated to us that, “In addition to fires being ‘periodic’ (i.e., relatively long interval type fires), the dominant regime type on the Eureka Front is mixed severity, not replacement fires. In addition, rapid response/full suppression will undoubtedly continue to be the over-riding fire policy for that location (even with wilderness designation), and the USFS currently has about a 98 percent success rate in terms of effectively suppressing most ignitions. So when the above factors are considered in tandem, the overall risk to the urban watershed is actually relatively low.”

⁷ Dr. Jack Stanford, Director, Flathead Lake Biological Station, personal communication. “We enjoy extremely good water quality in Flathead Lake because most of the water comes from protected public lands like Glacier National Park and wilderness areas, and that water is of high quality. Study after study has shown that wildfire areas rebound quickly because the forests are adapted to fire, and changes in water chemistry and water quality attenuate quickly. The greatest, most lasting impacts to water quality occur when watersheds are roaded.”

⁸ Using the US Forest Service’s Watershed Condition Framework assessment data, [Anderson et al \(2012\)](#) showed that National Forest lands that are protected under the Wilderness Act, which provides the strongest safeguards, tend to have the healthiest watersheds. Watersheds in Inventoried Roadless Areas tend to be less healthy than watersheds in designated Wilderness, but they are considerably healthier than watersheds in the managed landscape.

Based on the science, the KNF should not arbitrarily reduce recommended wilderness in the Whitefish Divide (or Ten Lakes WSA) based on public misconception of a potential negative impact of future wildfires on water supply or quality. On the contrary, the public's concern for watershed health can best be met by recommending a greater area of Thompson-Seton on the Whitefish Divide as wilderness.

- b. The final Plan reduces recommended wilderness in the Whitefish Range despite the area having high wilderness value.*

The draft plan (Alternative C) recommended wilderness for much of the Thompson-Seton Roadless Area along the Whitefish Divide. Local, regional and national constituencies have proposed Congressional wilderness designation for this area since 1925. Conflict with wilderness character and values in the Whitefish Range is low relative to other parts of the KNF.

The DEIS/FEIS wilderness assessment is biased and inaccurate (for reasons stated above under Objection #1), leading the KNF to make an arbitrary and capricious decision to reduce recommended wilderness for the Thompson-Seton IRA along the Whitefish Divide.

With respect to "Capability" ratings, the Thompson-Seton IRA received a "Moderate" overall capability rating in part (for example) because of only "Medium" backpacking and hunting capability, and "Low" skiing and snowshoeing capability. Here, the DEIS and FEIS wilderness assessment is wrong. Our members have skied and snowshoed in the Thompson Seton IRA for decades and know this area well – both the Divide and the rugged Krinklehorn-Krag-Deep Mountain and Marston Face areas offer outstanding winter solitude and primitive recreation.

The "Availability" rating for the Thompson-Seton IRA is listed as "High" due to low conflict with other management needs. This is an accurate assessment.

The "Needs" assessment determined both IRAs to have "Low" need. This determination is inaccurate. The determination is based on biased criteria that do not take into account the truly unique features of these areas. For example, presence of specific species of cutthroat trout might be important for some IRAs, but their absence or low occurrence in the Marston and Thompson Seton IRAs is irrelevant and should not count against these IRAs appropriateness for recommended wilderness. Applying criteria that simply do not apply to an IRA while ignoring other appropriate, unique characteristics inherently biases KNF results against recommended wilderness. A unique characteristic of both IRAs is their ability to be combined with other IRAs to form larger "habitat patches" (appropriately ranked "High" by the wilderness assessment), as well as larger contiguous blocks of wilderness (this unique characteristic was not evaluated, demonstrating a bias in the wilderness assessment process).

The wilderness assessment also errs in concluding low "Need" based on availability of wilderness within a 100-mile radius of Kalispell, gateway to the Bob Marshall Wilderness.

The KNF currently has only 4.2 percent of its area in designated wilderness. It ranks last in its percentage of land protected in designated wilderness among all national forests in Montana (see Table 1). Its relatively wetter, inland rainforest vegetation types are not represented in the Bob

Marshall and Great Bear Wildernesses, i.e., the KNF cannot simply assume that the need for wilderness on the KNF is being met due to the presence of a wilderness area within a 100-mile radius that actually has quite different ecological character and value. Belote and Aplet (in press) identify a need for new protective designations to bring additional underrepresented forest types into the wilderness preservation system, stating “wet, productive and species rich forests in northwest Montana and dry forests of eastern Montana are relatively underrepresented... Highly productive ecoregions of the Rocky Mountains, such as those found in northwestern Montana which have historically been targeted for resource extraction, may now be high priorities both for addition to the protected area system and for ecological restoration.”⁹ We commented in our DEIS and Draft LMP comments on the potential for KNF lands to add important and underrepresented vegetation communities to the existing regional and national wilderness landscape (TWS comments, p. 5)

The final Plan recommends only 4.6 percent more based on a quota carried over from 1987, despite a significant increase in the roadless area inventory (see Table 2), and therefore the base of land with wilderness potential, on the KNF. Based on the very limited presence of wilderness on the KNF, one could just as easily conclude that a substantial “need” exists for the designation of wilderness and allocation of recommended wilderness on the KNF. We find the Plan’s conclusion regarding “need” arbitrary and without merit. The Whitefish Divide (Tuchuck and most of Thompson Seton IRA’s) should be restored to recommended wilderness, as described in greater detail below.

- c. *The KNF has arbitrarily removed outstanding wilderness candidate areas from recommended wilderness, allegedly to accommodate mountain biking at the expense of the area’s outstanding wilderness values.*

Mountain biking is a new form of trail-based non-motorized outdoor recreation not previously evaluated under the 1987 Forest Plan. In recent years, trails in the Patrick Ridge-Marston Face IRA have become popular bike trails, due in part to higher elevation access at Marston Lookout. These and the trails in the Thompson-Seton IRA -- with some exceptions -- are, for the most part, historic pack and saddle trails.

Nevertheless, Betty Holder, District Ranger from the Fortine and Rexford Ranger Districts, informed us that the recommended wilderness boundary reflected an accommodation for mountain biking, even though this rationale is not documented in the FEIS (District Ranger Betty Holder, personal communication).

Within the Thompson-Seton IRA, the draft plan recommended wilderness in combination with a MA5a non-motorized allocation, in an apparent effort to accommodate anticipated mountain bike travel on Krinklehorn Peak Trail #358. However, Krinklehorn Trail #358 climbs 2,800 feet within a few miles, making it unsuitable for most cyclists and unsafe for the co-location of mountain biking with traditional pack and saddle uses.

Instead of simply correcting this error, the Draft ROD axes another 7,500 acres of wilderness that had been recommended in the Draft along the Whitefish Divide.

The Final Plan’s odd boundary for the Whitefish Divide recommended wilderness reflects the arbitrariness of the decision (See Appendix 3, Exhibit B). The area’s south boundary follows the south bank of Williams Creek and then jumps across the creek and up-slope following a set-back off

⁹ Belote and Aplet, pp. 13 and 17.

the Williams Creek trail. As the boundary approaches the Whitefish Divide it takes a hard east bend to the ridge. Williams Creek watershed is divided, approximately one-third “in” recommended wilderness and two-thirds “outside” of recommended wilderness.

We agree that Williams Creek is a much more suitable trail for mountain biking than Krinklehorn Trail #358 due to lower grades, increased visibility and reduced conflict. Instead of removing the entire southern portion of the Thompson-Seton recommended wilderness, the final ROD should retain the Krag-Krinklehorn-Deep Mountain and Marston Face areas as a recommended wilderness unit connected by a narrow strip allocated to MA 5a along Williams Creek, designed expressly to accommodate mountain bike travel along between the Thompson-Seton recommended wilderness units.

This would accommodate popular mountain bike trails in the Patrick Ridge Trail (#860) and provide for future non-motorized mountain bike travel along the southern Whitefish Divide and Williams Creek Trail.

Creating a bike trail allocation that connects two wilderness units in this way also better matches Flathead National Forest adjoining management allocation and implementation as well as community-based collaborative agreements along the Whitefish Divide¹⁰, and better preserves the potential for future wilderness while providing future mountain bike opportunities.

The draft ROD likewise proposes an unwise and unnecessary downshift from the Draft Alternative C in wildlands conservation for the remote Tuchuck Roadless Area near the British Columbia border. Most of the Tuchuck IRA is located on the Flathead NF and has long been managed to maintain its wild character and superb wildlife habitat as part of a special grizzly bear management unit. The 1987 Kootenai Forest Plan allocates the Tuchuck IRA to MA 2, Semi-Primitive, Non-Motorized Management. This allocation remained consistent in the Draft LMP, but the Draft ROD and Final LMP suddenly proposes a shift for Tuchuck to MA5b, Motorized, without considering the potential effects of this change on the adjoining Tuchuck grizzly bear management and wildlands unit on the Flathead.

While the KNF manages only a small portion of the Tuchuck IRA, the last-minute change could have significant, unconsidered consequences, bringing motor vehicle traffic in close proximity to Tuchuck Mountain, and into the heart of wildlife habitat and proposed wilderness on the Flathead National Forest.

In 2006, the Flathead National Forest proposed recommended wilderness for the Tuchuck and Thompson-Seton roadless areas along the Whitefish Divide. The FNF’s planning effort stalled in 2006 because of national legal challenges to the 2000 National Forest Management Act planning rule. The FNF recently resumed its forest plan revision efforts under the 2012 planning rule.¹¹

¹⁰ The Whitefish Range Partnership Agreement, signed and delivered to the Flathead National Forest Supervisor on November 18, 2013.

¹¹ Anticipating that renewed effort, local citizens organized a collaborative stakeholders group called the Whitefish Range Partnership. The WRP encompassed a broad diversity of membership, including snowmobilers, the timber industry, backcountry horsemen, wilderness interests, hunters and anglers, local land owners, tourism, real estate, mountain biking and other interests. In Fall 2013, the WRP reached unanimous consensus on a suite of recommendations to the FNF for future management on the Glacier View Ranger District, which includes the Flathead NF portion of the Whitefish Range. These recommendations include the Tuchuck IRA and large portions of the Thompson-Seton IRA as recommended wilderness.

Solution Sought for Objection 2: We request two improvements in the final ROD and LMP along the Whitefish Divide:

- 1) Restore approximately 8,000 acres to MA1b recommended wilderness, including Krinklehorn, Krag, Deep Creek, and Marston Face along the Whitefish Divide (from Alternatives C and B), while retaining MA5a along the Williams Creek Trail, with clear direction that it be available for non-motorized recreation including mountain biking.***
- 2) Restore Tuchuck IRA wild lands adjoining the Flathead National Forest to MA1b (consistent with DEIS Alternative C); or at a minimum to MA5a (as in DEIS Alternative B) to better protect the solitude, wild character, and grizzly bear and wolverine habitat of Tuchuck proposed and recommended Wilderness on the adjacent Flathead NF.***

Objection 3: The draft ROD proposes to reclassify wild lands adjoining and near the Cabinet Mountains Wilderness from MA 2 Non-Motorized to 5b Motorized. This change threatens to diminish the special character and remote wild land values of the largest unprotected tract of wild lands in the Cabinet Mountains including the Cabinet Wilderness East, Barren Peak, Galena and Allen Peak Inventoried Roadless Areas.

In addition, the draft ROD proposes to transform Rock Creek Meadows, surrounded by the Cabinet Mountains Wilderness, into a motorized thoroughfare.

The shift from long-standing MA2 non-motorized backcountry management is unnecessary, unwarranted and will result in irreplaceable loss of wild land values, with unknown impacts to wildlife including listed species.

This change unwisely degrades, rather than mitigates, the very values at risk from proposed silver mining in the Southeast Cabinet Mountains Wilderness.

(Exhibits for this Objection may be found in Appendix D)

In proposing 5b motorized, the draft ROD proposes to shift management emphasis from MA2 Non-Motorized Backcountry under the current (1987) Kootenai Forest Plan (See Appendix 4, Exhibit A).

We request the final ROD correct this unwise change and instead adopt Alternative C for the following outstanding wild land tracts within the rugged Cabinet Mountains:

1. Cabinet Face East, adjoining the Cabinet Mountains Wilderness, from Leigh Lake Trailhead south to Trail Creek,
2. Barren Peak Inventoried Roadless Area, linked to the Cabinet Mountains Wilderness
3. Galena Inventoried Roadless Area
4. Allen Peak Inventoried Roadless Area

While Alternative C falls far short of recommending deserving wilderness for lower elevation tracts adjoining the Cabinet Wilderness, it does at least conserve traditional non-motorized backcountry management, with limited exceptions, consistent with current (1987) Forest Plan management allocations to MA 2 Non-Motorized Backcountry.¹²

These four, almost contiguous, inventoried roadless tracts represent an extremely valuable core of

¹² MA 2 was a backcountry designation with an intention to provide non-motorized backcountry recreation with limited exceptions (see 1987 ROD page 25)

truly wild country well connected to the Cabinet Wilderness, and highly deserving of protection (See Appendix 4, Exhibit B). These lands are mostly steep and heavily timbered with scattered rock outcroppings. They offer irreplaceable primitive recreational values, outstanding solitude are connected by watersheds, wildlife and traditional wilderness recreation (MWA member Clough letter to KNF Supervisor Paul Bradford, included in Appendix 1, Exhibit A) to the Cabinet Mountains Wilderness. As the analysis in the draft forest plan shows, they are generally unsuitable for motorized use.

Further the draft ROD continues on this destructive path, despite expert letters and site specific comments such as the letter from 24-year Cabinet Mountains Wilderness Ranger Charlie Clough of Libby, who writes:

“3. All 5b designations in the Galena and Barren Peak Inventoried Roadless Areas should be reconsidered. The Galena IRA was highly rated by the USFS in the past and presents itself as a natural southern extension of the Cabinet Mountains Wilderness. The Barren Peak IRA is documented by the US Fish and Wildlife Service as a grizzly travel corridor for bears moving between the southern portion of the Cabinet Mountains Wilderness and the Whitefish Range (Wayne Kasworm, The Montanian, August 25, 2010). Adequately protecting the Barren Peak IRA would enhance the potential for genetic flow between the grizzly population in the Northern Continental Divide Ecosystem and bears in the Cabinet Mountains Wilderness. ...At the very least, both the Galena and Barren Peak IRAs should be reclassified as 5a to protect their wildlife security habitats and potential mitigation values...

“4. 5b Lands of particular concern---the lands along the southeast end of the Cabinet Mountains Wilderness embraced by the Iron Meadows Creek and Baree Creek drainages and containing the Bear Lakes Basins. Baree Creek Trail 489, Bear Lakes Cut-off Trails 63 and 630, Bear Lakes Trail 178, and Iron Meadows Creek Trail 113 are all components of one of the most popular hiker and horse-rider loop systems in the Cabinet Mountains Wilderness, the Baree-Bear Loop. This area is home to grizzlies, wolves, mountain lions, lynx, elk, moose and trophy mule deer. It is a popular destination and a wild, backcountry hunting and fishing paradise that cries out for wilderness designation. Including these lands in your recommendations for wilderness would protect a logical and necessary component of wildlife travel corridor mentioned above (Galena and Barren) in item 3. Presently the wilderness boundary is 2 miles up Baree Creek Trail 489 and over 3 miles up Bear lakes Trail 178—well into the Bear lakes Basin. Iron Meadows Trail 113 offers an excellent opportunity for horse riders to access the Bear lakes. I request the wilderness boundary include the Iron Meadows Creek and Baree Creek drainages and all three Bear Lakes basins—and that the southeast boundary be pulled down to the trailheads for Baree Creek Trail 489, Bear Lakes Trail 178 and Iron Meadows Trail 113.

5. All 5b lands contiguous with the East Front of the Cabinet Mountains Wilderness. These lands represent critical spring habitat for grizzly bears coming down along the East Front of the Cabinets in search of emerging plants. They also offer security for elk and moose as they make their seasonal migration back up into the mountains. Exceptions to this request would be:
 - Existing primitive road or trail access to patented mining claims
 - Road access to the Leigh Lake and Granite Lake Trailheads.

As stated repeatedly within this document, the assessment process the KNF used to analyze these roadless areas did not employ on-the-ground, site-specific methodologies. Table 60 (KNF FEIS, Appendix C, p. 139) shows the inaccurate ratings used to arbitrarily downgrade historic management of these Cabinet Mountains backcountry tracts.

To demonstrate this failure, consider Barren Peak IRA as an example. Barren Peak received a medium rating for all 3 characteristics (capability, availability and need). The FEIS justifies the designation by stating, "Alternative B Modified would protect roadless characteristics, while considering the adjacent private property, patented mining claim, access on road #148 and #594, and operations of the high power transmission line." The FEIS states these as reasons while at the same time recognizing, "Barren Peak IRA contains areas of all four underrepresented plant communities (2003 R1 Wilderness Needs)." It further admits, "this area was evaluated as suitable for recommended wilderness, although all summary ratings were moderate *because it is adjacent to the Cabinet Mountains Wilderness*" (emphasis added) (FEIS, p. 150).

Thus the draft ROD rejects an area highly suitable for wilderness which scores a perfect 4 for 4 on the regional needs assessment for underrepresented native plant communities in wilderness, grizzlies, lynx, wolverine, historically nonmotorized backcountry – all because it borders the Cabinet Mountains Wilderness.

This is senseless, unwarranted and based on arbitrary rationale at odds with the R-1 wilderness needs assessment and conservation of grizzly bear.

Barren Peak is immediately contiguous and connected to the Cabinet Wilderness and is east of a string of alpine lakes inside the Wilderness. For this reason, we are puzzled that the Capability analysis for Barren Peak is rated low for terrain features and low for water features even though numerous ponds, creeks and small waterfalls plus a few of the smaller Bear Lakes are actually within the IRA as described by Ranger Clough. Barren Peak IRA also has a trail system that allows for a variety of loop opportunities with an opportunity to visit several of these lake basins. Thus, Barren Peak IRA has values for recreation and scenic beauty and terrain and water features that are as high as anywhere in the Cabinet Mountains. Unfortunately, this reality does not seem to be reflected in the ratings. Instead, Barren Peak IRA was rated moderate and the final suitability determination was made arbitrarily. Barren Peak IRA is only one example of, again, a failed wilderness assessment system.

In addition to the poor assessment and the well-deserved protection of these four roadless areas, there are very few motorized routes in these IRAs -- resulting in low conflicts if they were to be allocated to a non-motorized designation. There is only one ATV route in this entire area, Trail #892 up the West Fork of Canyon Creek, but it has been washed out near the bottom end and impassable for many years. The motorcycle routes get very little, if any, use. For motorcycles, trail #898 is way too steep to be passable -- much less safe -- so it is hard to imagine why it was ever designated as a motorized trail in the first place. Also, the motorcycle trail # 861 is entirely on private land, and is based on an overgrown road system through extensive old clear cuts. Since the area receives almost no motorized use today and is poorly suited for snowmobiling, the current 5b designation does not accurately represent current use or the need to protect existing quiet recreational values.

Rock Creek Meadows

We also request the 5b cherry stem up Rock Creek Meadows to be changed to 1b.

The draft plan designates the Rock Creek Meadows cherry stem as motorized (5b) especially noting the mining claim as a reason, and receiving a low suitability rating. The FEIS states, "Alt B Modified and C includes Rock creek with a Cherry stem for patented mining claim" (EIS, 144).

However, the reality is there is already a guaranteed legal right of access to the owner(s) of the mining claim that supersedes the forest plan designation; there is no need to change management area allocation to ensure such access, which is already ensured.

"The General Mining Law of 1872, as amended, grants every United States citizen the right

to prospect and explore lands reserved from the public domain and open to mineral entry. The *right of access is guaranteed* and is not at the discretion of the Forest Service” (Emphasis added) (FEIS, 530)

We strongly recommend the KNF change the Rock Creek cherry stem to 1b. This non-motorized designation is appropriately contiguous with the surrounding 1b designation and preserves the intent to keep this trail non-motorized. This cherry stem (trail #935) is located on an old roadbed and the Forest Service states in the FEIS that they intend to keep this trail non-motorized, “...Rock Creek Trail #935 is allocated to MA5b, and would continue to be non-motorized.” (FEIS, p.189). Based on the information that the mining claim holder has legal right of access that supersedes FS designations, and the clear intention of the Forest Service is to keep this cherry stem non-motorized, we ask that the designation be changed to 1b.

The draft ROD ignores R-1 wilderness needs assessment, grizzly conservation, expert testimony and proposes instead to change current and historic management (MA 2 Non-Motorized) of these 4 IRAs and Rock Creek to 5b Motorized Management Areas.

This change is not supported by need, historic uses or a balancing of the Recreation Opportunity Spectrum. On the contrary, the Kootenai ROS is lacking in the primitive and semi-primitive non-motorized portions of the Recreation Opportunity Spectrum.

Less than 15% of the Forestwide Inventoried Recreation Opportunity Spectrum (ROS) Area is in a “primitive” (less than 1%) or semi-primitive non-motorized (14%) class during the winter season. In other words, 85% of the land base on the KNF is in a motorized class of the Recreation Opportunity Spectrum (ROS) in the wintertime – a season that can last at least half the year in northwest Montana.

Table 3. Desired Distribution of Forestwide Recreation Opportunity Spectrum Settings (% of KNF)

	Primitive	Semi-Primitive Non-Motorized	Semi-Primitive Motorized	Roaded Natural	Rural
Summer	186,215 acres (8%)	1,194,465 acres (54%)	358,976 acres (16%)	451,079 acres (21%)	26,542 acres (1%)
Winter	3,192 acres (<1%)	319,834 acres (14%)	1,719,286 acres (78%)	145,059 acres (7%)	30,178 acres (1%)

(KNF LMP 2013 Revision, p. 33)

Placing such a significant percentage of the land base into a motorized ROS classification is an unfair and disproportionate accommodation, limiting the potential for wilderness on the KNF for current and future Americans, not the mention the solitude of local quiet recreationists, for a very small number of motorized recreational users.

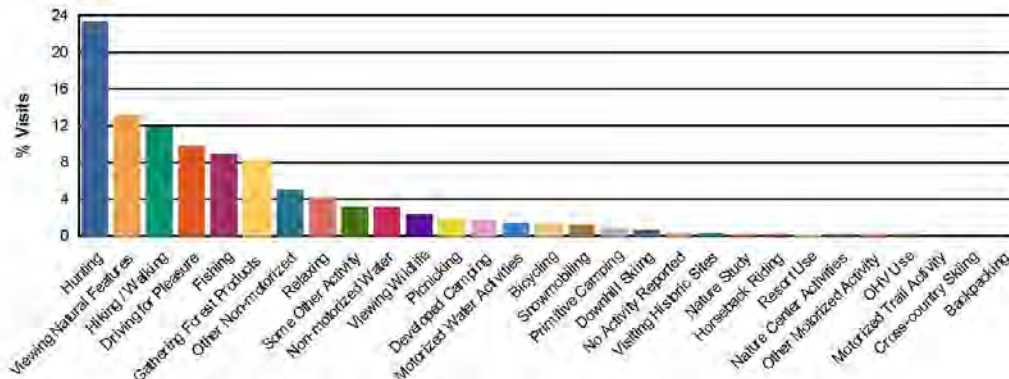
At most, 4.2% of KNF visitors reported in the most recent National Visitor Use Monitoring (NVUM) Survey (FY2007) that they engaged in motorized activity (including snowmobiling, OHV use, motorized trail activity, or other motorized activity). Only 1.3 percent of visitors identified motorized activity as their main activity (KNF National Visitor Use Monitoring Survey FY2007)

Table 4. Activity Participation, by activity, on the KNF. National Visitor Use Monitoring Survey, FY2007 (the most recent data available online)

Activity Participation

Activity	% Participation [†]	% Main Activity [‡]	Avg Hours Doing Main Activity
Driving for Pleasure	48.5	9.9	3.0
Viewing Wildlife	46.3	2.2	3.1
Hiking / Walking	45.0	11.8	2.9
Viewing Natural Features	40.6	13.1	3.7
Relaxing	27.9	4.1	7.7
Hunting	27.4	23.2	7.6
Fishing	18.6	8.7	3.7
Gathering Forest Products	16.0	8.3	3.4
Picnicking	11.4	1.7	4.8
Other Non-motorized	11.3	4.9	2.3
Developed Camping	8.8	1.7	35.0
Bicycling	6.4	1.2	5.5
Some Other Activity	6.3	3.2	1.9
Nature Study	6.2	0.1	1.1
Motorized Water Activities	6.2	1.4	9.6
Non-motorized Water	5.8	3.1	2.1
Visiting Historic Sites	4.6	0.3	4.6
Nature Center Activities	4.4	0.1	1.3
Primitive Camping	3.9	0.8	42.2
Backpacking	3.2	0.0	0.0
Cross-country Skiing	2.9	0.0	0.0
Snowmobiling	1.9	1.1	4.0
Motorized Trail Activity	1.3	0.0	0.0
Downhill Skiing	1.2	0.6	4.4
Resort Use	1.0	0.1	47.2
OHV Use	0.9	0.1	37.7
Horseback Riding	0.9	0.1	4.3
No Activity Reported	0.1	0.4	
Other Motorized Activity	0.1	0.1	36.0

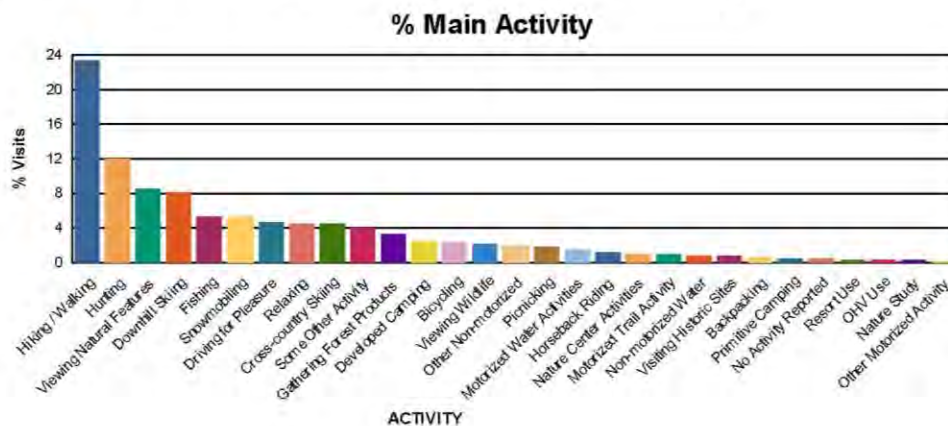
% Main Activity



In contrast to other forests in Region 1, the KNF is not the most heavily used National Forest in Montana in terms of motorized activity, as indicated by the percentage of visitors who engage primarily in motorized activity on the forest. Compared with the KNF's 4.2 percent of visitors engaging in motorized activity (and 1.3 percent identifying this as their main activity), 10.5 percent of visitors to Region 1 national forests in Montana engage in motorized activity (i.e., snowmobiling, OHV use, motorized trail activity, other motorized activity), with 6.5 percent of visitors identifying this as their main activity.

Table 5. Activity Participation, by Activity, on Region 1 National Forests in Montana

Activity	% Participation*	% Main Activity‡	Avg Hours Doing Main Activity
Viewing Natural Features	51.1	8.5	3.2
Hiking / Walking	48.3	23.3	2.6
Viewing Wildlife	39.6	2.0	13.7
Relaxing	36.5	4.5	10.7
Driving for Pleasure	23.7	4.6	2.7
Hunting	13.2	11.9	7.3
Fishing	10.3	5.3	6.1
Picnicking	8.8	1.8	10.7
Downhill Skiing	8.5	8.2	4.5
Nature Study	7.6	0.2	3.8
Developed Camping	6.5	2.5	35.5
Some Other Activity	6.3	3.9	2.8
Gathering Forest Products	6.2	3.2	3.5
Other Non-motorized	5.9	2.0	2.7
Cross-country Skiing	5.7	4.5	2.2
Snowmobiling	5.5	5.2	4.9
Visiting Historic Sites	5.1	0.8	2.9
Bicycling	3.9	2.2	2.7
Nature Center Activities	3.6	1.0	2.1
Motorized Water Activities	3.3	1.4	7.3
Motorized Trail Activity	3.2	0.9	4.2
Non-motorized Water	2.9	0.9	4.9
Primitive Camping	1.9	0.5	29.6
Horseback Riding	1.8	1.1	5.7
Backpacking	1.6	0.6	27.4
OHV Use	1.5	0.3	3.6
Resort Use	1.4	0.3	33.6
Other Motorized Activity	0.3	0.1	6.0
No Activity Reported	0.1	0.4	



Data source: NVUM Survey results for "Round 2" (FY2005-2010) on NFs in Region 1, Montana. These include data for: Beaverhead-Deerlodge NF (FY 2005), Bitterroot NF (FY 2007), Custer NF (FY 2008), Flathead NF (FY 2005), Gallatin NF (FY 2009), Helena NF (FY 2008), Kootenai NF (FY 2007), Lewis and Clark NF (FY 2007), Lolo NF (FY2006).

<http://apps.fs.usda.gov/nrm/nvum/results/A01002-A01003-A01008-A01010-A01011-A01012-A01014-A01015-A01016.aspx/Round2>

So again, while the KNF represents its MA allocations as a “balance” of interests, the data would suggest that an enormous percentage of the forest is being made available for motorized uses which are enjoyed by a very small percentage of the recreation users of the KNF – and to the detriment and exclusion of other uses, like potential future wilderness and non-motorized backcountry in areas like Galena, Barren, Allen Peak and the stunning East Face Cabinet Mountains Wilderness.

Likewise, it is not clear why the KNF feels that it must make such a skewed accommodation for a small percentage of motorized users when, by contrast, other national forests in Region 1 with a greater percentage of motorized users are able to make, analyze, and provide a more solid rationale for decisions that represent a true “balance” of wilderness and motorized recreation values.

The draft ROD allocations for this area demonstrate, once again, the faulty wilderness assessment for the KNF’s plan revision. The 5b allocation arbitrarily selects motorized to be the dominant landscape use where it is low or non-existent, and unnecessarily disregards outstanding values of wild and worthy roadless areas. These land designations should, therefore, be upgraded in the final ROD to more appropriately represent traditional use and intention, and protect wilderness values adjacent to the Cabinet Mountains Wilderness.

Solution Sought for Objection 3: The final ROD should be revised to adopt Alternative C for the Cabinet Face East (Leigh Creek-Trail Creek), Barren Peak, Allen Peak, and Galena Inventoried Roadless Areas and Rock Creek Meadows, with limited exceptions for specific vehicle routes such as access to Cabinet Mountains Wilderness Trailheads.

Objection 4: The Forest Service based its decision not to recommend the Ten Lakes WSA for wilderness on impermissible grounds

(Exhibits for this Objection may be found in Appendix E)

The removal of Recommended Wilderness for the Ten Lakes WSA in the forest plan revision remained consistent in both the Draft and Final versions, but a formal rationale for this decision was not provided until the draft ROD was released. We raised the issue in our comments on the DEIS (as well as throughout our participation in the Galton Stakeholder Collaborative). The 1987 KNF Plan recommended wilderness for 26,000 acres of the WSA. The 1985 “Ten Lakes MWSA Final Report and Proposal” administrative report to Congress, completed by the USFS as directed by the 1977 Montana Wilderness Study Act (MWSA), also recommended wilderness for 26,000 acres of the WSA – presumably indicating that the wilderness character that warranted further study in 1977 was still intact. However, the KNF’s justification in the draft ROD for the removal of Recommended Wilderness for the WSA is directly based on degraded wilderness character in the area. The Forest Service’s proposed decision to deny recommended wilderness status for the Ten Lakes Wilderness Study Area was unlawfully based on this impermissible factor—namely, degradation of the area’s wilderness character that the Forest Service has allowed to occur in violation of the MWSA.

Under the 1982 Planning Rule, roadless areas, including areas designated by Congress for wilderness study, within the National Forest System “shall be evaluated and considered for recommendation as potential wilderness areas during the forest planning process.” 36 C.F.R. § 219.17(b)(1)(iv) (1982).¹³ “At a minimum, the evaluation shall include consideration of:

- (i) The values of the area as wilderness;

¹³ The current revision to the Kootenai National Forest Land Management Plan was prepared under the 1982 Planning Rule. FEIS at 1-2. See 47 Fed. Reg. 43,026, 43,048; 48 Fed. Reg. 40,381, 40,383.

- (ii) The values foregone and effects on management of adjacent lands as a consequence of wilderness designation;
- (iii) Feasibility of management as wilderness, in respect to size, nonconforming use, land ownership patterns, and existing contractual agreements or statutory rights;
- (iv) Proximity to other designated wilderness and relative contribution to the National Wilderness Preservation System; and
- (v) The anticipated long-term changes in plant and animal species diversity, including the diversity of natural plant and animal communities of the forest planning area and the effects of such changes on the values for which wilderness areas were created.”

Id. § 219.17(b)(2) (1982).

An agency action under NFMA regulations, including the 1982 Planning Rule, is reviewable under the Administrative Procedure Act, and may be set aside if it is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. Or. Nat. Resources Council Fund v. Goodman, 505 F.3d 884 (9th Cir. 2007) (quotations omitted). Agency action is arbitrary or capricious where, among other things, the agency “has relied on factors which Congress has not intended it to consider.” Motor Vehicle Mfrs. Ass’n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 43 (1983).

Here, the Forest Service proposed to select an alternative that does not include the Ten Lakes WSA as recommended wilderness. FEIS at 455. This proposed decision represents a change from the 1987 Forest Plan, which did recommend the Ten Lakes area (33,778 acres plus 8,257 contiguous acres) as wilderness (FEIS, p. 450). The draft Record of Decision describes the Forest Service’s reason for reversing its wilderness determination for Ten Lakes as follows:

“The Ten Lakes area was dropped as recommended wilderness in Alternative B Modified because it offers a lower degree of solitude than other similar areas, and the area is valued by local communities for its over-snow motorized opportunities.

“The Ten Lakes area is special to many forest users, and has been the focus of debate and proposed wilderness legislation since the early 1960s. Regardless of my decision to drop this area as recommended wilderness in revised Plan, the Ten Lakes Wilderness Study Area continues to be managed under the 1977 Montana Wilderness Study Act until further action by Congress. (Draft ROD p. 10) (Emphasis added)

The FEIS Wilderness Evaluation similarly states, “the Ten Lakes area is a popular snowmobiling area.” (FEIS Appendix C, p. 194)

This proposed decision is arbitrary and capricious because of the Forest Service’s impermissible basis for its decision and its failure to rely on the minimum factors required for assessment of wilderness recommendations pursuant to 36 C.F.R. § 219.17(b). The only two considerations cited in the ROD as the rationale for dropping the wilderness designation—i.e., the lower degree of solitude in the Ten Lakes area relative to other areas and the asserted value of the Ten Lakes area to snowmobilers—are directly attributable to the fact that the Forest Service has not lawfully managed the Ten Lakes WSA under the 1977 MWSA. To the contrary, as the Forest Service’s rationale for excluding the Ten Lakes area from recommended wilderness tacitly admits, the agency has allowed, and even facilitated, the proliferation of over-snow motorized use in the Ten Lakes area. The fact that this use has been allowed to increase, contrary to legal mandate, is not a permissible basis for now deciding not to recommend this area as wilderness. In other words, the Forest Service may not lawfully transform its failure to comply with the MWSA into a reason to deny recommended wilderness status for the Ten Lakes area.

The Montana Wilderness Study Act of 1977 designated portions of Montana, including the Ten Lakes area, to be managed as wilderness study areas. The MWSA requires the Forest Service to comply with two requirements for managing such wilderness study areas. “First, the Service must administer study areas so as to maintain their wilderness character as it existed in 1977. Second, the Service must administer the areas so as to maintain their potential for designation as wilderness areas—i.e., as part of the National Wilderness Preservation System.” Montana Wilderness Ass’n v. McAllister, 666 F.3d 549, 555 (2011) (quoting Russell Country Sportsmen v. U.S. Forest Serv., 668 F.3d 1037, 1042 (9th Cir. 2011)) (emphasis added). The National Wilderness Preservation System, composed of congressionally designated wilderness areas, was established by the 1964 Wilderness Act. See Pub.L. No. 88–577; 16 U.S.C. § 1131(a). The 1964 Wilderness Act states that, in addition to having physical characteristics such as large acreage, a wilderness “has outstanding opportunities for solitude.” Montana Wilderness Ass’n, 666 F.3d at 556 (citing 16 U.S.C. § 1131(c)) (emphasis added). Accordingly, “because wilderness character depends in part on the availability of opportunities for solitude, the Service must provide current users [of wilderness study areas] with opportunities for solitude comparable to those that existed in 1977.” Id. at 557 (quotations, alteration and citation omitted).

Use of motorized vehicles, such as snowmobiles, degrades the wilderness character and solitude of an area. Id. at 558. This is true even if the area’s physical features have not changed. Id. “Increased volume of motorized use has obvious and potentially significant impacts on the opportunities for solitude available within a study area, even if the area remains physically unchanged. Increased noise from snowmobiles and motorcycles, for example, may greatly disturb users seeking quiet and solitude.” Id. (citing Greater Yellowstone Coalition v. Timchak, 2006 WL 3386731, at *3 (D. Idaho, Nov. 21, 2006)). “If a hypothetical hiker traversing a certain route in 1977 would have encountered one noisy motorcycle, but today would encounter 20, his opportunities for solitude have plainly decreased, unless the impact can somehow be offset by other factors or considered so small as to make no qualitative difference.” Id. Logically, the same conclusion applies to snowmobiles. More generally, “[a]n area’s ability to provide solitude depends on a current user’s perception of *other* users around him—not just on the physical characteristics of the land.” Id. at 556.

Available information concerning snowmobile use within the Ten Lakes WSA demonstrates that the Forest Service has failed to maintain the area’s 1977 wilderness character including, specifically, opportunities for solitude in the WSA.¹⁴ While snowmobiling apparently occurred at relatively modest levels in the WSA in 1977, the Forest Service has allowed an increased volume and frequency of snowmobile traffic in the WSA that has degraded the area’s opportunities for solitude—as effectively acknowledged in the Forest Service’s own rationale for denying recommended wilderness status for the Ten Lakes area. (See Draft ROD at 10, s R; Q; N at 13, 14). Evidence also indicates that the geographic footprint of snowmobile activity within the WSA has expanded since 1977.

Although comprehensive snowmobile use records for the Ten Lakes WSA do not exist, either for 1977 or for the following years, the Forest Service has admitted that, in the Ten Lakes WSA,

¹⁴ The draft EIS stated that a survey of the wilderness character of the Ten Lakes WSA was initiated in 2010 in partnership with the University of Montana. The project was described as follows: “Community volunteers worked with the University of Montana Wilderness Institute field leaders to monitor recreation use, sites, impacts, structures, installations, and developments ... Project outcomes are to have detailed inventories, select restoration of native plants, and increased agency and community capacity for citizen stewardship.” DEIS at 313. A final report was pending at the time of the DEIS – this report is not mentioned in the FEIS.

“[s]nowmobile use has increased considerably since the [1987 Kootenai Forest Plan] was signed.” (Appendix E, Letter from Jane Kollmeyer, District Ranger to Don Fleck (Apr. 27, 1993)) Further, the Forest Service has occasionally collected general usage statistics and visitor day records indicating that all forms of recreation in the Ten Lakes area have increased, including snowmobile use. For example, in 1974, the combined snowmobile and motorcycling use in the entire Ten Lakes area was estimated to be roughly 550 visitors for the entire year (see attached Exhibit B). Counts along certain roads that provide winter access to the WSA indicate significantly increased use since that time. For example, by 1982, a counter on the Grave Creek road, which is an access route into the Ten Lakes area, recorded 402 snowmobiles over a period of only thirteen days (attached as Exhibit C). A 1995 Environmental Assessment estimated winter use in the entire Ten Lakes area of 3,500 visitor days (Exhibit N at 11). In 1997, the Ten Lakes Snowmobile Club reported “Forest Service Counter [on one trail in the Ten Lakes area] is at 4,900 divided by 2 = 2,450” (Exhibit O at 3). Although the snowmobile club was unable to verify the accuracy of this counter, all available data demonstrate a sharp rise in the volume and frequency of snowmobile use within the WSA since 1977.

This admitted and documented increase in the number of snowmobiles using the Ten Lakes area has combined with other factors to compound the resulting degradation of wilderness character. Improved technology has expanded the type of snow and topography over which snowmobiles can travel, thereby increasing the number of winter days on which snowmobiles may utilize the WSA and making a greater variety of terrain within the WSA available to them. FEIS 466. There is evidence of significant snowmobile-related vandalism in the WSA, including an unauthorized trail cut near Therriault Pass and continuing removal of closure signage. Cutting this trail opened up a wider area to easy snowmobile access, affecting the area’s wilderness character (see attached Exhibits D; A).

In addition, specific actions by the Forest Service have contributed to the increase in snowmobiling in the Ten Lakes WSA since 1977. First, the Forest Service opened up a large portion of the Ten Lakes WSA to snowmobiling that was closed in 1977—the Ten Lakes Scenic Area, which is roughly 18% of the Ten Lakes WSA and which was closed to snowmobiling in 1966. The area was opened to snowmobile use in the 1980 Forest Travel Plan, which was an expansion of the area that was available to snowmobilers in 1977 (see attached Exhibits E; F; S; T).

Second, the Forest Service has expanded the season during which snowmobile use is permitted in the Ten Lakes WSA. The FEIS states “[u]nder the 1987 Forest Plan, over-snow vehicle use is permitted in the Ten Lakes WSA with no restriction on dates of use.” FEIS at 466. Prior to the 1987 Forest Plan, there were seasonal restrictions on snowmobile use in the Ten Lakes area (see, e.g., attached Exhibit L at 4,8 which is a 1977 Travel Map that demonstrates the Ten Lakes area oversnow vehicle season ran only from December 1 to March 31; Exhibit L at 7, which demonstrates the closure of key roads in the WSA from April 1 to November 30; see also attached Exhibit M, the 1978-79 Travel Map which shows a significant portion of the Ten Lakes area closed to motorized use from April 1 to November 30).

Finally, the Forest Service and others have improved snowmobile access to the area and encouraged this use. The Forest Service has taken steps to facilitate increased snowmobile use, such as allowing grooming of roads leading into the WSA (at least once in both 1983 and 1985 and from 1989 onward) in partnership with the Ten Lakes Snowmobile Club (see attached Exhibits C; G; H; N; O; Exhibit P, at page 45 of the pdf, is a 2001 letter from the District Ranger stating that grooming roads “will allow for a wider usage of this winter recreation area. The grooming of this trail will benefit winter recreationist [sic] by creating a safe travel route for snowmobiles.”) The Forest Service also established at least one “staging area” in the early 1980s that provided greater snowmobile access

to the WSA. Thus, in 1982 the district ranger for the administrative unit encompassing the Ten Lakes area requested permission to develop a “winter recreational facility” that included a trailhead turn around, signage, and a parking area off the Grave Creek road (see attached Exhibits I, J). In addition, publications by the state of Montana began to advertise the Ten Lakes area as a good snowmobiling destination in the years after 1977 (for example, the 1993-94 Montana Snowmobiling Guide, attached as Exhibit K; Exhibit U).

In sum, even while snowmobile numbers in the WSA were increasing, Forest Service actions since 1977 have opened a larger area of the WSA to snowmobiling, extended the snowmobile use season within the WSA, and facilitated greater snowmobile access to the WSA. During this same period, promotional efforts have sought to attract snowmobilers to the WSA and technological advances have improved snowmobilers’ access to WSA landscapes. Individually and cumulatively, these actions have degraded the WSA’s wilderness character. By allowing and even undertaking these actions, the Forest Service has violated the MWSA.

Now, in assessing the Ten Lakes area’s qualification for recommended wilderness, the Forest Service has cited the very circumstances arising from its violation of the MWSA as a rationale for reversing the area’s former recommended wilderness status. By invoking the area’s diminished opportunities for solitude and high value to local snowmobile riders, the Forest Service has only underscored its unlawful stewardship of the WSA’s wilderness character. Congress did not permit the Forest Service to allow degradation of the Ten Lakes WSA’s opportunities for solitude or to transform the WSA into a popular local snowmobile destination. To the contrary, Congress prohibited these very outcomes through the MWSA. By nevertheless citing these outcomes as its rationale for denying recommended wilderness status to the Ten Lakes WSA, the Forest Service has relied on factors that Congress did not intend for it to consider and has thereby violated its duty to rationally and reasonably evaluate the WSA as a potential wilderness area pursuant to 36 C.F.R. § 219.17.¹⁵

Furthermore, the Forest Service’s action amounts to an admission that the agency has failed to meet its obligation under the MWSA to maintain the potential of the Ten Lakes WSA for designation as a wilderness area. Montana Wilderness Ass’n, 666 F.3d at 555. If the WSA no longer qualifies as recommended wilderness due to the consequences flowing from the Forest Service’s unlawful management practices, then the agency has not only failed to maintain the WSA’s wilderness character but has also fallen short of its duty to maintain the potential for wilderness designation of the Ten Lakes area. To “downgrade” the area from recommended wilderness is not an action consistent with maintaining its potential for designation as a wilderness area.

Finally, the Ten Lakes WSA/IRA, along with the Thompson-Seton and Tuchuck Inventoried Roadless Areas, provide secure core habitat that sustains the only healthy grizzly populations on the Kootenai National Forest, as well as wolverine, fisher, lynx, elk, moose and bighorn sheep.

These wildlands not only sustain rare predators but provide irreplaceable habitat necessary for long-term genetic connectivity between the Northern Continental Divide Ecosystem, the Cabinet-Yaak Ecosystem, and British Columbia.

The continued presence of this rare wildlife community of species is a wilderness characteristic that merits enhanced protection in the final ROD.

¹⁵ The Forest Service’s statement that, regardless of its recommended wilderness exclusion, “the Ten Lakes Wilderness Study Area continues to be managed under the 1977 Montana Wilderness Study Act until further action by Congress,” Draft ROD at 10, is cold comfort given the agency’s failure to comply with that Act over the past 36 years.

For all of these reasons, the proposed decision to exclude the Ten Lakes area from a recommended wilderness designation is unlawful and should not be adopted.

Solution Sought for Objection 4: We request that the final ROD reinstate the Recommended Wilderness for the Ten Lakes WSA and IRA, consistent with the Final Report to Congress, the 1987 Forest Plan, and the MWSA mandate that wilderness character in the area as it existed in 1977 and the area's potential for future designation be maintained.

Conclusion

The Montana Wilderness Association, The Wilderness Society, and Headwaters Montana – on behalf of our many members in Montana and the nation as a whole -- appreciate the opportunity to object to the Final EIS and Draft ROD for the Revised Land Management Plan for the Kootenai National Forest. We look forward to future conversations about the concerns and suggestions raised here.

Sincerely,



John Gatchell, Conservation Director
Montana Wilderness Association



Amy Robinson
Wilderness Campaign Director
Montana Wilderness Association



Peter Aengst
Senior Regional Director, Northern Rockies
The Wilderness Society



Dave Hadden, Executive Director
Headwaters Montana

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- Exhibit D: Letter from Jim Dayton of Five Valleys Audubon Society to Tom Puchlerz, District Ranger, Fortine District, KNF. October 15, 1991.
- Exhibit E: Letter from John F. Hossack, DFR, Eureka to Forest Supervisor, Libby; with Ten lakes Scenic Area closure order. June 23, 1966.
- Exhibit F: Letter from Paul Leimbach, Land Management Planner to District Ranger, regarding vehicle restrictions in Ten Lakes Scenic Area. March 24, 1983.
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Objection: Land Management Plan, 2013 Revision, Kootenai National Forest

(Objectors: Montana Wilderness Association, The Wilderness Society, Headwaters Montana)

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Appendix 1
Summary, Background, Context

Exhibit A. DEIS Comment Letters of the Objectors

Kootenai - Idaho Panhandle NF Plan Revision Team
C/o Paul Bradford
Supervisor, Kootenai National Forest
31374 US Hwy 2
Libby, MT 59923

May 07, 2012

Dear Supervisor Bradford,

Thank you for the opportunity to comment on the Draft Land Management Plan for the Kootenai National Forest. Please accept these comments on behalf of our members, including more than 5,500 people statewide.

For five decades, members of the Montana Wilderness Association have participated in management decisions affecting the Kootenai National Forest; with special interest in future wilderness, fish, water, wildlife and backcountry areas traversed by trails that remain free of roads.

MWA members know the Kootenai National Forest to be the cutting edge of biological diversity in our high and dry state, including the wettest and most biologically diverse forests anywhere in Montana. It is also the forest that has seen the greatest increase in roads and most rapid loss of once vast and intact wild lands, between 1950 and 2000. Though scarce, the remaining wild places of the Kootenai National Forest hold rare and special values, in rugged wilderness and superb backcountry that sustain exceptional native fish and wildlife habitats.

We are keenly disappointed that the draft plan falls needlessly short of protecting those special wild land values in the Whitefish-Galton Range, Yaak River and Cabinet Mountains Country

For the most part we have organized our comments based on Geographic Areas, as the Draft Plan has done, recognizing that some of the areas we will be commenting on overlap two or even three different Geographic Areas identified in the Draft Plan.

Questionable approach to wilderness evaluation

MWA members are shocked at the absence of site-specific descriptions and evaluations in the wilderness analysis on which the plan is based. The Beaverhead-Deerlodge National Forest in its plan revision includes site-specific descriptions and evaluations of each of 54 inventoried roadless areas. By contrast the Kootenai, with far more roads and far less roadless acres than the Beaverhead-Deerlodge National Forest, **relies on a "cookie-cutter" formulaic approach of tables and rankings ("high-medium-low") similar to the legally discredited RARE II process. Oddly, snowmobiling is listed under "primitive recreation" ranked (high, medium, low) as a wilderness resource.** The fact that it is none of these things reflects on the arbitrary, unprofessional quality of the wilderness analysis and evaluation.

Consider the rugged wild country of the Cabinet Mountains. Roughly half of the wild country east of the Bull River is within the Cabinet Mountains Wilderness. The existing wild, working

natural mountain area of the Cabinets encompasses a much larger area than its designated wilderness core. Wilderness and adjoining wild lands share trails, streams, fish, wildlife and many other resources –yet nowhere does this plan evaluate the wild character of the magnificent wild Cabinets as a whole.

This cookie cutter approach to evaluation of northwest Montana wild lands is reflected in meager recommendations; only four of 43 qualifying wild lands (112,800 of 683,000 acres with wilderness qualities) are recommended for future wilderness; the quarter-century-old recommended wilderness for the Ten Lakes Wilderness Study Area is eliminated, despite the crystal-clear legal requirement under the Montana Wilderness Study Act (P L 95-150) that the historic wilderness character and potential for designation of the Ten Lakes WSA be “maintained.”

Tobacco Geographic Area:

In the Ten Lakes Wilderness Study Area, (Public Law 95-150) forest plan management by law must maintain –meaning the plan may not diminish-- the historic (1977) wilderness character and potential for future designation. Given this mandate for management, MWA members see no reason to now remove the existing forest plan wilderness recommendation for the Ten Lakes WSA and surrounding wild lands.

The proposed change will result in diminished wilderness character and eliminate future potential by expanding motorized use within the wilderness study area far beyond legal areas and levels of use known to have existed in 1977. Please include by reference the administrative record and history of the Ten Lakes WSA.

MWA members support no change in the current (1987) forest plan wilderness recommendation for the Ten Lakes Wilderness Study Area.

MWA members are shocked at the meager area of recommended wilderness proposed for the Whitefish Divide Wild Lands of Tuchuck, Thompson-Seton and the Marston Face. These wild lands, once part of a vast wilderness, today comprises the heart of the wild Whitefish Range, renowned for exceptional wildlife, native trout fisheries, crystal-clear headwaters and primitive outdoor recreation.

MWA members urge the final plan reconsider and instead adopt wilderness recommendations more closely resembling Alternative C to protect and pass on the outstanding solitude, primitive recreation and wildlife values of the north Whitefish Divide

Koocanusa Geographic Area¹:

Gold Hill West merits recommended wilderness as in Alternative C. This area is specifically noted for its wildlife values in the Montana Fish, Wildlife and Parks 2005 Elk Management Plan, which recommends the maintenance of “about 90,000 acres of roadless elk security areas in the Northwest Peaks, Buckhorn Ridge, Grizzly Peak, Roderick Mountain, and Gold Hill areas, which also provide roadless elk hunting recreation” (MFWP 70).

¹ Gold Hill West IRA and Zulu IRA straddle the Koocanusa & Yaak Geographic Areas, and are addressed in this section.

During the initial stages of Forest Planning in 2005, on the Yaak Geographic Area, a diverse group of participants discussed and tentatively agreed that the Zulu Roadless Area should be split between motorized and non-motorized winter management areas along the ridgeline, with the west side (on the Three Rivers District) allocated to non-motorized backcountry 5a, and the east side (on the Libby & Rexford Districts) allocated to winter motorized/summer non-motorized 5c. We would like the Forest Service to honor this arrangement in the Forest Plan. The Zulu wild lands are an important piece of the “Roderick Complex” and if motorized activity is allowed on the east side, it is necessary to have the remaining IRA as non-motorized to account for wildlife dispersal issues should they arise. Zulu is also an important corridor between the Roderick/Saddle/Grizzly complex and the Mt. Henry roadless lands recommended in the Three Rivers Challenge as a permanent backcountry ski area and therefore closed to motorized access.

MWA members honor this agreement. The forest should too by amending the preferred alternative to reflect this winter recreation allocation agreement for the Zulu Roadless Area.

Yaak Geographic Area:

MWA members were surprised to discover the preferred alternative B for the forest plan undermines rare collaborative successes in its proposed forest plan management for the Northwest Peaks, Buckhorn Ridge and Roderick Wild land Areas.

In doing so the Kootenai National Forest is sending a strong negative message to leaders and local citizens who –after years of destructive gridlock-- actually come to the table and reach across the divide to build win-win solutions.

On the Lolo, Flathead, Lewis and Clark and Helena National Forests, similar collaborative agreements over winter recreation between stakeholders have been honored and incorporated into forest and travel plans².

The preferred alternative, Alternative B, does not honor and recognize agreements made on the Three Rivers District by a wide range of collaborative partners including the Yaak Valley Forest Council, Chapel Cedar Works, Rayson Logging, Wayne Hirst and Associates, the Troy Snowmobile Club, the Kootenai Ridge Riders, and others.

When the U S Forest Service fails to honor, it undermines collaboration.

² Examples of stakeholder collaborations on winter recreation travel incorporated by other national forests into forest and travel plans:

Seeley Lake Ranger District, Lolo Forest Plan Amendment (winter recreation) ROD signed July 14, 2003

Flathead Forest Plan (Winter Recreation) Amendment 24, signed XXXXXX.

Lewis and Clark National Forest: Big Snowies Travel and Access Plan, signed 2004, litigated and upheld by 9th circuit 2007

Little Belts Travel Plan, signed 2007, litigated and upheld by 9th circuit 2011

Helena National Forest, Lincoln Ranger District, Blackfoot Winter Travel Plan, Final ROD (PA based on 2005 agreement) expected June 2012

The collaborative work of the Three Rivers Challenge was incorporated into S 268. The U S Forest Service testified and met with congressional staff repeatedly over the past several years without indicating lack of support for the collaborative proposals of the Three Rivers Challenge.

MWA members request that the plan be revised to include the following lands as “5a” management areas, as was agreed in the Three Rivers Challenge (See attached map):

1. The non-motorized areas of the Northwest Peaks roadless area as mapped in the Three Rivers Challenge. Including the currently recommended 5c area on the Canadian border across the special area designation on the ridge to the north of Northwest Peak to the Forest boundary and north to the Canadian Border; and increasing the size of the 5a area on the southern end of the Northwest Peaks roadless area to include lands south and west of Rock Candy Mountain. This is spectacular alpine country that is rare in the Yaak. Northwest Peaks offers valuable habitat for grizzly bears, wolverines, and wildlife populations traveling between the U.S. and Canada.
2. The non-motorized section of Buckhorn roadless area as mapped in the Three Rivers Challenge. This wild land serves as a vital alpine corridor from the Yaak to the Cabinet Mountains. The southern portion of this roadless area in the Three Rivers Challenge (Murphy Mountain) with a boundary south of Buckhorn Mountain and north of trail 262A was collaboratively agreed upon to be non-motorized due in large part because the area is not used by the winter-motorized community.
3. The non-motorized section of Mt. Henry roadless lands as mapped in the Three Rivers Challenge as well as Alternative C in the Draft Plan. This area is an island, a wildlife refuge amidst a sea of previous high-grade management. The majority of Mt. Henry that is on the Three Rivers District should be managed as Backcountry 5a and the portion on the Libby District should be Backcountry 5c – an exclusive arrangement made between the non-motorized and motorized recreation communities in the Three Rivers Challenge.
4. Roderick Backcountry area, not to be confused with Roderick recommended wilderness. This non-motorized special management area included in the Three Rivers Challenge extends from the northern boundaries of the Roderick recommended wilderness to proximity of the Burnt-Dutch Road. This is a critical piece of grizzly bear habitat that links the Roderick and Grizzly roadless lands and needs to be removed from the General Forest MA designation.

This adjusts the boundaries of the “special area”, the 5c and 5a and the general forest designations around the Northwest Peaks, Buckhorn Ridge/Murphy Mountain and around Mt. Henry to reflect the agreements made in the Three Rivers Challenge. The recommended wilderness for Roderick also needs to be increased to match the agreement.

Both the Saddle and Grizzly roadless areas are in the same class as Gold Hill West. They are key wildlife corridors and are recognized by Montana Fish, Wildlife and Parks as important elk habitat in the 2005 Elk Management Plan. These areas are important to protect as recommended wilderness for wildlife and for high quality hunting opportunities, quiet recreation and opportunities for solitude found in these areas. Saddle and Grizzly Peak Wild Lands within the Kootenai National Forest Wilderness Evaluation received the highest rating in *Opportunities for Solitude, Natural and Free of Disturbance*, and *Availability for Wilderness* (KNF DLMP Appendix C) and low conflicts. These outstanding wild areas merit a wilderness recommendation in the next forest plan.

Libby Geographic Area:

MWA members support a much stronger, more manageable area of recommended wilderness for inclusion in the Cabinet Mountains Wilderness including all remaining wild lands on the Libby Ranger District. This area of the wild north and east Cabinets includes many of the most beautiful trails, wild lands, grizzly, wolverine and lynx habitats and old growth forest including western hemlock, cedar, western white pine and species only rarely found in wilderness.

Only a few wild areas on the Kootenai and Lolo offer opportunities to correct this missing link and include red cedar-western hemlock-white pine stands in recommended wilderness.

Alternative C would be a more sensible recommendation than the proposed arbitrary line crossing through the middle Roadless area and omitting Treasure Mountain, though it still does not protect all areas deserving of wilderness designation.

Most visitors to the Cabinet Mountains Wilderness enjoy and utilize these wild lands as well. Alternative C, while far from perfect, is a much more sensible recommendation for these lands.

Cabinet Face East wild lands from the northern boundary of the Cabinet Mountains Wilderness Area south beyond Howard Creek and into the Fisher Geographic Area, merits a recommendation for inclusion in Montana's magnificent Cabinet Mountains Wilderness.

MWA members strongly encourage you--at minimum-- to designate as 5a (non-motorized) all wild, roadless lands east and south of the Cabinet Mountains Wilderness, that the final plan does not recommend for inclusion in the Cabinet Mountain Wilderness. 5a protection of these areas will best protect wild land habitats of grizzlies, wolverine, fisher and lynx, helping mitigate impacts from the two large silver mines planned east and west of the Rock Lake area.

Roadless areas deserving of this protection cover the eastern slope of Vimy Ridge from Snowshoe Creek and heading southeast to the upper end of East Fisher creek, near the forest boundary and the dividing line between Lincoln and Sanders counties.

These outstanding wild lands are vital habitat components of the wild Cabinets and should not be dismissed or excluded arbitrarily from future inclusion in the Cabinet Mountains Wilderness.

Fisher Geographic Area:

MWA members support inclusion of wild lands in the southern Cabinets as part of the Cabinet Mountains Wilderness, Cataract Creek and Cube Iron-Mt Silcox (shared with Lolo NF) should likewise be recommended wilderness and managed as non-motorized year round.

The Bear Lakes basin, Iron Meadows, Baree and Trail creeks are some of these places, high value wild lands that are treasured by visitors that would be wonderful additions to the Cabinet Mountains Wilderness.

An exception is recognized to allow motorized use on West Fork Canyon Creek Trail #892. The remainder of the Galena wild area should remain non-motorized.

These lands are among the most outstanding wild places left on the Kootenai National Forest and should be managed to keep them that way.

Alternative C, while a better proposal, omits lands that can and should be recommended wilderness in Cube Iron and Allen Creek Roadless Areas.

Bull/Clark Geographic Area:

The Cabinet Face West Roadless Area on the spectacular and rugged west slopes of the Cabinets should be included within the adjoining Cabinet Mountains Wilderness –similar to both Alternative C and Alternative D. MWA members question the notion the west face Cabinet wild lands would be “hard to manage.” This area, already proposed in alternative B to be managed as non-motorized backcountry, could be added to the Cabinet Mountains Wilderness with the wilderness boundary being the same as the forest boundary.

MWA members support the recommended wilderness for Rock Meadows; however, we are opposed to the motorized route into Rock Meadows. Rock Meadows is not only a uniquely beautiful and ecologically fragile place - a large meadow and meandering wetland almost entirely surrounded by the high peaks of the Cabinet Mountains Wilderness - but it is also uniquely accessible to people of all abilities.

A new proposed motorized route into this area undermines the wild land values, solitude and natural beauty of this iconic area. We request the proposed new vehicle route be eliminated and instead be recommended for inclusion in the Cabinet Mountains Wilderness.

MWA members continue to support inclusion of McKay Creek and Chippewa in the Cabinet Mountains Wilderness but feel the boundaries fail to protect wild lands in the Southern Cabinets. In the McKay Creek recommended wilderness the boundary is Swamp Creek, MWA members believe that the roadless area (currently proposed at 5a) to the east of Swamp Creek should be recommended for inclusion in the Cabinet Mountains Wilderness as well.

Roadless areas deserving of stronger protection as recommended wilderness, or at least a 5a designation are the Galena, Barren, and Cataract roadless areas, the east side of upper Swamp Creek and the roadless areas north of the Vermillion River. Existing legal motorized use on existing routes in this area such as Ramsey (#4781), Silver Butte (#594) and West Fork Canyon Creek (#892) could be maintained.

This general management strategy for this area would provide a very valuable large block of lands with great value for backcountry recreation and secure wildlife habitat for those native species that are vulnerable to disturbance from motorized use and more human impacts. These areas are generally poorly suited for dispersed motorized recreation, since they are mainly steep midslope areas with heavy tree cover. Non-motorized management represents the best choice for these lands, given their high suitability for backcountry use and values, and their low suitability for dispersed motorized recreation.

Scotchman Peaks Wilderness

MWA members are pleased the proposed plan continues and strengthens the U S Forest Service recommendation for the outstanding Scotchman Peaks Wilderness.

This area –like other wild lands on the Kootenai—should have been designated decades ago. The Scotchmans, a rare wild land that reaches from the Bull River to the skyline of the West Cabinets, has a long history of support.

MWA members support the further strengthening of recommended wilderness boundaries in the final revised plan by including:

Cub Creek-Spar Lake South: Wild lands south and east of Spar Lake include rare old growth hemlock and cedar –as previously discussed the agency's own analysis shows this to be an area of deficit in wilderness. This area is also excellent habitat for grizzly, wolverine, mountain goat, fisher and lynx; Grizzlies have been released in Spar Creek. There is a long history of diverse support for these areas to be recommended as wilderness; since 1984, MWA and ASARCO worked under a 1984 agreement in common support of wilderness and mineral exploration including this area. In 1992, following core drilling and mineral exploration, ASARCO supported inclusion of this area in the Scotchman Peaks Wilderness. (See attached letters)

Pilik Ridge: The 5a area south and east of Pilik Ridge should instead be included in Scotchman Peaks Wilderness. These boundaries follow a clear geographic landform inclusive of lower elevation forest types rarely found in wilderness. MWA members see no reason to create an artificial and arbitrary exclusion buffer. Control of fire insects and disease is clearly allowed in both wilderness and recommended wilderness.

Billiard Top West: The proposed plan reduces recommended wilderness from the 1987 plan for no compelling reason west of Billiard Top Mountain in the East Fork of Blue Creek. MWA members request this be reconsidered and included in the Scotchman Peaks Wilderness, with boundaries unchanged from the current forest plan.

Finally, MWA members, while not enthused, are willing to accept the 5c winter snowmobile designation of the areas of Drift and Cheer Creek as long as there is solid enforcement to ensure today's big machines don't use these areas to enter the Scotchman Peaks Wilderness.

Clark Geographic Area

For the Trout Creek Roadless Area, MWA members prefer Alternative B as it exactly corresponds with the existing management and travel plan. This area is best managed as non-motorized backcountry and we believe that the preferred alternative is the best choice in this case.

Again, thank you for the opportunity to comment. Please keep MWA members in northwest Montana up to date on the Draft Forest Plan and activities related to it.

Feel free to contact MWA with any further questions, slundstrum@wildmontana.org or 755-6304.

Sincerely,

Sarah Lundstrum
Wilderness Campaign Director,
Montana Wilderness Association

Terry Meyers
President, Flathead-Kootenai Chapter
Montana Wilderness Association

Kootenai National Forest:

I would like to submit the following comments on the Draft Forest Plan and EIS.

I live in Trout Creek and have used and enjoyed the Kootenai forest for many years, for hiking, camping, cutting firewood and picking berries. I have climbed most of the prominent peaks south of the Kootenai River, and I am quite familiar with the wilderness and roadless areas on the forest. I have been actively interested in protecting the wild country of the Kootenai for some 40 years. I am currently serving as the volunteer President of the Governing Council of the Montana Wilderness Association, but this message represents only my personal comments.

I support the wilderness recommendations in Alternative C, including the Cabinet Additions, Saddle Mountain, Gold Hill and the Whitefish Divide. The wild character of these lands provides tremendous value to people and wildlife. Permanent protection for these wild places will protect these characteristics as they become increasingly valuable into the future.

I support the wilderness recommendation in Alternatives B & C for the Scotchman Peaks, although I would like to see the area expanded to include contiguous roadless lands in the East Fork of Blue Creek.

I strongly encourage you to designate as 5a (unmotorized) all the roadless lands east and south of the Cabinet Mountains Wilderness. Protection of these areas will help mitigate impacts from the two large mines planned east and west of the Rock Lake area. Roadless areas deserving of this protection cover the eastern slope of Vimy Ridge from Snowshoe Creek and heading southeast to the upper end of East Fisher creek, near the forest boundary and the dividing line between Lincoln and Sanders counties. Also deserving of 5a designation are the Galena and Cataract roadless areas, and the roadless areas north of the Vermillion River. Existing motorized use on existing routes in this area such as Ramsey (#4781), Silver Butte (#594) and West Fork Canyon Creek (#892) could be maintained.

This general management strategy for this area would provide a very valuable large block of lands with great value for backcountry recreation and secure wildlife habitat for those native species that are vulnerable to disturbance from motorized use and more human impacts. These areas are generally poorly suited for dispersed motorized recreation, since they are mainly steep midslope areas with heavy tree cover. Non motorized management represents the best choice for these lands, given their high suitability for backcountry use and values, and their low suitability for dispersed motorized recreation.

I am very strongly opposed to the 5b (motorized) designation for the East Fork of Rock Creek, trail #935, as shown in Alternative B. This route is extremely poorly suited to motorized use, and has been closed to all motors for many, many years. The Rock Meadows wetlands area would be a terrible place for any kind of motorized travel, winter or summer. This is a very popular local hiking destination. The idea that the FS might open this area to motorized use has created outrage in the local community.

We do recognize the FS may be required at some time to provide motorized access to existing mining claims in the East Fork area. This is possible, though it seems unlikely. In any event, there is no need to change the land designation, and create a lot of controversy and confusion about the management goals for the area. Please keep all motors out of the East Fork of Rock Creek!

I support the historic snowmobile use of the Bloom Peak Ridge, above the Trout Creek roadless area.. I support the 5b (motorized) designation for the upper Dry Creek area, north of Sawtooth Mountain in the Scotchmans, as shown on Alternative B.

I support active management of general forest lands, with increasing opportunities for timber harvest.

Thank you for the opportunity to comment.

Doug Ferrell
21 Riverfront Drive
Trout Creek, MT 59874
406-827-4341

Dear Sir or Madam:

I would like to thank you for this opportunity to offer comments and recommendations regarding the disposition of the following Cabinet Mountains wildlands.

I will be 70 next year and am a third generation Libby resident. As a boy, I followed my granddad and dad into the Cabinet Mountains Wilderness and have hiked over 8000 miles in the Cabinet Mountains. Most of those miles were logged over twenty-four seasons as a wilderness ranger for the USFS, Libby District, in the Cabinet Mountains Wilderness.

In Alternative B of the Draft EIS of its Draft Land Management Plan, the U.S. Forest Service (USFS) has proposed additions to the Cabinet Mountains Wilderness (CMW) and designated such Management Areas as (1b), Recommended Wilderness. **In addition to those (1b) designations, I request that the USFS recommend the following lands as Wilderness:**

1. All (5a) (Backcountry – Non-motorized) and (4) (Research Natural Area) recommendations contiguous with any (1a) and/or (1b) designations.
2. The proposed Cabinet Additions (1b) in the Rock Creek drainage should include, as (1b), the (5b) proposal along Trail 935, beginning at the gate on Road 150A. The effect of the USFS (5b) proposal would be to establish a motorized corridor through wilderness, thereby destroying the wilderness character of the Alternative B (1b) recommendation. It would bring the effects of motorized recreation deep into the wilderness and onto the shores of Rock Lake. I am adamantly opposed to this Alternative B proposal.
3. All (5b) designations in the Galena and Barren Peak Inventoried Roadless Areas (IRAs) should be reconsidered. The Galena IRA was highly rated by the USFS in the past and presents itself as a natural southern extension of the CMW. The Barren Peak IRA is documented by the U.S. Fish and Wildlife Service as a grizzly travel corridor for bears moving between the southern portion of the CMW and the Whitefish Range (Wayne Kasworm, *The Montanian*, August 25, 2010). Adequately protecting the Barren Peak IRA would enhance the potential for genetic flow between the grizzly population in the Northern Continental Divide Ecosystem and bears in the CMW. It is also an important route for other species including elk and moose. At the very least, both the Galena and Barren Peak IRAs should be reclassified as (5a) to protect their wildlife security habitats and potential mitigation values (particularly for elk and grizzly bears) — and their backcountry hiking and non-motorized hunting opportunities.
4. **(5b) Lands of particular concern** — the lands along the southeast end of the Cabinet Mountains Wilderness embraced by the Iron Meadows Creek and Baree Creek drainages and containing the Bear Lakes Basins. Baree Creek Trail 489, Bear Lakes Cut-off Trails 63 and 630, Bear Lakes Trail 178 and Iron Meadows Creek Trail

113 are all components of one of the most popular hiker and horse-rider loop systems in the CMW, the Baree-Bear Loop. This area is home to grizzlies, wolves, mountain lions, lynx, elk, moose and trophy mule deer. It is a popular summer destination and a wild, backcountry hunting and fishing paradise that cries out for wilderness designation. Including these lands in your recommendations for wilderness would protect a logical and necessary component of the wildlife travel corridor mentioned above, in Item 3. Presently, the wilderness boundary is 2 miles up Baree Creek Trail 489 and over 3 miles up Bear Lakes Trail 178 — well into the Bear Lakes Basin. Iron Meadows Trail 113 offers an excellent opportunity for horse riders to access the Bear Lakes. I request that the wilderness boundary include the Iron Meadows Creek and Baree Creek drainages and all three Bear Lakes basins — and that the southeast boundary be pulled down to the trailheads for Baree Creek Trail 489, Bear Lakes Trail 178 and Iron Meadows Trail 113.

5. All (5b) lands contiguous with the East Front of the CMW. These lands represent critical spring habitat for grizzly bears coming down along the East Front of the Cabinets in search of emerging plants. They also offer security for elk and moose as they make their seasonal migration back up into the mountains. Exceptions to this request would be:
 - Existing primitive road or trail access to patented mining claims
 - Road access to the Leigh Lake and Granite Lake Trailheads.

I recommend that all other roads in the aforementioned (5b) lands, contiguous with the East Front of the CMW, be allowed to re-vegetate or be maintained as wilderness trails for non-motorized backcountry hunting and hiking.

6. Concerning the Scotchman Peaks, I ask that all (5a) lands contiguous to any (1b) proposals be recommended for wilderness.

I believe our general forest lands should be managed to promote new timber harvest opportunities.

Thank you for your time and consideration,

Charlie Clough
P.O. Box 541
Libby, MT, 59923
406-293-5210
griz2th@frontier.com



May 7, 2012

Ellen Frament, Forest Planner
RE: Kootenai NF Forest Plan Revision
31374 US Highway 2
Libby, MT 59923
Via email: KNFplanrevision@fs.fed.us

The Wilderness Society greatly appreciates the opportunity to provide comments on the Kootenai National Forest's Draft Forest Plan DEIS (DEIS) and Draft Land Management Plan (DLMP).

Since 1935, The Wilderness Society (TWS) has worked to protect wilderness and inspire Americans to care for our wild places, especially our nation's public lands. Our organization has a long-standing interest in the management of the forests and grasslands in the National Forest System, and we actively work to support forest restoration, wilderness stewardship, and new protective designations on behalf of more than 500,000 TWS members and supporters nationwide.

The portion of the Kootenai NF (KNF) in the region known as the "Crown of the Continent" is of particular interest to TWS. Our Northern Rockies Office, based in Bozeman, has a long history of conservation effort across the Crown of the Continent landscape, including an interest in the North Fork of the Flathead and the adjacent Whitefish Range. As such, our site-specific comments will address the Whitefish Range, which is partly contained in the KNF, while also addressing broader questions of national policy and agency direction.

Among the alternatives presented in DEIS, Alternative C best addresses our concerns and interests, because it contains the most acres of recommended wilderness, provides relatively lower acreages of motorized use, and prioritizes secure wildlife habitat and the use of prescribed and natural fire to return forests to desired condition. However, there are some specific issues we would like to raise related both to Alternative C and to broader questions of the KNF's approach to roadless and wilderness study areas, roads management, recreational planning and opportunity, and the range of alternatives provided in the DEIS.

I. Consistency with Broader Law, Policy and Management Direction

A. The Draft LMP and DEIS must comply with the Roadless Area Conservation Rule

We have serious concerns about the draft plan's consistency with the Roadless Area Conservation Rule of 2001 (Roadless Rule) (36 C.F.R. § 294). While the Idaho Roadless Rule (36 C.F.R. § 294 Subpart C) is explicitly discussed in a number of places (e.g. on pp. 13, 28, 295 and 302, as well as many others), any reference to the Roadless Rule is noticeably absent. This is a serious oversight that needs to be

corrected in the FEIS. Both the Tenth Circuit (in October 2011) and Ninth Circuit Courts of Appeals have upheld the legality of the Roadless Rule and a previous Wyoming district court injunction was vacated on March 1, 2012, making the Roadless Rule the law of the land. ***The final Kootenai NF forest plan must be fully consistent with the Roadless Rule.***

There are a number of statements in the DEIS that will need to be modified or corrected in light of Roadless Rule, e.g., “some mechanical treatments (timber harvest) may occur in backcountry areas” (p.24), “most of the roadless area lands would not be in the suitable base under any alternative, although timber harvest could still be used as a tool to meet management objectives in some areas.” (p. 27), and this discussion of the potential for commercial timber harvest in IRAs:

If an area is not allocated for suitable timber in IRAs, it does not mean commercial timber harvest will not take place. Harvest may be the best tool to accomplish fuels reduction, vegetation improvement or some other management objective. If removal for commercial value is decided as the best means to meet the need for the project, after NEPA analysis at the project level, commercial harvest may take place. (p. 30)

When such statements, which reflect an outdated view of roadless area management policy, are combined with the DEIS’ lack of clarity about acres in inventoried roadless areas (IRAs) identified as suitable for timber production, our concerns grow. The alternatives in the DEIS identify a range of 2,000 to 61,200 acres as suitable for timber production within IRAs. However, the Roadless Rule withdrew land in IRAs from timber production. It states that “[t]imber may not be cut, sold, or removed in inventoried roadless areas of the National Forest System.” (36 C.F.R. § 294.13(a)). It is not clear whether the KNF’s suitable acres for timber production are in Montana, Idaho, or both states. If the acres identified in the DEIS are in Montana, they are subject to the provisions of the Roadless Rule, and they must be withdrawn from the acreage identified as suitable for timber production.

Please be more explicit in the FEIS about which IRA acreages have been identified as suitable for timber production, and specify in the Plan that Montana IRAs are not suitable for timber production. The Forest Service’s regulations require that when revising a forest plan, the Forest must identify lands that are not suited for timber production (1982 Planning Regulations § 219.14). Land is not suited for timber production if it “has been withdrawn from timber production by an Act of Congress, the Secretary of Agriculture or the Chief of the Forest Service.” (*Id.* § 219.14(a)(4)). No timber harvest may occur on lands classified as not suited for timber production except in a few, limited circumstances. (*Id.* § 219.27(c)(1)).

Precision on this acreage is important, because the KNF’s Allowable Sale Quantity (ASQ) is based on the amount of land that the Service determines is suited for timber production. While the KNF states elsewhere in the DEIS (p. 6) that timber harvest levels since 1987 have been well below the established ASQ, it’s still important for the new forest plan ASQ benchmark to be based on accurate data.

Finally, in its discussion of connectivity and wildlife habitat (p. 192), the DEIS discusses the 1987 forest plan’s allowance for road construction in IRAs without mentioning the effect that the 2001 Roadless Rule will have on this allowance: “Inventoried roadless areas on the KNF account for 28 percent of the

land base. Under the 1987 Forest Plan, 257,000 acres (or eleven percent of NFS lands) of the IRAs allow for road construction and road reconstruction, and 265,000 acres don't allow for road construction/road reconstruction (twelve percent of land base).” ***The FEIS needs to explicitly acknowledge that the Roadless Rule has effectively reallocated these lands: in order to be consistent with the Rule, road construction/reconstruction must now be prohibited on all IRAs on the Kootenai NF in Montana.***

B. The Draft LMP and DEIS must reflect the KNF's duty to right-size its forest road system
The transportation system is one of the most important aspects of a forest plan. As the DEIS describes, “access, using roads and trails, is associated with virtually every activity that takes place on the KNF.” (DEIS, p. 255) While this access is essential to the enjoyment and management of the diverse forest's resources, such a transportation system also comes with a significant cost – both ecological and fiscal. The condition, placement, and use of the forest's transportation infrastructure affect wildlife, habitats, water quality, watersheds, air quality, cultural resources, and visitor experiences. The transportation system is also a major expense to the Forest Service – one that the KNF's own data show that it struggles to meet, given that only 20% of the forest's roads are maintained to standard: i.e., 750 miles maintained to standard out of a total of 3,670 miles of open roads for Management Levels 2, 3, 4, 5, and 6. (DEIS, p. 264). We have attached a summary, including citations to studies by the Forest Service and others, of the adverse ecological impacts to forest resources resulting from transportation systems (Attachment 1).

Forest Service leadership issued a directive memorandum to the field in November of 2010 requiring every forest to identify its minimum road system (MRS) and roads for decommissioning by 2015, and fully comply with 36 CFR 212 subpart A. The memorandum directs units to begin implementing the MRS immediately following its approval by the Regional Forester. A copy of the memorandum is attached (Attachment 2). Ideally, the KNF would have completed travel analysis and identified its MRS before embarking on forest planning. This order of events was envisioned by the Forest Service when it promulgated 36 CFR 212 subpart A, also known as the Roads Rule. However, if timing precludes, at a minimum, the KNF must ensure that the requirements in the directive memorandum and 36 CFR 212 subpart A are reflected in the FEIS and its plan components. In particular, we draw your attention to the bottom of page 1 of the Directive Memorandum. The memo states: “By completing the applicable sections of Subpart A, the Agency expects to identify and maintain *an appropriately sized and environmentally sustainable road system* that is responsive to ecological, economic, and social concerns” (emphasis added).

The KNF must bring its road system to a size and design commensurate with available funding, and the FEIS and Plan should explicitly reflect this duty. Based on current funding and maintenance challenges, this would certainly indicate a smaller forest road system than what exists today. Additionally, given that the KNF indicates that some portion of the roads currently in storage as Level 1 roads may come back into use in periodic rotation – and that the maintenance of these roads is not accounted for in the “20% to standard” metric – this will likely put the forest even further away from its forestwide goals and objectives (FW-OBJ-AR-03) without a significant downsizing of the inventory of current roads on the forest.

Nowhere in the forest's desired conditions is the concept of a minimum road system invoked. Nevertheless, ***in the FEIS and Plan, we would like to see the KNF recognize its obligation to identify and begin implementing a minimum road system on the Forest*** – a requirement that it will need to satisfy within the first 2-3 years of this revised forest plan if it is going to continue to be eligible for the funds necessary to maintain a sustainable forest road system into the future. A propos of current travel planning being conducted on the KNF, and our particular interest in the Whitefish Range, ***we expect that the Galton Project travel planning process will be explicitly addressing the question of forest road system right-sizing*** as well.

C. The DEIS and Draft LMP must address more explicitly the management of the Ten Lakes Wilderness Study Area to maintain its wilderness character

The 1987 Kootenai National Forest Plan included the Ten Lakes Wilderness Study Area as recommended wilderness. However, the DEIS' preferred Alternative B removes this recommendation, but with no explanation or rationale for doing so. The mandate of the Montana Wilderness Study Act of 1977, which created the WSA, clearly states that the Forest Service is required to manage the WSA so as to "maintain [its] 1977 wilderness character and potential for wilderness designation" (Pub.L. No. 95-150, 91 Stat. 1243 (1977)). The December 2011 Ninth Circuit Court of Appeals ruling on the Hyalite-Porcupine-Buffalo Horn (HPBH) Wilderness Study Area (see <http://caselaw.findlaw.com/us-9th-circuit/1587090.html>) further clarifies this mandate by stating that wilderness character is not solely limited to physical characteristics on the land, but the experiential characteristics of wilderness meant to be enjoyed by those current and future users seeking solitude:

"The Service's argument that it can satisfy its statutory obligation to maintain a study area's wilderness character by preserving only its physical wilderness characteristics is out of step with the 1964 Wilderness Act, which the Service agrees should inform the definition of "wilderness character" for purposes of the Study Act. The Wilderness Act does not define "wilderness" solely according to "physical, inherent characteristics." Instead, it states that, "In addition to having physical characteristics such as large acreage, a wilderness "has outstanding opportunities for solitude." (16 U.S.C. § 131(c)).

It is unclear why the Kootenai NF would choose to remove the "recommended wilderness" status from this WSA and potentially allow for increased motorized uses in the area when both the original law and the recent court ruling provide such unequivocal direction for how the WSA must be managed. The December ruling on the Gallatin NF clearly stated that the Service must maintain the same opportunities for solitude in a WSA as existed in 1977 for both current and future users. Any sign that the Kootenai NF would allow for increased motorized use in the Ten Lakes WSA would be inconsistent with that mandate.

Beyond referencing compliance with existing laws and identifying the Montana Wilderness Study Act of 1977 as part of the "Legal and Administrative Framework" for the treatment of roadless areas in the DEIS, there is no explicit discussion of current wilderness character in the Ten Lakes WSA and how the WSA is being managed to maintain this at 1977 levels. ***In the FEIS, we would like to see the Forest Service directly discuss Ten Lakes' wilderness character and the management actions it is taking to***

maintain this character – a more explicit discussion that we believe is required under NEPA. Specifically, ***the KNF should be able to demonstrate unequivocally that it is maintaining existing motorized use at 1977 levels***, and the FEIS and Plan should reflect this in its allocation of land within the Ten Lakes WSA for snowmobile and mountain bicycling recreational use.

The 9th Circuit ruling on the HPBH WSA makes it clear that the Kootenai NF must consider the volume, intensity, and footprint of motorized use: the ruling on the HPBH held that the Forest Service erred when they did not demonstrate that they had considered increased volume and intensity of motorized use since 1977. The KNF Forest Plan Draft EIS states that a “difference in use” has occurred since 1977 because new technology has allowed snow machines to access new, higher altitude terrain. Given that this is the case, the KNF will need to explicitly discuss the impact of this expanded footprint to wilderness character. Likewise, the KNF needs a more robust discussion of mountain bike access. If the Kootenai is allowing new uses like mountain bicycling in the Ten Lakes WSA, ***the FEIS needs to at minimum explicitly discuss how these new uses will be offset by a reduction in existing historic uses to ensure there is no loss of wilderness character and that recreation remains at or below 1977 levels***. However, the KNF may also want to consider whether allowing a use that didn’t exist in 1977 to be established in the WSA is an appropriate management decision altogether, and whether there are better locations for expanding mountain bicycling opportunity elsewhere on the forest. The full implications of newly established uses have yet to be explored in the context of, for example, the HPBH WSA, where the Gallatin NF must now revise its travel plan following the 9th Circuit ruling.

Ultimately, we would like to see the KNF: 1) return the Ten Lakes WSA to Recommended Wilderness status in the FEIS and Plan – explicitly affirming its intent to abide by the 1977 Montana Wilderness Study Act, and 2) ***continue to manage the WSA so as to maintain its wilderness character and potential for future designation***, as is required by that Act.

II. Assessment of “need” for wilderness on the KNF

The Kootenai NF has a wealth of wilderness-quality, inventoried roadless lands that are underrepresented in terms of permanent protection. The Northern Region’s own 2003 “Wilderness Needs Assessment” clearly shows geographic and ecological gaps that could be filled by increasing designated wilderness on the Kootenai NF (see Attachments 3, 4, and 5). Of the ecological sections identified in this Assessment, the “Flathead Valley Ecological Section” (which includes much of the KNF) ranks fourth among 25 ecological sections in terms of the total acres and percentage of the section in FS ownership, but tenth in terms of total wilderness acres. Only 1.6% of this ecological section is in wilderness, but potential is high with 692,841 acres (or 13.2% of the section) in inventoried roadless status (Attachment 6). Significant increases in acres of underrepresented cover types would result from the inclusion of IRAs in wilderness in this section, including western red cedar, western hemlock, aspen, and ponderosa pine. (2003 Wilderness Assessment, p. 31) Looking at the region spatially, new designations would provide core habitat in the US that would facilitate wildlife connectivity to high-quality, high-security habitat in British Columbia (particularly for grizzly bears), as well as the opportunity for regional population centers like Kalispell and Coeur d’Alene to more easily access wilderness for recreational purposes.

The DEIS's Wilderness Evaluation "Appendix C" doesn't adequately address the KNF's roadless lands in this larger context. We also feel that the Evaluation placed undue emphasis on winter motorized access and limitations, given the enormous landscape already available to snowmobiles on the KNF. ***We would like to see the KNF play a more active role in rounding out the USFS Northern Region's wilderness potential by prioritizing the need for wilderness in northwest Montana more highly.***

Specific to the Whitefish Range, we see this as an area where the KNF has one of its best opportunities anywhere on the forest to protect a large block of contiguous wilderness and core wildlife habitat. However, the preferred Alternative B map reveals some significant challenges for enforcement and wildlife habitat security in its arrangement of recommended wilderness and backcountry motorized recreation areas in the Tobacco Geographic Area. Under this alternative, with tendrils of year-round motorized access penetrating deep into the wild country of the Ten Lakes WSA and USFS budgets for wilderness rangers on the decline, it is difficult to imagine that the boundaries between motorized and non-motorized landscapes in the Whitefish Range will be easily enforced. Additionally, the spatial arrangement of secure wildlife habitat vs. motorized areas significantly increases the "edge effect" of these areas, decreasing their value as core and refuge habitat for wildlife needing security and solitude, i.e., wilderness and wilderness-quality lands, like wolverines and grizzly bears.

To address this challenge, we would like to see the Ten Lakes Contiguous Areas included in the KNF's wilderness recommendations, as in the case of Alternative C (but not Alternative B). We would also like to see as much recommended wilderness as possible for the IRAs that border the Ten Lakes WSA, including the lands along the Whitefish Divide – the Tuchuck, Thompson-Seton, and the Marston Face IRAs. Together, these lands represent the heart of the wild Whitefish Range and help facilitate wildlife habitat security and connectivity to the neighboring lands to the east through the remainder of the Whitefish Range and into the North Fork of the Flathead and Glacier country. In short, they are a spectacular opportunity to fill a gap in the recommended wilderness picture on a forest where new wilderness has not been designated since the passage of the original Wilderness Act of 1964.

III. Amount of area open to motorized use disproportionate to recreational use numbers

Visitors to the KNF disproportionately engaged in quiet recreation activities on the KNF – 46.3% viewed wildlife, 40.9% viewed scenery, 44.7% of visitors hiked/walked, 28.2% hunted, 26.5% relaxed, 18.9% fished, and 16.5% gathered forest products, while only 1.4% engaged in some motorized trail activity, 6.1% in motorized water travel, 1% in OHV use, and 1.9% in snowmobile use (DEIS, p. 265).

The Draft LMP's goal for access and recreation seems to be inconsistent with the enormous amount of the KNF open to motorized vehicles. The goal (Draft LMP, p. 9) is stated as "manage large areas of the Forest that accommodate opportunities for solitude, and self-reliance, and provide traditional recreation such as hunting, fishing, gathering products, and hiking." However, under the forest's "desired distribution of forestwide Recreation Opportunity Spectrum settings," only 5% of the KNF is non-motorized in the winter, while 67% is non-motorized in the summer. The forest's prioritized distribution along the ROS does not seem consistent with desired condition FW-DC-AR-06 for Access and Recreation: "solitude and non-motorized experiences are available in remote settings. Non-motorized

uses are of sufficient size and configuration to minimize disturbance from other uses.” (Draft LMP, p. 10). The Forest Service must provide a rational explanation for this inconsistency.

Even the most restrictive of the DEIS Alternatives, Alternative C, allows 1,515,400 acres of wheeled motorized use, and 1,761,000 acres of over-snow motorized use. It’s difficult to understand how the forest will be able to realize its forestwide goal of accommodating opportunities for solitude, self-reliance, and traditional recreation with such a heavy prioritization of land for motorized use. A shift in prioritization of some acres away from motorized use and towards recommended wilderness may offer a partial solution: as stated in the 2003 Wilderness Assessment, “[t]hough wilderness is not the only way to provide non-motorized trail opportunities, it is a common way to legislatively provide insurance that those trails will remain non-motorized into the future.” Without the “insurance” of recommended wilderness, managed for wilderness values, on a greater number of acres than is indicated by the preferred Alternative, the KNF may be forever closing off the option to deliver substantial quiet recreation opportunities to its visitors into the future.

Incidentally, the forest’s heavy focus on motorized areas, especially in the winter, is also inconsistent with its forestwide direction for wildlife, including desired conditions like FW-DC-WL-02 (Draft LMP, p. 27), “a forestwide system of large, remote areas associated with large home ranges (such as: grizzly bear and wolverine) and low disturbance areas exist.” With only 5% of the KNF’s land base prioritized for primitive and semi-primitive non-motorized management, secure denning and rearing habitat for wolverine is likely to be affected. Without seasonal snowmobile closures for grizzly bears emerging from dens, it’s also likely that they may be disturbed or displaced by late-season snowmobile activities, despite the forest’s standard FW-STD-WL-05 which indicates there will be no grooming after April 1 in grizzly bear core habitat. Given the technological capabilities of modern snowmobiles, a “no grooming” prohibition cannot reasonably be considered an effective seasonal closure.

IV. The DEIS has a limited range of alternatives vis a vis their percentage of land allocated to specific recreational uses

The above discussion of the percentage of KNF land open to certain recreational uses illustrates a potential shortcoming of the entire process underpinning the DEIS: whether there is a sufficient range of alternatives to meet the requirement that alternatives be “distributed between the minimum resource potential and maximum resource potential to reflect to the extent practicable the full range of major commodity and environmental resource uses and values that could be produced from the forest.” 1982 Planning Regulations § 219.12(f)(1) Across all three action alternatives, there is very little variation in the amount of land where motor vehicle use (68-82% of the Forest’s land base), snowmobile use (79-88%), and mechanized use is allowed (87-96%). With proposed alternatives whose range of motorized and mechanized vehicle use doesn’t exceed 14% across all three of the action alternatives, it’s difficult to agree that such a narrow span can reasonably represent a full range of uses and values that could be realized between minimum and maximum resource potential on the Kootenai NF. While we recognize and appreciate the social dimensions of motorized recreation use in northwestern Montana, these narrow ranges privilege this use too heavily over other types of quiet recreation that might be compromised by a prevalence of motors across such an enormous percentage of the forest.

NEPA requires that agencies “rigorously explore and objectively evaluate all reasonable alternatives” in an environmental impact statement. 40 C.F.R. § 1502.14(a). We believe that in the case of recreation, all of the Alternatives contain too narrow a range to be considered a rigorous exploration and objective evaluation of all reasonable alternatives, especially in light of the statistics for how the bulk of KNF visitors use the forest. The entire spectrum is too heavily weighted towards motorized use to meet NEPA standards. Allowing such vast expanses of the Kootenai National Forest to be open to vehicle use does not present the full range of resource uses and values that could be produced from the Forest, nor is it consistent with the majority of recreational use on the KNF.

Thank you for all of the effort you have put into the planning process for the KNF thus far, and for your careful consideration of our comments in the next iteration of the forest plan.

Sincerely,

/S/

Jennifer Miller
Montana Program Manager
The Wilderness Society
503 W. Mendenhall Street
Bozeman, MT 59715

Attachment 1

Adverse Impacts to Forest Resources from Roads

The adverse environmental and fiscal impacts of the Forest Service's transportation system are well-documented and well-known. In the forest planning process, we recommend the Forest Service review its report entitled "Forest Roads: A Synthesis of Scientific Information," which summarized and described the science up until that point regarding the effects of roads on the landscape. USDA, Forest Service, *Forest Roads: A Synthesis of Scientific Information* (May 2001), available at <http://www.fs.fed.us/pnw/pubs/gtr509.pdf>. We suggest the Forest Service examine the entire report, but sections of the executive summary provide a good, basic introduction to the environmental impacts of roads:

Direct Physical and Ecological Effects

Geomorphic effects of roads range from chronic and long-term contributions of fine sediment into streams to catastrophic mass failures of road cuts and fills during large storms. Roads may alter channel morphology directly or may modify channel flowpaths and extend the drainage network into previously unchannelized portions of the hillslope. The magnitude of road-related geomorphic effects varies by climate, geology, road age, construction practices, and storm history. Improvements in designing, constructing and maintaining roads can reduce road-related erosion at the scale of individual road segments, but few studies have evaluated long-term and watershed-scale changes to sediment yields as roads are abandoned or obliterated.

Roads have three primary effects on **hydrologic processes**. They intercept rainfall directly on the road surface, road cutbanks, and subsurface water moving down the hillslope; they concentrate flow, either on the surface or in an adjacent ditch or channel; and they divert or reroute water from flowpaths that it would otherwise take if the road were not present. Problems of road drainage and transport of water and debris--especially during floods--are a primary reason roads fail, often with major structural, ecologic, economic, or other social consequences. The effect of roads on peak streamflow depends strongly on the size of the watershed. For example, capture and re-routing of water can dewater one small stream while causing major channel adjustments in the stream receiving the additional water. In large watersheds, roads constitute a small proportion of the land surface and have relatively insignificant effects on peak flow. Roads do not appear to change annual water yields, and no studies have evaluated their effect on low flows.

Forest roads can significantly affect **site productivity** by removing and displacing topsoil, altering soil properties, changing microclimate, and accelerating erosion. The direct effect of roads on soil productivity has been estimated to range from 1 to 30 percent of the landscape area in managed forest lands. Losses of productivity associated with road-caused accelerated erosion are site-specific and highly variable in extent.

Natural populations of animal species are affected by **habitat fragmentation** caused by the presence of roads and by avoidance of areas near roads by some species and attractiveness to them by others. Fragmented populations can produce increased demographic fluctuation, inbreeding, loss of genetic variability, and local extinctions. Roads fragment habitat by changing landscape structure, dissecting vegetation patches, increasing the amount of edge, decreasing interior area, and increasing the uniformity of patch characteristics. For example, road-avoidance behavior is characteristic of large mammals such as elk, bighorn sheep, grizzly bear,

caribou, and wolf. Some studies have shown that the existence of a few large areas of low road-density, even in a landscape of high average road-density, may be the best indicator of suitable habitat for large vertebrates.

On the other hand, roads and their adjacent environment qualify as a distinct **habitat** and result in changes at the species, population, and landscape scales. Some species are associated with edges, including those that use roads as corridors to find food. Roads facilitate **biological invasion** where disturbed roadside habitats are invaded by exotic (non-native) plant and animal species, dispersed by wind, water, vehicles, and other human activities. Roads may be the first points of entry for exotic species into a new landscape, and the road can serve as a corridor for plants and animals moving farther into the landscape. Invasion by exotic species may have significant biological and ecological effects if they are able to displace natives or disrupt the structure and function of an ecosystem.

Indirect and Landscape-Scale Effects

The effects of roads on **aquatic habitat** are believed to be widespread, although direct, quantitative cause-effect linkages are difficult to document. At the landscape scale, correlative evidence suggests that roads are likely to influence the frequency, timing, and magnitude of disturbance to aquatic habitat. Increased fine-sediment composition in stream gravel—a common consequence of road-derived sediments entering streams—has been linked to decreased fry emergence, decreased juvenile densities, loss of winter carrying capacity, and increased predation of fishes, and can reduce benthic organism populations and algal production. Roads can act as barriers to migration, lead to water temperature changes, and alter streamflow regimes. Improper culvert placement at road-stream crossings can limit or eliminate fish passage. Roads greatly increase the frequency of landslides, debris flow, and other mass movement. At the landscape scale, increasing road densities and their attendant effects have been correlated with declines in the status of some non-anadromous salmonid species.

Roads can cause a wide variety of effects to **terrestrial wildlife**. Species, such as gray wolf and grizzly bear, are adversely affected by repeated encounters with people. Roads can increase harassment, poaching, collisions with vehicles, and displacement of terrestrial vertebrates, affecting a variety of large mammals such as caribou, bighorn sheep, mountain goat, pronghorn antelope, grizzly bear and gray wolf. One million vertebrates are estimated killed annually on roads in the United States. Direct mortality of large mammals on forest roads is usually low, except for those with a home range that straddles a road. Forest roads pose a greater hazard to slow-moving migratory amphibians than to mammals. Nearly all species of reptiles seek roads for cooling and heating. Vehicles kill many of them, making well-used roads a population sink.

Chemicals applied to and adjacent to roads can enter streams by a various pathways. The effect on **water quality** depends on how much chemical is applied, the proximity of the road to a stream, and the weather and runoff events that move chemicals and sediments. Dust produced by vehicles moving on unpaved roads reduces **visibility** and generates airborne particulates that can pose health hazards, such as in areas with soils containing asbestiform minerals.

Id. at 5-7. The Forest Service should examine this report and the references cited therein as it attempts to analyze the effects of the existing road system on the SNF landscape.

Many important studies and reports have been released within the decade since this report's publication, as well. A report released in 2008 describes in detail the water quality impacts of Forest Service roads, as well as the ineffectiveness of the Best Management Practices (BMPs) currently used by the agency in order to achieve compliance with water quality standards under the Clean Water Act. *See generally* Endicott, Douglas, 2008. National Level Assessment of Water Quality Impairments Related to Forest Roads and Their Prevention by Best Management Practices, Final Report. US EPA, Office of Water. Dec. 4, 2008. Wildlands CPR has put together an informative report entitled *Managing the Miles: A Review of Forest Service Policies and Practices*, which summarizes the findings of several more recent, seminal studies regarding roads' impacts to natural resources:

How Roads Impact the Landscape

In 2001, the Pacific Northwest Research Station published General Technical Report 529, *Forest Roads: A Synthesis of Scientific Information*, which consolidated many existing studies regarding the effects of roads on forest ecosystems. The journal *Conservation Biology* published a special section in their February 2000 issue regarding the ecological effects of roads. David Havlick's *No Place Distant*, published in 2002, Sherwood, Cutler, and Burton's *Wildlife and Roads: The Ecological Impact*, published in 2002, Forman and Sperling's *Road Ecology: Science and Solutions*, published in 2003, and The National Research Council's *Assessing and Managing the Ecological Impacts of Paved Roads*, published in 2005, all discuss the impact of roads on natural ecosystems and wildlife. There is no shortage of careful, scientific research describing the negative effects of roads on the landscape. The following is a short, abbreviated synopsis of just some of the road impacts reviewed in the aforementioned articles.

In general, negative effects from roads are both indirect and direct, that is they occur both as a result of the road being on the landscape and the use of the road. Both direct and indirect effects typically fall into several main categories:

Habitat fragmentation and increased human presence

- Roads reduce suitable habitat for a number of wildlife species. Wolves, grizzly bear, elk, lynx, and other large, far-ranging species generally abandon areas when road densities rise past 0.6 km/km².
- Roads allow for increased human presence on the forests, thereby increasing the likelihood of mortality through collisions and poaching.
- Roads act as barriers to small mammals, preventing them from accessing suitable habitat and leading to genetic isolation.

Water pollution

- Forest roads are often unpaved and under-maintained contributing both chronic and episodic sedimentation to waterways. Rain events can result in increased road-related sedimentation in rivers and streams and siltation of sensitive stream habitats, reducing effectiveness and even suffocating juvenile fish species. Increased sedimentation also increases water temperature, affecting cold water fish such as salmon and trout.
- Culverts that cross under roads can be clogged and fail during rain or flooding events. Blocked culverts can act like dams, and as the water builds up behind them, the stream crossing may blow out depositing road fill into the stream, or the water may be diverted onto the road, causing significant erosion of the road bed itself.

- Severe storms can cause catastrophic road failures such as those seen in areas with particularly erodible soils, like the Clearwater and Olympic National Forests and Redwood National Park. In areas like this, severe landslides tend to occur every 10-20 years, with many of the landslides being road triggered. For example, 58% of the landslides on the Clearwater National Forest (ID) in 1996-1997 were road-triggered.

Soil compaction

- Soil compaction results from building the road and from driving on it. Soil compaction lasts for many years even if the road is not used. Compacted road surfaces result in increased surface temperatures, reduced productivity, and limited revegetation.

Air and noise pollution, and increased dust

- Each car that passes over a dry gravel road sends dust into the air, covering plants and animals and decreasing habitat effectiveness while also causing health issues.
- Off road vehicles often utilize road systems both as primary travel routes and as access routes to trails and play areas. These machines are noisy and polluting, directly affecting other users and wildlife, and contributing to direct pollution of water bodies and terrestrial landscapes.
- Massive dust storms are increasing in both severity and frequency across the West, driven in part by increased off-road vehicle use and road building for oil and gas exploration.
- Dust coverage can affect snowmelt, changing spring flood patterns, and disrupting fish and other wildlife migrations.

The above list is by no means exhaustive but merely a glimpse at some of the most damaging ecological effects roads have on wildlife and ecosystems. Furthermore, many of these effects are inter-related and accumulate over time. A single, well-built, well-maintained road does not typically cause all of the problems noted above. However, numerous roads, many of which are poorly engineered and under-maintained, have very profound, cumulative landscape-level effects.

Greg Peters, Wildlands CPR, *Managing the Miles: A Review of Forest Service Policies and Practices* 4-5 (Oct. 2009), available at <http://www.wildlandscpr.org/files/Managing%20the%20Miles.pdf>. We suggest that the Forest Service examine the studies that the quoted Wildlands CPR text above summarizes, as well as several other literature reviews of recent science related to roads and the literature cited therein:

- Adam Swiltaski, Wildlands CPR, *How Many is Too Many: A Review of Road Density Thresholds for Wildlife* (2006), available at <http://www.wildlandscpr.org/biblio-notes/how-many-too-many-review-road-density-thresholds-wildlife>.
- Sharon Mader, Wildlands CPR, *Comparing the Ecological Effects of Linear Developments on Terrestrial Mammals* (2006), available at <http://www.wildlandscpr.org/biblio-notes/comparing-ecological-effects-linear-developments-terrestrial-mammals>.
- Christine Morris, *The Impact of Roads on Aquatic Benthic Macroinvertebrates and Using Bioassessments as Indicators of Stream Health* (2006), available at <http://www.wildlandscpr.org/biblio-notes/impact-roads-aquatic-benthic-macroinvertebrates-and-using-bioassessments-indicators-str>.
- Adam Swiltaski and Reed Noss, *The Evolution of Road Science* (2004), available at <http://www.wildlandscpr.org/biblio-notes/evolution-road-science>.
- Mary Ann Madej, *Erosion at Stream Crossings: The Case for Restoration* (2003), available at <http://www.wildlandscpr.org/biblio-notes/erosion-stream-crossings-case-restoration>.

- Leslie Hannay, *Effect of Roads on Arthropods* (2001), available at <http://www.wildlandscpr.org/biblio-notes/effect-roads-arthropods>.
- Kinza Cusic, *The Ecological Effects of Roads on Wetlands* (2001), available at
- <http://www.wildlandscpr.org/biblio-notes/ecological-effects-roads-wetlands>

Attachment 2



Forest
Service

Washington
Office

1400 Independence Avenue, SW
Washington, DC 20250

File Code: 2300/2500/7700

Date: November 10, 2010

Route To:

Subject: Travel Management, Implementation of 36 CFR, Part 212, Subpart A (36 CFR 212.5(b))

To: Regional Foresters, Station Directors, Area Director, IITF Director, Deputy Chiefs and WO Directors

Travel planning is intended to identify opportunities for the forest transportation system to meet current or future management objectives, based on ecological, social, cultural, and economic concerns. As you know, the Forest Service *Travel Management Rule*, promulgated in 2005, has three parts:

- Subpart A – Administration of the Forest Transportation System;
- Subpart B – Designation of roads, trails, and areas for motor vehicle use; and
- Subpart C – Use by over-snow vehicles.

Over the past 5 years, the Agency has made great strides in completing Subpart B of the *Travel Management Rule* (rule), which was prioritized in order to stop uncontrolled cross-country motor vehicle use. Approximately sixty-seven percent of National Forest System (NFS) lands are covered by a motor vehicle use map. It is anticipated that 93 percent of NFS lands will be covered by December 31, 2010.

Subpart A of the *Travel Management Rule*

This letter is to reaffirm agency commitment to completing those sections of Subpart A of the rule which requires each unit of the NFS to:

- Identify the minimum road system needed for safe and efficient travel and for the protection, management, and use of NFS lands; and
- Identify roads that are no longer needed to meet forest resource management objectives and; therefore, scheduled for decommissioning or considered for other uses (36 CFR 212.5(b)).

By completing the applicable sections of Subpart A, the Agency expects to identify and maintain an appropriately sized and environmentally sustainable road system that is responsive to ecological, economic, and social concerns. Though this process points to a smaller road system than our current one, the national forest road system of the future must provide needed access for

recreation and resource management and support watershed restoration and resource protection to sustain healthy ecosystems and ecological connectivity.

Process

Identifying the minimum road system and unneeded roads requires a travel analysis process that is dynamic, interdisciplinary, and integrated with all resource areas. With this letter, I am directing the use of the travel analysis process (TAP) described in Forest Service Manual 7712 and Forest Service Handbook (FSH) 7709.55, Chapter 20, to complete the applicable sections of Subpart A. The TAP is a science-based process that will ensure future travel-management decisions are based on the consideration of environmental, social, and economic impacts. All NFS roads, maintenance levels 1-5, must be included in the analysis.

For units that have previously conducted travel analysis or roads analyses (RAPs), the appropriate line officer should review the prior report to: 1) assess the adequacy of the analysis and the relevance of any recommendations to the process for complying with Subpart A; 2) help determine the appropriate scope and scale for any new analysis; and 3) build on previous work. A RAP completed in accordance with publication FS-643, "Roads Analysis: Informing Decisions about Managing the National Forest Transportation System," will also satisfy the roads analysis requirement of Subpart A.

Although the TAP does not include a National Environmental Policy Act (NEPA) decision, we expect line officers to engage the public in the process, which should involve a broad spectrum of interested and affected citizens, other State and Federal agencies, and tribal governments.

Results from the TAP must be documented in a **travel analysis report**, which should include:

- Information about the analysis and recommendations;
- A map displaying the recommended minimum road system;
- A list of recommended unneeded roads; and
- Further reporting requirements identified in Step 6 of FSH 7709.55, Chapter 20.

Each regional forester must certify that TAP reports for units within their region comply with this direction and are consistent with national policy.

In complying with this direction, units should seek to integrate the steps contained in the Watershed Condition Framework (WCF) with the six TAP steps contained in FSH 7709.55, Chapter 20, to eliminate redundancy and ensure an iterative and adaptive approach for both processes. We expect that the WCF process, and especially the initial watershed condition assessment (Step A) to be completed by March 31, 2011, will provide important information for your work on Subpart A, while the TAP process will likewise provide information for the WCF process. The intent is for each process to inform the other so that they can be integrated and updated with new information or where conditions change. However, the Agency expectation is that each process will move forward: units should not halt one process to wait for the other.

Timing

The travel analysis report **must be completed by the end of FY 2015**. Beyond FY 2015, no Capital Improvement and Maintenance (CMCM) funds may be expended on NFS roads (maintenance levels 1-5) that have not been included in a TAP or RAP.

Once certified by the regional forester, units are directed to immediately use the TAP reports to inform resource assessments, project and forest plan NEPA decisions to achieve the TAP recommendations.

Leadership

The Washington Office lead for Subpart A is Anne Zimmermann, Director of Watershed, Fish, Wildlife, Air and Rare Plants. Working with her on the Washington Office Steering Team are Jim Bedwell, Director of Recreation, Heritage, and Volunteer Resources, and Richard Sowa, Director of Engineering. I expect regions to create a similar leadership structure to lead this integrated effort.

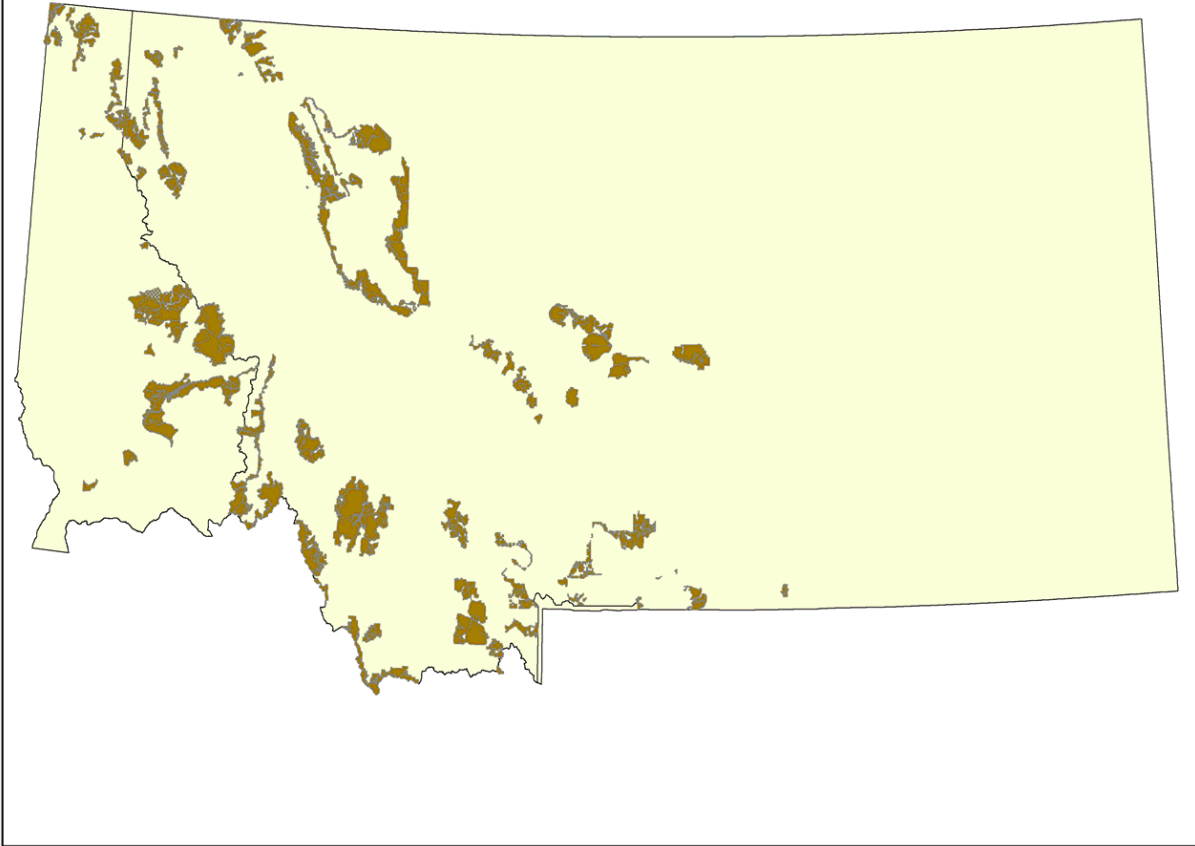
This work will require significant financial and human resources. Your leadership and commitment to this component of the *Travel Management Rule* is important. Together, we will move towards an ecologic, economic, and socially sustainable and responsible national road system of the future.

/s/ James M. Pena (for) Joel D. Holtrop
JOEL D. HOLTROP
Deputy Chief, National Forest System

Attachment 3

(from USFS Northern Region, Wilderness Needs Assessment, 2003. p. 15)

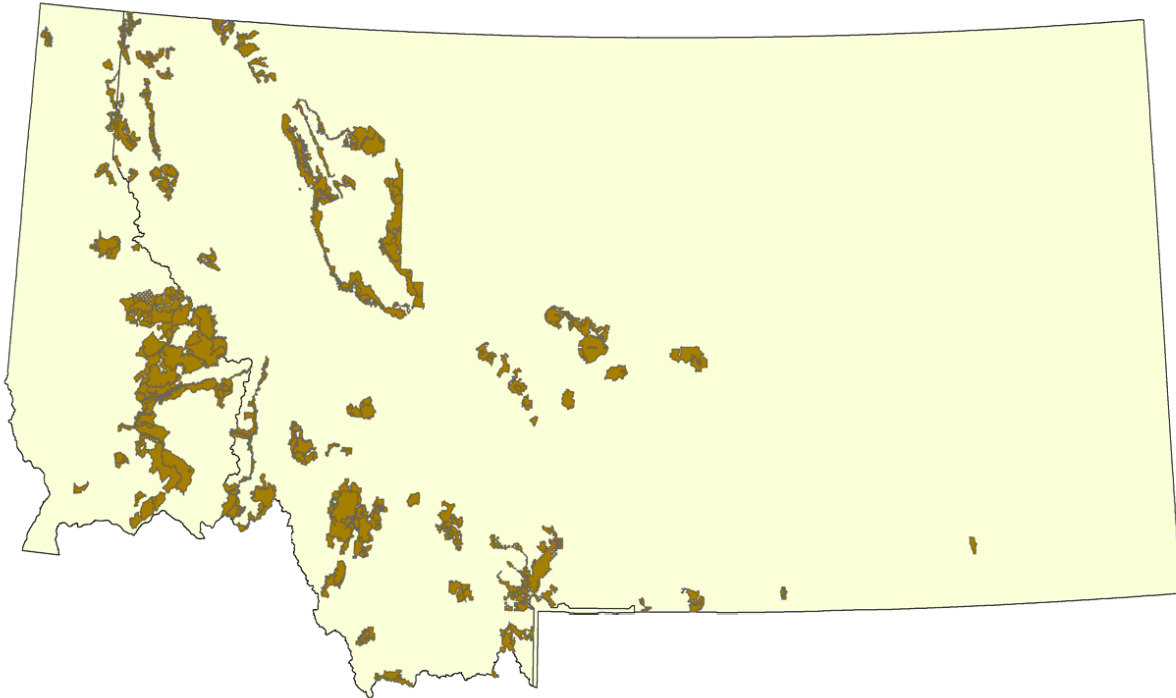
Roadless Areas containing Forest Service Sensitive Plant Species
Not currently occurring in Designated Wilderness (Set 3)
93 Roadless Areas meet the criteria



Attachment 4

(from USFS Northern Region Wilderness needs Assessment, 2003. P. 12)

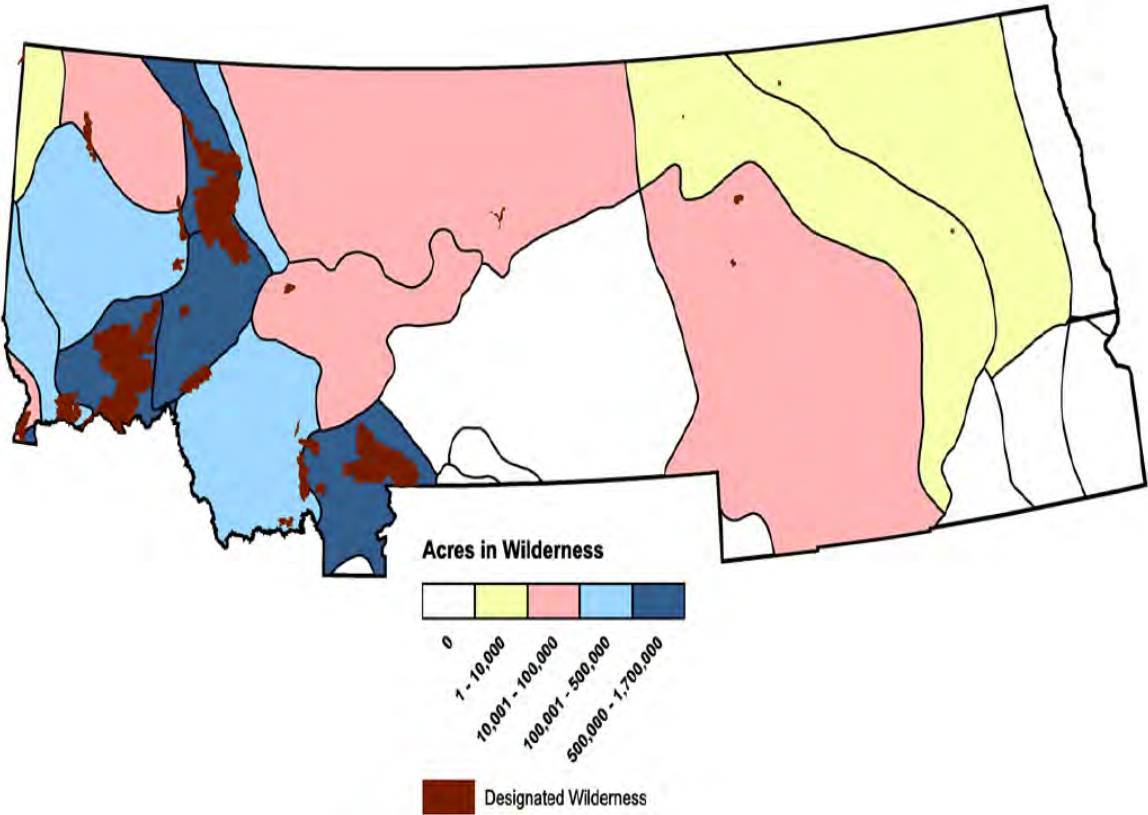
Roadless Areas containing Forest Service Sensitive Plant Species
which are Globally Rare (Set 4)
99 Roadless Areas meet the criteria



Attachment 5

(from USFS Northern Region, Wilderness Needs Assessment, 2003. P. 34)

Acres of Ecological Sections within Wilderness



Attachment 6

(from USFS Northern Region, Wilderness Needs Assessment, 2003. p. 39)

Ecological Sections acreage for lands within Region 1 Boundary

ECOCODE	Section	Total Acres	Forest Service Lands	% of Section all in FS Ownership	Wilderness -		Inventoried Roadless (acres)	% of Section in Inventoried Roadless
					ownerships (acres)	% of Section in Wilderness		
-251A	Red River Valley Section	5,154,815	49,268	1.0%	0	0.0%	31,481	0.6%
-251B	North-Central Glaciated Plains Sect	3,998,819	0	0.0%	0	0.0%	0	0.0%
-331A	Palouse Prairie Section	2,362,588	461,809	19.5%	166,468	7.0%	91,109	3.9%
-331D	Northwestern Glaciated Plains Secti	26,018,845	65,903	0.3%	21,628	0.1%	58,417	0.2%
-331E	Northern Glaciated Plains Section	17,227,667	113,406	0.7%	6,826	0.0%	20,331	0.1%
-331F	Northwestern Great Plains Section	28,853,774	1,355,246	4.7%	33,861	0.1%	224,816	0.8%
-331G	Powder River Basin Section	22,122,671	531,740	2.4%	0	0.0%	39,236	0.2%
-332A	Northeastern Glaciated Plains Secti	17,729,579	21,015	0.1%	5,819	0.0%	15,040	0.1%
-332B	Western Glaciated Plains Section	3,834,756	0	0.0%	0	0.0%	0	0.0%
-332D	North-Central Great Plains Section	2,765,695	0	0.0%	0	0.0%	0	0.0%
-342A	Bighorn Basin Section	274,430	46	0.0%	0	0.0%	0	0.0%
M331A	Yellowstone Highlands Section	4,852,247	1,971,948	40.6%	1,050,147	21.6%	584,105	12.0%
M331B	Bighorn Mountains Section	1,017,126	74,077	7.3%	0	0.0%	10,424	1.0%
M331D	Overthrust Mountains Section	221,954	0	0.0%	0	0.0%	0	0.0%
M332A	Idaho Batholith Section	3,714,919	3,467,822	93.3%	1,695,420	45.6%	977,205	26.3%
M332B	Bitterroot Valley Section	4,830,268	2,542,045	52.6%	701,425	14.5%	927,664	19.2%
M332C	Rocky Mountain Front Section	1,713,778	279,395	16.3%	101,299	5.9%	172,606	10.1%
M332D	Belt Mountains Section	7,812,863	1,803,128	23.1%	28,672	0.4%	957,841	12.3%
M332E	Beaverhead Mountains Section	8,321,197	2,924,759	35.1%	208,124	2.5%	1,693,283	20.3%
M332G	Blue Mountains Section	420,180	57,672	13.7%	83,226	19.8%	16,108	3.8%
M333A	Okanogan Highlands Section	1,809,159	572,310	31.6%	423	0.0%	174,013	9.6%
M333B	Flathead Valley Section	5,229,722	2,808,251	53.7%	82,891	1.6%	692,841	13.2%
M333C	Northern Rockies Section	2,644,812	1,569,124	59.3%	871,497	33.0%	390,348	14.8%
M333D	Bitterroot Mountains Section	8,196,917	4,541,661	55.4%	118,718	1.4%	1,908,531	23.3%
M334A	Black Hills Section	760,334	0	0.0%	0	0.0%	0	0.0%
	Total	181,889,115	25,210,626	13.9%	5,176,444	2.8%	8,985,399	4.9%



P.O. Box 4310, Whitefish, Montana 59937

Mr. Paul Bradford, Forest Supervisor
Kootenai National Forest - Forest Plan Revision
31374 US Highway 2
Libby, MT 59923

March 30, 2012

Also submitted by email to: KNFPlanRevision@fs.fed.us

Re: Kootenai Forest Draft Forest Plan Comments

Dear Supervisor Bradford:

This letter constitutes our comments on the Draft Forest Plan. Please include our letter in the comment record.

Headwaters Montana has been engaged in Kootenai Forest planning at various stages since its founding in 2006. In addition, our individual members, as well as members of our board of directors, have been active in Kootenai Forest management issues for decades, including the 1987 Kootenai Forest Plan. In addition we participated in the Kootenai Forest Stakeholders, and in the forest planning process specifically concerning the Tobacco GA and Galton Planning Area.

Headwaters Montana advocates for the conservation of our water, wildlife and quiet outdoor heritage. *Headwaters Montana* works to resolve long-standing natural resource issues and conflicts by working with others in the community through active partnership and balanced compromise. For example, in addition to US national forest management issues, we have been a key partner in resolving the mining issue in the Canadian headwaters of the North Fork Flathead River that resulted in B.C. Bill 2, "The Flathead Area Conservation Act of 2011", and in pending U.S. legislation, S. 233, "The North Fork Watershed Protection Act".

In general terms we are disappointed in the KNF *Proposed Alternative B*. This alternative is highly skewed towards motorized access and resource extraction and minimizes conservation. We think that, if implemented, it will perpetuate the 'battle' over management of the KNF. After all the years of conflict it is time to find the middle ground. *Alternative B* does not reflect the middle ground. We hope to establish in this letter an explanation of the Plan's bias and need for a corrected course.

The maps and the numbers tell the story. High conservation areas like eligible wilderness and non-motorized backcountry float like distant islands in a sea of green General Forest, unconnected and - according to *Alternative B* - diminishing. While we understand that the USFS must meet multiple mandates, the *Alternative B* expresses a strong bias while failing at the same time to properly apply the science of ecosystem management, our evolving understanding of Climate Change, or even our over-leveraged national financial situation.

Headwaters engages citizens of the Crown of the Continent in the region's critical conservation issues: water and wildlife conservation, and climate change.

14-13-00-0040

For example, why no **MA 8: Wildlife Linkage Zone**? Such a mapped zone would visually illustrate the KNF's 'desired future condition' to link core habitat areas (roadless and wilderness, Wild and Scenic, etc...) and offer no ambiguity about the management intention for those linkage zones. Instead, where science has learned - and can now predict (Proctor, pers. com.) - where such linkage zones exist, the Draft Plan depicts MA 6: General Forest. *The KNF is prioritizing motorized recreation, logging and other activities in strategic places where it should be prioritizing species retention and recovery. By doing so the KNF 'achieves' three enormous negatives:*

The Plan 1) will 'succeed' in achieving permanent habitat fragmentation, 2) preclude future wilderness consideration for important Roadless Areas because of "pre-existing use" and conflict with snowmobiling across 84 percent of the forest, and 3) perpetuate the fight that will hamstring the KNF's operations for years to come.

Alternative B does not present a middle ground solution for planning the KNF's future. We look forward to final Plan and FEIS that breaks new ground and provides for a different future than the contentious history of management on the KNF. The Draft Plan fails as a forward thinking document.

Summary Statements Concerning the Draft Forest Plan

1. The Draft Forest Plan *Proposed Alternative B* does not reflect the collaborative process that we participated in for the Tobacco GA or for that matter the Galton Planning Area.
2. The Draft Plan *Proposed Alternative B* will not assure survival of T&E species or species that are "warranted but precluded" under ESA regulations based on climate change modeling.
3. The Draft Plan *Proposed Alternative B* appears to ignore wildlife connectivity issues within the Kootenai Forest itself as well as adjoining jurisdictions such as the Flathead National Forest and British Columbia, Canada.
4. The Draft Plan *Proposed Alternative B* recommends additions to the Wild, Scenic River System for the Grave Creek watershed, but appears to ignore the Wigwam River, one of North America's premier bull trout fisheries, and a transnational river.
5. The Draft Plan *Proposed Alternative B* appears to ignore management direction in the adjoining Flathead National Forest.
6. The Draft Forest Plan *Proposed Alternative B* fragments land management throughout the KNF and in the Tobacco GA by dividing the landscape into small, difficult and more expensive-to-manage blocks.
7. The Draft Forest Plan *Proposed Alternative B* does not reflect the cost, the difficulty of management and enforcement, or the potential damage to National Forest resources by motorized recreation.
8. The Draft Forest Plan *Proposed Alternative B* wilderness assessment is highly subjective and the Plan's "Recommended Wilderness" is biased by that assessment.

Headwaters engages citizens of the Crown of the Continent in the region's critical conservation issues: water and wildlife conservation, and climate change.

9. The Draft Forest Plan *Proposed Alternative B* retreats significantly from the 1987 plan's recommended wilderness for the Forest as a whole and Ten Lakes WSA and its "contiguous area".
10. The Draft Plan *Proposed Alternative B* does not anticipate the recent legal rulings concerning the management of "Montana Wilderness Study Act of 1977" lands.
11. The Draft Forest Plan *Proposed Alternative B* proposes a "Special Area" (MA 3) for part of the Ten Lakes WSA that appears redundant to and in conflict with the higher authority of Congress.
12. The Draft Plan *Proposed Alternative B* is biased for timber production and the range of alternatives for timber production produces almost insignificant differences in timber produced, net benefit, or environmental benefit.
13. U.S. federal agencies bring substantial national resources to the KNF 'impact zone', and to Lincoln and Sanders County in particular, and the KNF should use those resources to effect national agency priorities and rebalance management to reflect the range of national concerns, including environmental concerns.
14. The Draft Forest Plan *Proposed Alternative B* would allow snowmobiling on over 84 percent of the KNF for just 1.9 percent of forest users without sufficient NEPA analysis of impacts.
15. The Draft Forest Plan *Proposed Alternative B* drops historic Special Areas without explanation.
16. The Draft Forest Plan *Proposed Alternative B* does not present an adequate range of alternatives.
17. The Draft Forest Plan *Alternative C* with significant modifications should be chosen as the **Preferred Alternative** selected in the FEIS and the ROD.

1. The Draft Forest Plan *Proposed Alternative B* does not reflect the collaborative process that we participated in for the Tobacco GA or for that matter the Galton Planning Area.

The Draft Forest Plan states, "**Alternative B** is the Proposed Action Alternative. This alternative is the result of collaborative efforts since 2003 and responds to the identified purpose and need." (DEIS, p. iii).

It is our distinct recollection that, in so far as the Tobacco GA is concerned, Supervisor Castenada summarily discarded any collaborative considerations for this area and destroyed trust and partnerships in the Tobacco Plains area (in 2006). In point of fact, there were no collaborative consensus reached, yet Supervisor Castenada discarded whatever progress had been made. It is completely inappropriate for the Draft Plan to suggest that *Alternative B* represents a collaborative consensus for the Tobacco GA.

Headwaters Montana would like to see - and does think - that a collaborative consensus can be reached by the community for this planning area. However, *Alternative B* presumes to represents

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a ‘social’ and even a ‘political’ consensus where one does not exist and where none was ever reached. As such, *Alternative B* sets the stage for further conflict and community acrimony by limiting the range of alternative for community conversation.

The final *Preferred Action* must show “Recommended Wilderness” for the entire Ten Lakes WSA and much of its roadless perimeter as well as for the roadless areas of the Whitefish Range in order to provide incentive for community interest groups to come to a real agreement over the final reconciliation for the Ten Lakes WSA.

As presently drafted, *Alternative B* gives every indication that the Kootenai National Forest has conceded the Ten Lakes WSA as a destination for snowmobiling. This does nothing to provide an incentive to the snowmobile community to come to the table to actually achieve a political solution to the decades-long Ten Lakes WSA issue. It would also conflict with recent court rulings on the Montana Wilderness Study Act of 1977.

2. The Draft Plan Proposed Alternative B will not assure survival of T&E species or species that are “warranted but precluded” under ESA regulations based on climate change modeling.

Climate Change is an acknowledged scientific fact. Local communities may choose to ignore or downplay the integrity of the science or the urgency of acting or managing federal natural resources appropriately. However, the USDA requires “objective, analytical assessments of the effects of climate change and response strategies.”

The Draft Management Plan when implemented will be the definitive document that guides the KNF’s response to Climate Change for the critical period of the next two decades. We will not have the luxury of another protracted forest planning process to ‘get it right’. Therefore the imperative is upon the US Forest Service to offer a final *Preferred Action* that reflect the best science and best land management practices *even if it runs counter to the prevailing, local culture*. The Kootenai National Forest is a National Forest, not a Local Forest.

In this regard, the Kootenai National Forest should plan on managing with the most advanced landscape management vision and tools. Models of climate change for this geography include predictions for:

- Warmer average temperatures over the year
- Shorter, warmer winters, and hotter drier summers
- Increased incidents of forest fire affecting greater areas of the national forest
- Decreased summer stream flow
- Warmer in-stream water temperatures that will restrict native species and lead to greater inbreeding in west slope cutthroat trout
- Less structural biodiversity on the landscape
- Narrower and fewer ecological niches

- Species moving (retreating) up-slope (and upstream) and up-latitude to survive¹

The *DEIS* addresses Climate Change superficially.

For example, the [USFWS](#) has ruled that the wolverine (*Gulo gulo*) is “warranted but precluded” from listing as an endangered species under the ESA.² Yet the KNF currently allows and *Proposed Alternative B* maintains extensive snowmobiling on 84 percent of the forest including in the higher-altitude, denning/natal habitat of this species (see attached map of predicted wolverine denning habitat, Appendix: Map 1).

Similarly, the Bull Trout (*Salvelinus confluentus*) is listed as an endangered species. The Wigwam River is perhaps North America’s premiere bull trout fishery, particularly in the downstream reach of the river in British Columbia. (See Appendix B, Table 1) The MA 5b designation for this area should be reduced to corridors similar to the Eligible Wild, Scenic River corridors depicted on the Draft Plan maps. Pre-1987 forest plan maps show just this kind of delineation (see Appendix, Map 2). The balance of this area should be MA 5a (Backcountry - Non-motorized). A road is nothing more than a travel corridor for vehicles, in the same way as a river is a travel corridor for fish. This change would help protect bull trout and will lead to greater success in conserving this species.

We extend our comments regarding bull trout and road corridors to the West Slope Cutthroat Trout (*Oncorhynchus clarki lewisi*). The KNF should promulgate a general management plan that does not ‘generally’ accommodate the *status quo* of forest management, but that specifically protects and enhances the habitat of this and other T&E species. (*Contact the USGS, MDFWP and Flathead Lake Biological Station for maps, data and modeling on predicted upstream retreat and hybridization of cutthroat trout with rising stream temperatures.*)

The grizzly bear (*Ursus arctos*) has achieved significant recovery since its listing as a Threatened Species in 1975 in the Northern Continental Divide Ecosystem. But recovery remains far from complete for the Cabinet - Yaak or the Selkirk ecosystems. Recovery in these ecosystems is hampered by low bear numbers, out-migration of ‘augmented’ bears, poaching, hunter mistaken identity, land conversion for human uses, road density, habitat fragmentation and barriers to movement between populations. (Servheen, et al. 2001) (See point #6 for more on grizzly bears.)

We read nothing in the Draft Forest Plan, or in the *Proposed Alternative B*, that would indicate a pro-active intent to help reverse or even offset the predictable species decline with the advance of Climate Change. For example, Dr. John Weaver’s monograph (Weaver 2011) maps high value lands (Roadless Areas) for long term conservation of species in the Whitefish and Galton ranges. The Draft Plan’s *Alternative B* MA designations show almost arbitrary changes between 1a and 5b and 5c with no apparent regard for identifying, let alone protecting linkage zones between the

¹ http://books.google.com/books?hl=en&lr=&id=NYoTAAAYAAJ&oi=fnd&pg=PR21&dq=summary+of+climate+change+effects&ots=aJFjC1GOno&sig=mdxL-Ka9h014Z_bkbM4Xe7tnmbQ#v=onepage&q=summary%20of%20climate%20change%20effects&f=false

² <http://www.fws.gov/mountain-prairie/species/mammals/wolverine/>

Whitefish Range and the Salish Range. (See Proctor, et al. 2012; a forthcoming paper will provide more detail on linkage zones in the vicinity of the KNF. Proctor, pers. com.)

3. The Draft Plan Proposed Alternative B appears to ignore wildlife connectivity issues within the Kootenai Forest itself as well as adjoining jurisdictions such as the Flathead National Forest and British Columbia, Canada.

The north boundary of the Tobacco GA lies along the international boundary. As stated in the DEIS, wildlife do not perceive political boundaries. An international herd of elk and bighorn sheep flow back and forth across the Roosevelt area boundary utilizing the Kootenai National Forest as they have for thousands of years. We think *Alternative B* and *C* would adequately protect wildlife populations in this area because of the WSA and MA 5a (*Alt B*) and MA 1b (*Alt C*) designations. Neither the WSA nor the proposed MA 5 or MA 1b designations were necessarily made because of the concerns for these wildlife populations. However, the KNF should keep these populations in mind as it completes the Plan.

However, Bull trout which flow up and down the Wigwam and its upper tributaries do appear at risk without more conservative land management (see comment #2, above).

Woodland caribou (*Rangifer tarandus caribou*) still use the high ridges of the Whitefish Range, and though not listed by the USFWS, anecdotal evidence supports their occasional presence (Jim Williams and Tim Thier, MFWP, pers. com.). The MA 5b designation of the border area is not sufficiently conservative to help this species. Existing motorized winter use in the Ten Lakes WSA is very counter-productive.

Also as stated in the DEIS, wildlife management is the purview of the state's wildlife agency and the FS is responsible for managing species habitat. The predominance of over-snow vehicles in the Ten Lakes WSA during winter months and the MA 5b designation for the upper Wigwam watershed are problematic with regard to this species.

Looking at the south west boundary of the KNF we again see motorize winter activity in roadless areas that represent important grizzly and wolverine denning habitat. (See point #6, below.)

4. The Draft Plan Proposed Alternative B recommends additions to the Wild, Scenic River System for the Grave Creek watershed, but appears to ignore the Wigwam River, one of North America's premier bull trout fisheries, and a transnational river.

Headwaters Montana is pleased to see the KNF propose additions to the National Wild and Scenic River System throughout the Forest in all alternatives. However, as mentioned in other sections of this letter, the upper watershed of the Wigwam River seem to have fallen out of the analysis and proposal process.

The National Wild and Scenic River Act states:

"It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values, shall be

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preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.”

Again, as mentioned above, the Wigwam river is one of the top bull trout fisheries in North America and certainly within the region. (Appendix B, Table 1) (Hagen, John and Scott Decker. 2011. Mike Hensler, pers. comm.; Clint Muhlfeld, pers. comm.) The Ktunaxa First Nation of southeast BC (Kootenai in the US) regard the Wigwam as one of the most significant rivers in their territory.

Headwaters Montana has been directly involved in the effort and success of preventing mountaintop removal coal mining in the Canadian reach of the adjoining North Fork Flathead River watershed. The [Boundary Waters Treaty of 1909](#) prohibits the deterioration of water quality across the U.S. - Canadian boundary in either direction. The 1984 referral of the North Fork Flathead River to the International Joint Commission (IJC) proceeded on the basis of both country's acknowledging the potential for harm. Ultimately, the IJC concluded that damage to the bull trout fishery from upstream, Canadian, activities was unacceptable ([IJC 1988](#)).

We strongly recommend adding all tributary streams of the Wigwam to the National Wild and Scenic River System. This would include Bluebird Creek, Wolverine Creek, Robin Creek, Rich Creek, Wam Creek, Wickiup Creek, Weasel Creek, Camp Creek, Double Creek, Snowslide Creek, and Otter Creek.

5. The Draft Plan Proposed Alternative B appears to ignore management direction in the adjoining Flathead National Forest.

The Tobacco GA lies up against the Flathead National Forest (FNF) to the east. While the FNF has experienced setbacks in its forest plan revision process, the Flathead presented preliminary maps to the public that recommended wilderness for the Tuchuck and Thompson Seton Roadless Areas. By contrast, the KNF *Alternative B* recommends wilderness (MA 1b) for only the 'south portion' of the Thompson Seton IRA (DEIS, Appendices, p. 53). *Alternative B* recommends no wilderness for the Tuchuck Roadless Area. This will create a management conflict along the Whitefish Divide.

Headwaters Montana thinks that the truncated wilderness recommendation for the Thompson Seton and Tuckuck IRAs represents a 'political tradeoff' for eventually gaining official sanction for snowmobiling in the Ten Lakes WSA. We look at the geographic area or extent of the "Special Area" (MA 3) designation for Ten Lakes WSA - which approximates the snowmobile community's 'claim' to their snowmobiling territory - and compare that to the extent of the recommended wilderness in the adjacent Whitefish Range and cannot help but conclude that a political calculus has been made, irrespective of the wilderness character of the entire Thompson Seton IRA, or any other consideration.

We recommend that the KNF simplify land management allocations and better match the FNF planning direction. *Alternative C* provides a much easier to understand allocation of MA's in the Whitefish Divide area and fits better with FNF direction. (See next comment point.) Extending the MA 1b to include the southern lobe of the Whitefish Divide (south of Mount Marston) will also enhance the movement corridor between the Whitefish Range to the Salish Range. This area (where the MA 1b area ends) should be allocated to MA 8: Wildlife Linkage Zone.

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6. The Draft Forest Plan *Proposed Alternative B* fragments land management throughout the KNF and in the Tobacco GA by dividing the landscape into small, difficult and more expensive-to-manage blocks.

Current concepts of landscape ecology and species conservation, particularly mid- and large-sized mammals (including carnivores), emphasize large blocks of contiguous, secure habitat. The Yellowstone to Yukon Conservation Initiative has [identified twelve priority landscapes](#) for conservation in North America. The majority of the KNF falls within the Cabinet - Purcell Priority Area. The Tobacco GA falls within the Crown of the Continent Priority Area which includes the transboundary Flathead and Wigwam rivers.

The British Columbia government recently passed Bill 2, the “Flathead Area Conservation Act”, as an outcome of political pressure to manage the transboundary Flathead more holistically. The US Senate is currently considering S. 233, the “North Fork Watershed Protection Act”, as a consequence of international consensus that the region must be managed for the long-term benefit of Man through greater protection of water. Such policy scope is inherently good for people, regardless of objections of some who do not understand the science or the long-term objectives of conservation.

The existence of these concepts can be attributed to the scientific community’s awareness of the need to manage landscapes as inter-locking piece of a whole. And while a scientific consensus seems to exist for these principles, the KNF draft plan does not appear to apply these approaches. Nevertheless, recent literature suggests that US Federal agencies are expanding their awareness and application of current scientific principles. Locke (2012) states:

“[The] Intergovernmental Panel on Climate Change stated, ‘the resilience of many ecosystems is likely to be exceeded this century by an unprecedented combination of climate change, associated disturbances (e.g., flooding, drought, wildfire, insects, ocean acidification), and other global change drivers (e.g., land use change, pollution, overexploitation of resources)’ (Parry et al. 2007, N 4.1 to 4.6). The best and most hopeful response park managers can use to address this profound challenge to ecosystems in the 21st century is to embrace and implement large landscape conservation.” (Locke 2012)

With respect to grizzly bears as well as other species wildlife biologists and the USFWS advance the principle of “metapopulations”. Servheen, et al. (2001) states,

“Most species exist as a series of geographically isolated populations separated from each other by habitats having limited support capability and/or higher levels of mortality risk. Such species exist in the landscape as a population of populations, which has been termed a metapopulation (Levins 1970). Barrowclough (1987) further define metapopulations as geographically separated populations whose range is composed more or less of isolated patches, interconnected through patterns of movement between them. Such a situation describes grizzly bear populations in the Northern Rocky Mountains of the United States and adjacent areas of Canada. The survival and persistence of such metapopulations is dependent upon some level of movement and gene flow between them, especially in environments where demographic challenges exist....Thus, management of linkage zones to maintain and

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enhance movement opportunities is a critical part of the successful application of metapopulation theory to grizzly bear conservation.”

Our great concern is whether the KNF will apply these more current (or even 2001) thinking in time to address the long-term, and rapidly emerging impacts of Climate Change.

We do not think that *Alternative B* will lead to the recovery of the Grizzly Bear. *Alternative B* allows motorized wheeled and over-snow use in key habitats.

Under *Proposed Alternative B*, we note many locations where IRAs are divided between MA 5a, 5b, and 5c. The Grave Creek area and upper Callahan Creek are cases in point. As is upper Elk Creek (south of Heron), as well as Silver Butte Creek, the Vermillion River, the entire West Fork Yaak (too much MA 5b), Red Top Creek, Cyclone Cr, Fourth of July Creek, Saddle Mountain, Gold Hill West, Big Creek, and Pink Mountain area.

Alternative C as a starting point for a *Preferred Alternative* provides a much more durable and manageable scenario for all these areas.

Taken from an economic perspective, wilderness and roadless lands are the least expensive land to manage. We have searched the literature for a citation to support this idea, but it appears that little effort has been applied to this area of forest management. However, the DEIS appears to support this point. Under “Watershed, Soils, Riparian and Aquatic Habitat/Species” (DEIS p. 175) the DEIS associates “more activity” (i.e. more ‘active management’ and associated cost) with “relatively more improvement in watershed, soil, riparian, and aquatic habitats”, inferring that the investment of money in active management will speed up recovery vs. the slower, less expensive passive management approach (an assumption and thinking we do not share). In this regard, the principles of economic efficiency and ecologic management align.

While the KNF has considered budgetary restraints in advancing its Allowable Sales Quantity (DEIS, p. 357) for the Draft Forest Plan, it appears to want to spend more money than is necessary to “recover” parts of the KNF damaged by past mismanagement.

The KNF appears to be basing future management budgets on recent history and not on future likelihood. In this day and age of bankrupt nations (Greece, Spain, Italy, Portugal, etc...), and the over-leveraged US economy and its sovereign debt, it seems inappropriate to plan future expenditures on those received in the past... even the recent past. The KNF must take a more frugal approach to land management than that presented in the Draft Forest Plan.

The first step to meeting future budget shortfalls is to promise less to the public in terms of developed areas, services, management and even enforcement, while providing for the restoration of habitats through a least cost, ecologic approach.

We recognize that in some situations man must step in and correct harm inflicted by past ‘active management’. However, nature can and does restore, as noted in the DEIS, by more passive, less-expensive management. We agree. This again argues for using *Alternative C* as a basis for the *Preferred Alternative* in the FEIS.

For these ecological, connectivity, and economic reasons we recommend that, again, *Alternative C* be advanced as the *Preferred Alternative* with extensive modifications including:

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- Reducing the “General Forestry” (MA 6) area of the KNF so that it reflects likely further budget reduction and less cost to the US tax payer;
- Apply a new Management Area, MA 8: Wildlife Linkage Zone, to zones of the forest where grizzly bears and other animals would benefit;
- Recommending the Mount Henry, Big Creek, Gold Hill West, Saddle Mountain, Northwest Peaks as wilderness and providing linkage zones between them using other IRAs and changing adjacent MA 6 areas to MA 8 to meet the habitat challenges faced by forest species, including fish.
- Recommend all MA 5 areas adjacent to the Cabinet Mountain Wilderness as wilderness;
- Recommend all MA 5 areas along the KNF and Idaho Panhandle National Forest as wilderness;
- Recommend all MA 5 areas in the vicinity of Vermillion and Silver Butte Creek as wilderness.

See Appendix A, Map 3 for an illustration of how the KNF can link the existing IRA’s into a system of our proposed MA 8 “Wildlife Linkage Zones” that would protect and accelerate species retention and recovery. The establishment of an MA 8 zone still leave a lot of forest available for ‘active management’ while finally providing wildlife with needed security.

See Appendix A, Map 4 for mapped tracking data for two females that had been relocated to the Cabinet Mountain Wilderness. These bears voted with their paws and returned to the Northern Continental Divide Ecosystem (NCDE). The bear’s ability (and need) to move between ‘ecosystems’ argues for providing a Management Area 8 zone between the NCDE and the CYE on the forest to provide core habitat and security, as well as corridors between the KNF and Lolo National Forest through the:

- Cabinet Additions - Allen Mountain - Trout Creek IRAs
- Cabinet Wilderness - Berray Mountain - Government Mountain - Chippewa - Rock Creek - Lone Cliff Smeads - Lone Cliffs West - Huckleberry Mountain - West Fork Elk - East Fork Elk IRAs, and
- Devils Gap - McNeeley - and Trout Creek IRAs.

Within the MA 8: Travel Linkage Zone management zone, total road densities should be substantially reduced to increase survival of grizzly bears. (Schwartz et al. 2010)

With the exception of establishing a system for reducing the impacts of roads on grizzly bears as an outcome of the recent Motorized Access Amendment (USDA, 2012), the DEIS proposes minimal action to establish linkage zone. MA 8 would also protect species other than T&E and ‘warranted but precluded’ making the designation broader in scope, appeal, and effectiveness.

After almost a century of human activity, ‘active management’, and active habitat fragmentation, the KNF has the opportunity with the new plan to re-knit a damaged landscape, an objective that appears to be something of a KNF goal, but for which no clear path is described or evaluated. A

properly developed MA 8, Wildlife Linkage Zones, would go a long way to achieving ecological restoration and parity between development and conservation on the KNF.

Lastly, the DEIS states (p. 209) that “wildlife crossings” would be managed for one-quarter mile (1/4mi.) on either side of roads. This prescription will fail to adequately assist protection of recovery of wildlife. We urge the KNF to adopt the MA 8 “Wildlife Linkage Zones” approach as recommended in the scientific literature.

7. The Draft Forest Plan Proposed Alternative B does not reflect the cost, the difficulty of management and enforcement, or the potential damage to National Forest resources by motorized recreation.

The USFS recognized some time ago the costs and challenges of managing motorized recreation on national forest lands,³ which led to the new [Travel Management Directive](#).

Motor vehicles, whether two-wheeled, four-wheeled, OHV or standard car or truck, snowmobile or the brand new “snowcycles”, require more infrastructure and management oversight than traditional foot or horse use in national forests. In addition, a segment of motorized users have earned a reputation as scofflaws, particularly on national forest and public lands. Their disregard for the law results in damaged national forest resources, increased costs to the national forest, and conflict with their own motorized community as well as quiet forest users.

As pointed out in the DEIS, almost all forest users access the KNF with motor vehicles, via roads. We are concerned about the extent of general motorized access (now directed by USDA 2011). However, we are concerned here with the extent of motorized access proposed by the *Proposed Alternative B*, as well as *Alternative D* as depicted in DEIS tables 57 and 58 (DEIS, p. 275).

As mentioned in points #3 and #6 above, areas proposed under *Alternative B* for MA 5b and 5c should be reduced to protect a broader range of forest resources.

With regard to wheeled motorized recreation’s impact on quiet recreational pursuits, Table 49 (DEIS p. 265) illustrates the disparity between forest users. Over 44 percent of forest users hike compared to just 1.4 percent who use OHV type vehicles. While OHV recreation has its place on national forests, the disproportionate impact of OHVs necessarily requires careful assessment of where that activity is appropriate. (See *FNF Island Unit Trail System Additions Project* for context. FNF 2012. OHV use of FNF trails has been significantly curtailed over the recent years to protect other resource values, prompting assessment of a portion of the FNF that might be managed for a higher concentration of use - the Island Unit - in cooperation with OHV clubs to in part educate OHV users on proper behavior on NFS lands.)

We think that *Alternative C* represents a starting point in delimiting OHV and motorized recreation on the KNF, with additions as suggested throughout this letter.

With respect to the Tobacco GA, we think the Plan should be modified to restrict the motorized use to *designated routes and play areas*. Allocations made on this basis, rather than broad

³ Speech by Forest Service Chief, Dale Bosworth, April 12, 2005

generalized ‘zones’ will establish that designated roads and trails are appropriate for motor vehicles and not adjoining forest and wildlife habitat.

We recognize that the general management plan is not a travel plan. However, the KNF could designate the Grave Creek Road corridor, and subsidiary road corridors that it intends to keep in the road system and the immediate vicinity of these roads, as MA 5b or 5c. Within that network of system road corridors (Appendix, Map 2) the KNF then has the freedom to develop a travel management plan (e.g. the Galton Project, or individual timber sales) where specific roads are opened or closed to wheeled vehicles for various management purposes). While this suggestion would appear to reduce the area ‘available’ to motorized users, the truth of the matter is that it does not reduce the area available because wheeled motor vehicles are required to stay on designated routes in any event.

Motorized trails should not be designated in Ten Lakes WSA and Whitefish Range areas in the Forest Plan.

8. The Draft Forest Plan Proposed Alternative B wilderness assessment is highly subjective and the Plan’s “Recommended Wilderness” is biased by that assessment.

It is hard to know where to begin with the Draft Plan Wilderness Assessment. Appendix C presents the Region One “Wilderness Needs Assessment” which we think embodies a highly biased approach to wilderness values. The DEIS explains additional analysis.

While the Needs Assessment lays out information in tables and appears rational, the categorization of attributes is subjective. Even the chosen attributes (1-47) fall short of objectivity or as criteria that would reflect the modern science of species conservation, or the inherent value of wilderness quality lands.

The process is extremely archaic. The KNF wilderness assessment appears more a mechanism to exclude lands for wilderness consideration than taking those roadless lands at face value as wilderness.

It is interesting to consider that the general public indeed considers most roadless lands as ‘wilderness’, because the public - in general, across the US, and even in Montana - is not aware of the Congressional designation of wilderness. “Wilderness” might then be defined as any undeveloped land. But of course it is not in a legal understanding. Nevertheless, the KNF assessment uses a very low threshold to discard areas that in fact reflect wilderness - both as accepted by society and as the lands function ecologically.

The FS requires lands to be considered for wilderness recommendation to pass through not one but two filters before it might be recommended for wilderness. The first filter is supposed to evaluate an area’s “wilderness potential”. The threshold for wilderness potential is states as, “Those [IRA’s] rated as low in any category were dropped from further consideration unless recommended for wilderness in the 1987 plan, or specifically suggested in public comments received.” (DEIS, p.300)

Take, for example, La Beau (#507). It fell out because it received a “Low” Capability Assessment (DEIS, Appendices, p. 104; DEIS, p. 300). Why did it receive a low score? It rated

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low for manageability for ‘size and shape’ and ‘location’. It ranked low for native animal, T&E species, wildlife habitat, and habitat linkage. These rankings are highly subjective. For example, La Beau has never been logged because it is difficult to access. Hence it has never been ‘managed’. Hence, it is not difficult to manage. It needs no management. It is also extremely important as secure, core habitat and as a Wildlife Linkage Zone.

Or take Cube Iron ((#784). It received two “Low” rankings for “Capability” and “Need”. Why? With respect to Capability, it scored high in some categories, like Opportunity for Solitude, Free of Disturbance, and it scored “Medium” for “Special Features”. How did it end up with a low Capability rating? It ranked Low for backpacking, saddle stock, hunting, fishing, snowshoeing. But it did rank “High” for snowmobiling. What does snowmobiling have to do with an area’s wilderness potential when 88 percent of the forest is currently open to snowmobiles?

Cube Iron also ranked “Low” for “Need” because it didn’t have Yellowstone Cutthroat Trout, or the presence of sensitive plants, among other anomalous shortcomings. The evaluation even erred in ranking Cube Iron “Low” for combining with other “patches” (Appendix C, p. 128), when in fact it can be combined with Cataract Creek (#665) and Allen Peak (#185) to form a significant area of core and connected habitat.

It would be possible to go through the entire KNF Wilderness Assessment and point out similar shortcomings and subjective, biased conclusions made by this document and the Regional Needs Assessment. And again, the KNF is using this process to first eliminate IRA’s from “Wilderness Potential” consideration. This reduced areas to be considered for Recommended Wilderness (MA 1b) from 43 and 638,034 acres to 16 and 217,348 acres. An arbitrary reduction of 66 percent. In the final cut or filter, the KNF reduced the number of IRA for recommended wilderness from 16 and 217,348 acres to 9 and 112,800. Another arbitrary reduction of 48 percent. The total loss from total inventory of Roadless Lands to Recommended Wilderness amounts to 82 percent. Wilderness lands represent one of the rarest land types in the Lower 48 United States, and yet the KNF is proposing to reduce its reserve by 82 percent. This cannot represent even the suggestion of balanced forest management or rational process.

As one example of how the public (and Congress) regard the subject of Wilderness, the Magruder Corridor in the Frank Church Wilderness of No Return demonstrates that Congress and the nation agree that it is appropriate to designate national forest land as “Wilderness” not thirty feet from the edge of a road traveled by motor vehicles. Proximity to roads, or communities, personal challenge, various recreational modes of travel... all these aspects come into play as soon as you leave the road. Wilderness starts when you leave the road, particularly as you enter roadless block of land (generally 5,000 acres or larger) with limited trail access and natural hazards.

For these reasons we recommend *Alternative C* as a starting point for the final *Preferred Alternative* to be selected out of this NEPA process.

- We agree with *Alternative C* that all of the Whitefish Range should be designated MA 1b.
- We disagree with all alternatives presented that Ten Lakes WSA should not be recommended for wilderness as it was in the 1987 Plan. Congress should make this

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decision and must. Recommending this area for Wilderness will provide further incentive for all parties to negotiate a political settlement of the WSA. Not recommending Ten Lakes WSA for wilderness automatically concede Ten Lakes to the snowmobiling interests and removes their incentive to negotiate a balanced solution. If the KNF wishes for this issue to be resolved by the community, it will need to make the hard decision to recommend Ten Lakes WSA for wilderness.

- We agree with *Alternative C* that the Blacktail Creek area should be recommended for wilderness.

The USFS wilderness assessment methodology is fatally flawed. It would be appropriate to treat the evaluation of wilderness potential in a more scientific way by the statement of a null hypothesis, and the systematic weighing of evidence - that includes the concepts of wildlife linkage zones - and that tests the null hypothesis. The FEIS should be tasked with a reassessment of wilderness.

9. The Draft Forest Plan Proposed *Alternative B* retreats significantly from the 1987 plan's recommended wilderness for Ten Lakes WSA and its "contiguous area".

The 1987 Forest Plan map displays the Ten Lakes WSA as MA 9: "Ten Lakes Wilderness Study Area. Manage to protect existing wilderness character." The 1987 Plan also recommends almost all immediately adjoining lands as MA 8: "Areas being recommended for additions to the National Wilderness Preservation System". Based on tables 66 (DEIS, p. 304) and 70 (DEIS, p. 317) it appears that the KNF is retreating from the 1987 plan with respect to Ten Lakes and even in *Alternative C* (in which lower elevation lands on the Ksanka face are allocated MA 5).

Since the 1987 Plan, the KNF has encouraged snowmobile use (unofficially) in the Ten Lakes WSA, and snowmobile use has sky-rocketed well beyond the 1977 level. The KNF management of the Ten Lakes WSA was challenged in court (along with other national forest in Montana managing WSA's). The court settlement required the KNF to develop a Travel Plan for the area (the concurrent Galton Project).

The DEIS states, "The Ten Lakes contiguous area .. and wilderness study area... remain open to snowmobiles in winter while the other recommended wilderness area are closed to vehicle year-round." (DEIS, p. 302). It is problematic that the KNF perpetuates the myth that the Ten Lakes WSA is "open to snowmobiling" when the courts have ruled that that use is limited to 1977 levels. We think the DEIS misrepresents the facts.

We recognize that the prevailing social and recreational uses have changed in the Ten Lakes WSA and surrounding forest - in spite of Congress' intent. But look at how far the KNF has drifted from its published 1987 Plan and its intended management? It has drifted almost 180 degrees off of the publicly stated, NEPA-determined objective for the Ten Lakes WSA.

The FEIS needs to clarify the KNF's responsibility with respect to snowmobiling in the Ten Lakes WSA per the Courts ruling and USFS policy with respect to WSA management. In addition, the FEIS should use *Alternative C* as the basis for the *Preferred Alternative* but convert

all MA 5b zones to 5a with motorized corridors designated 5b in the Grave and Wigwam creek areas (as suggested earlier).

1. The Draft Plan Proposed Alternative B does not anticipate the recent legal rulings concerning the management of “Montana Wilderness Study Act of 1977” lands.

On December 1, 2011, the 9th Circuit ruled in *Montana Wilderness Association v. McAllister*, ___ F.3d ___, slip op. 20573 (9th Cir. Dec. 1, 2011), that the Gallatin travel plan had not adequately taken into account the impacts of increased motorized use and noise when making its decision about whether to continue allowing motorized and mechanized use in WSAs.

The 9th Circuit’s earlier 2010 decision (in *Russell Country Sportsmen v. Forest Service*) affirmed the Forest Service’s ability to manage lands protected by the Montana Wilderness Study Act in a manner that was more restrictive of motorized use than when the Act was passed in 1977. The court found that the Montana Wilderness Study Act of 1977 (Study Act) imposes two requirements:

“First, the Service must administer study areas so as to maintain their wilderness character as it existed in 1977. Second, the Service must administer the areas so as to maintain their potential for designation as wilderness areas — i.e., as part of the National Wilderness Preservation System.” *Russell Country Sportsmen v. United States Forest Service*, ___ F.3d ___, No. 10-35623, slip op. 18851 at 18861 (9th Cir. Oct. 12, 2011). (Emphasis added)

The 9th Circuit’s more recent decision, in *McAllister*, provided some clarification about what it means to “maintain wilderness character.” The court found that the Study Act:

“requires the Service to ensure that current users of a wilderness study area are able to enjoy the wilderness character of the area as it existed in 1977, pending a congressional decision on whether to designate the area as wilderness. In this case, the Service has not adequately explained how the 1977 wilderness character of the relevant study area, particularly the opportunities for solitude it offers, has been maintained despite an increase in the volume of motorized and mechanized recreation in the area.” (Emphasis added)

The court’s opinion hinged on the Forest Service’s acknowledgement that motorized use in the area had greatly increased in volume since 1977. The Forest’s travel plan decision, which reduced the acreage within the WSA that was open to motorized use, was not sufficient to address this increase in volume.

The court also relied upon the fact that the Gallatin failed to address the impacts on current users from that increase. Specifically,

“[t]he Service did not attempt to maintain the area’s 1977 wilderness character, including the relatively low motorized use volumes that existed at that time, for the enjoyment of current users.” *McAllister* at 20593.

“An area’s ability to provide solitude depends on a current user’s perception of **other** users around him — not just on the physical characteristics of the land.” *McAllister* at 20587.

The court acknowledged that the Gallatin’s attempt to maintain wilderness character will likely be approximate and qualitative and that the lack of complete historical data on volume of recreational use would make these estimations difficult. But, the court determined that the Forest

Service must still try, and “do the best it can with the data it has” and that it cannot “ignore the volume of use increase completely.” McAllister at 20592.

Headwaters Montana thinks the 2011 ruling bears on the Draft Forest Plan. The final Plan must reflect a conservative approach to the Ten Lakes WSA, and must not be ambiguous. The KNF’s historical *laissez faire* approach towards Ten Lakes WSA which we think continues to this day requires a course correction. The superimposition of a Special Area (MA 3) on the Ten Lakes WSA is inappropriate. Clearly the resolution to the Ten Lakes WSA requires a political solution, not an administrative one. We urge the KNF to remove the MA 3 designation for the core of the Ten Lakes WSA, and recommend it and the Ten Lakes “contiguous area” for wilderness. This allocation in the Final Plan will allow the community to eventually find the appropriate political solution.

11. The Draft Forest Plan Proposed Alternative B proposes a “Special Area” (MA 3) for part of the Ten Lakes WSA that appears redundant to and in conflict with the higher authority of Congress.

The designation of an enlarged “Special Area” (MA 3) for part of Ten Lakes WSA builds off of the existing Ten Lakes Scenic Area. For many years the KNF represented on maps the Ten Lake Scenic Area but failed to represent on maps the Congressional designation of Ten Lakes Wilderness Study Area. Indeed, we cannot find any reference in the Draft Plan of Congress’ designation of this area as a WSA. The bias within the KNF continues.

It appears to us that the KNF thinks that designating a Ten Lakes Scenic Area somehow brings added management emphasis and importance to a landscape that Congress has already declared a Wilderness Study Area. Clearly, the Congressional designation is superior in both law and in import as to the scenic or other attributes of the area. For this reason we think the Scenic Area designation redundant and reductive. *The Scenic Area (MA 3) designation should be stripped from the Forest Plan. Ten Lakes WSA should be managed per USFS policy.*

The designation and expansion of the Ten Lakes Scenic Area under the rubric of the MA 3 designation greatly concerns us. Ten Lakes WSA is already scenic. The whole thing. That’s why Congress, in part, established the WSA. It is equally scenic and special whether one is standing on Ksanka Peak or Barnaby or Gibraltar looking north to the interior of the WSA or south into the Tobacco Valley. What is the point of the MA 3 designation for a landscape already designated by Congress as a WSA?

That is our question. We can only conclude that the polygon represented by the MA 3 designation also corresponds to the polygon claimed by snowmobiler within the Ten Lakes WSA. Including the claim that snowmobilers routinely use the Therriault Pass area from FS Road 756.

The DEIS substantiates this view in its discussion of the Northwest Peaks IRA. The DEIS states (p. 301), “The majority of Northwest Peaks IRAS is allocated to MA3 (special areas) in all alternatives to maintain its unique character, and to allow for existing uses...” Existing uses in this instance means snowmobiling. We find no similar explanation in the DEIS with respect to

the Ten Lakes WSA, but there is a clear connection between snowmobile use in Northwest Peaks MA 3 designation and the same MA 3 in the Ten Lakes WSA.

Should the KNF decide to keep the MA 3 allocation to Ten Lakes WSA, then it must fully disclosure the rationale behind this decision.

As we noted in item #2 above, we think the KNF intend to use the Ten Lakes WSA MA 3 allocation as a way to force an administrative ‘settlement’ to the snowmobile/WSA conflict well in advance of any community-derived political settlement being achieved. Indeed the KNF is obligated by court settlement with the Montana Wilderness Association to develop a travel plan for the Galton area that would achieve the final conditions of a settlement. However, that process, which is running in parallel with the forest planning process, has not been completed.

It would be far more even-handed for the KNF for represent the Ten Lakes WSA as the Congressionally designated WSA that it is. The KNF can roll the Galton Project decision into the new forest plan once concluded, rather than lead any conclusion on the Galton travel plan with an ambiguous Special Area designation for this area. *The Special Management designation for Ten Lakes needs to be removed.*

1. The Draft Plan Proposed Alternative B is biased for timber production and the range of alternatives for timber production produces almost insignificant differences in timber produced, net benefit, or environmental benefit.

The second sentence in the DEIS section on Timber states, “They [timber resources] are important for providing habitat for plants and animals and products that are in demand by the American public.” (DEIS, p. 357). This sentence crystalizes the KNF “timber bias” that permeates the DEIS and supporting documents and warps the alternatives considered.

Put very cleanly, “timber” is a resource. Timber comes from forests. Forests (and rivers and grasslands, wetlands, etc.) provide for “habitat for plants and animals and products that are in demand by the American public.”

Small point? Hardly. Managing for timber and harvesting timber are not the “be all and end all” of resource management. The DEIS alludes to the damage to resources, water, fish, soil, etc, that resulted from past KNF timber management practices - including road building to access timber - in the section on watershed. Timber is simply a very dominant economic driver that has been given disproportionate advantage in past KNF management and in the current KNF Draft Plan. And it is disappointing, to say the least, to see this bias so clearly stated in this DEIS in 2012.

Looking at the data presented in the DEIS, (Table 81, DEIS p. 362) we need to ask, is there a statistical difference between alternatives in the percentages of NFS land “Suitable for Timber Production” and in the potential volume of timber to be produced? Is the KNF really offering a credible range of alternatives when the difference between alternatives is only five percent (5%) of the KNF area?

We have remarked previously on the inadequate economic assumptions imbedded in the Draft Plan and constraints on the KNF’s ability to deliver the Plan as proposed (*Alternative B*) given the national debt. In this respect, the DEIS states, “Because of limits access and additional

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analysis and public/agency involvement, unit cost for timber harvest are much higher with an IRA.” (DEIS, p. 367) This statement prompts the question, If costs are “much higher” to access timber in IRAs, then why is the KNF proposing to access and log some IRAs?

Only six (6) percent of the KNF watersheds have a “Low” “Watershed Sensitivity Rating”. Over 64 percent of the forest has a “Moderate” sensitivity rating; and 30 percent has a “High” rating. Over 94 percent of the forest experienced disturbance from past KNF management that has resulted in watershed damage or diminishment. (DEIS, p. 139) The low-rated areas of the forest correspond to wilderness and roadless areas. Why does the KNF propose to further impact watershed by ‘managing’ Timber in IRAs?

We think the Final EIS should adopt *Alternative C* as a starting point for managing IRA’s. The KNF should then systematically strip out timber management options for these IRAs and manage them as MA 1b, or 5a.

We ask that the KNF reassess its range of alternatives and publish a *Preferred Alternative*, FEIS and ROD that builds off of *Alternative C* and incorporates the conservation and economic considerations that we raise.

1. U.S. federal agencies bring substantial national resources to the KNF ‘impact zone’, and to Lincoln and Sanders County in particular, and the KNF should use those resources to effect national agency priorities and rebalance management to reflect the range of national concerns, including environmental concerns.

The DEIS addresses employment, labor income, federal land payments and shares of general government revenues.

Table 101 (DEIS, p. 421) lists employment by alternative. Only the timber program produces a difference in labor numbers according to this table. The difference in employment numbers ranges from 210 (current management) and 497 (*Alternative A*). Remarkably, the range between *Alternatives B, C, and D* is just 89 jobs. We ask, is this a insignificant difference? The range of employment between the alternatives is based on modeling and is unreliable. The real story lies in comparing the predicted jobs in the 1987 plan (497) and the current management (210), a 287 job difference. *The range of values between alternatives is one-third of the difference between the 1987 plan and current management.* This would indicate that the alternatives would not show a difference, if each could be tested in real life simultaneously. We think the DEIS does not accurately portray the likely employment numbers that would derive from each alternative, and thus misleads the public of the benefits of the various alternatives.

We make exactly the same case for labor income (Table 102, DEIS, p. 422). Only timber income varies in this table, and the range between alternatives is probably meaningless. The model is not reliable and the DEIS misleads the public of the labor income benefits of the various alternatives.

Then with respect to “Economic Efficiency” (Table 103, DEIS, p. 423) we note that the spread of present net value between *Alternatives B, C, and D* is again negligible, ranging from \$1,384,311 under *Alternative D* to \$1,391,827 under *Alternative C*, a \$7,516 difference. The DEIS misleads the public of the net benefits of the various alternatives.

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With regard to federal payments to states and counties, we notice that Lincoln County receives almost a quarter (24.9 percent) of its tax revenue from federal payments; Sanders County receives 11.9 percent.

The combination of the unreliability of the predicted economic benefits from the timber program and the total payments to local governments presents a strong case for putting the “National” back into the Kootenai National Forest. The Kootenai National Forest should manage the forest for balanced national priorities. This includes jobs, watershed, wildlife, and recreation.

The so-called “Timber Wars” should be over. Yet the DEIS appears to be making the case that timber can still be king. It is not. Lawsuit after lawsuit had illustrated this fact. Yet the KNF has presented a DEIS that offers neither an adequate range of alternatives, nor an alternative that is predictive enough to guide the communities of the region into a new era of more enlightened management or cooperation.

The US National Forests have a bully pulpit, as Teddy Roosevelt might have said. If the KNF chooses to impose a timber-biased plan on the region, then it will risk the opportunity to actually get something constructive accomplished on the ground.

1. The Draft Forest Plan Proposed Alternative B would allow snowmobiling on over 84 percent of the KNF for just 1.9 percent of forest users without sufficient NEPA analysis of impacts.

If we have our numbers correct, the KNF proposes far too much of the KNF for over-snow vehicles in all alternatives, not just the *Proposed Alternative*.

Alternative	Acres	Percent*
A	1,961,200	88
B	1,865,100	84
C	1,761,000	79
D	1,939,700	87

(*Percent based on KNF size of 2,219,000 acres)

The percentages for each alternative represent represent:

- A majority of the forest in all cases
- A narrow range between the low of 79 percent and the high of 88 percent (a range of less than 10 percent!), and
- A negligible difference between almost all alternatives given the size of the KNF.

The KNF is proposing to somewhat limit snowmobiling by it *Proposed Alternative B*, down to 84 percent from the current 88 percent. Given that only approximately 1.9 percent of forest users access the forest by over-snow vehicles, the proposed access is disproportionate to other resource

values, including quiet recreation, wilderness solitude, and wildlife denning and natal den security.

This kind of motorized access - whether current or proposed under any alternative - represents a *major* decision by the KNF. The DEIS for the KNF Draft Land Management Plan insufficiently assesses impacts from this use. Over-snow use should be addressed in a separate NEPA travel plan as was completed by the Flathead National Forest in 2000.

Until such time as the KNF has the financial means to conduct an appropriate NEPA analysis, the *Preferred Alternative must preserve options for other resource values by keeping at least 50 percent of the KNF out of bounds for over-snow vehicles, with a majority of that area distributed in the denning and natal denning habitats of grizzly bears and wolverines and roadless lands.*

1. The Draft Forest Plan Proposed Alternative B drops historic Special Areas without explanation.

There are some problem areas with the proposed KNF plan related to the Fortine District as a whole. The Draft Plan drops or omits several important areas that were once designated as MA3. The eleven areas total 539 acres. In the past, they were flagged as areas of particularly critical high biodiversity. Now they are being returned to the “general forest” base. Given that an interdisciplinary team of FS employees felt that these areas warranted set-asides, and that this is stated repeatedly in several EIS’s and EA’s, there is no justification for their return to “general forest” status at this time. The following areas should be returned to MA 3 status:

- Fortine Creek Meadows (37 ac)
- Hamilton Gorge (144 ac)
- Kerr Meadows (58 ac)
- Lower Brimstone (39 ac)
- Magnesia Fen (12 ac) - Particularly critical high diversity areas
- Napi Knob (18 ac)
- North End Alkali Ecosystem (21 ac)
- Sterling Forest (127 ac) - Particularly critical high diversity areas
- Swamp Mountain Meadows (34 ac) - Particularly critical high diversity areas
- White Creek Fen (14 ac)
- 494 Bedrock Meadow (35 ac, was proposed) - Particularly critical high diversity areas

2. The Draft Forest Plan Proposed Alternative B does not present an adequate range of alternatives.

First, the range of difference between the alternatives seems in many cases to be almost insignificant. This is apparent when we look at the output of timber (see point # 12) and the assessment of net benefits (point #13). Given that the Plan models or predicts outputs, the range of alternatives for these factors might not even be statistically significant, or only marginally so. If there is no statistical difference (and the KNF does not provide this assessment) or very little difference, can the KNF maintain its assertion that it has evaluated an adequate range of alternatives?

Secondly, a disparity does exist between alternatives *C* and *D* (*C* being more of a ‘conservation’ alternative, and *D* a more ‘development’ alternative). However, a true conservation alternative would have offered more wilderness (see wilderness assessment comments above) and it would have provided a real emphasis to ecosystem management (see comment on point #6 above). (In addition, the range of alternatives for the land area allocated for over-snow vehicles show little variation and certainly no real spread between alternatives.)

Alternative C is not a conservation alternative or anything close to it. Alternative D is much more a development alternative than C is a conservation alternative. Quite simply stated, the DEIS does not assess a true conservation alternative. As a result, the *Proposed Alternative B* does not strike a balance. *Alternative C* comes closest to a balanced alternative, but because the KNF did not offer a more ‘extremed’ ‘conservation’ alternative, there is nothing to compare it to. This situation has prompted these extensive - but still too short - comments.

1. The Draft Forest Plan Alternative C with significant modifications should be chosen as the Action Alternative.

As stated at various points in our comments, *Headwaters Montana* thinks that *Alternative C* should be the new “starting point” for reaching a final Plan. Nevertheless, *Alternative C* needs modifications to meet:

- the needs of T&E species,
- the advances in scientific understanding and management of wildlife habitat needs and connectivity,
- the global concerns for the impacts of Climate Change,
- the requirements of the Montana Wilderness Study Act,
- a balance in recreational resources allocation and use where the range of alternatives clearly fails,
- and in the Tobacco GA the ability of the community to resolve political differences over the long-debated Ten Lakes WSA.

We wish to see the KNF managed appropriately and responsively over the next 20 years and longer. Clearly, with the rapid changes in climate that we can all now clearly perceive, the KNF must make very important decision concerning its direction.

We appreciate the opportunity to comment.



Dave Hadden, Director
406-837-0783 Appendix:Maps

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Personal Communication

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Clint Muhlfeld. Research Aquatic Ecologist, USGS, Northern Rocky Mountain Science Center, Glacier National Park.

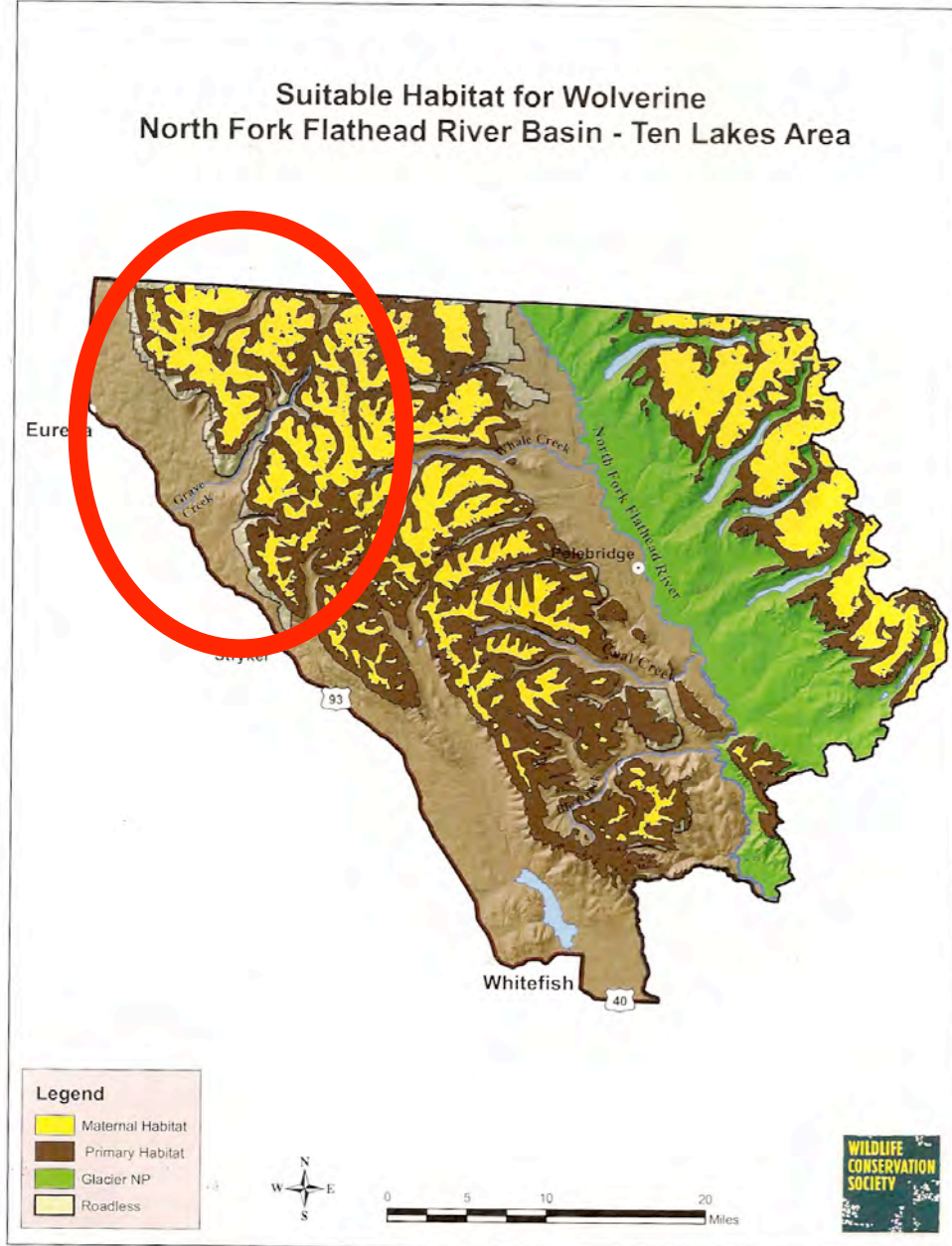
Michael Proctor, Principle Investigator for the Trans-Border Grizzly Bear Project and Birchdale Ecological, Kaslo, BC., Canada.

Tim Thier, Wildlife Biologist. Montana Department of Fish, Wildlife and Parks, Region 1, Kalispell, MT.

Jim Williams. Wildlife Manager. Montana Department of Fish, Wildlife and Parks, Region 1, Kalispell, MT.

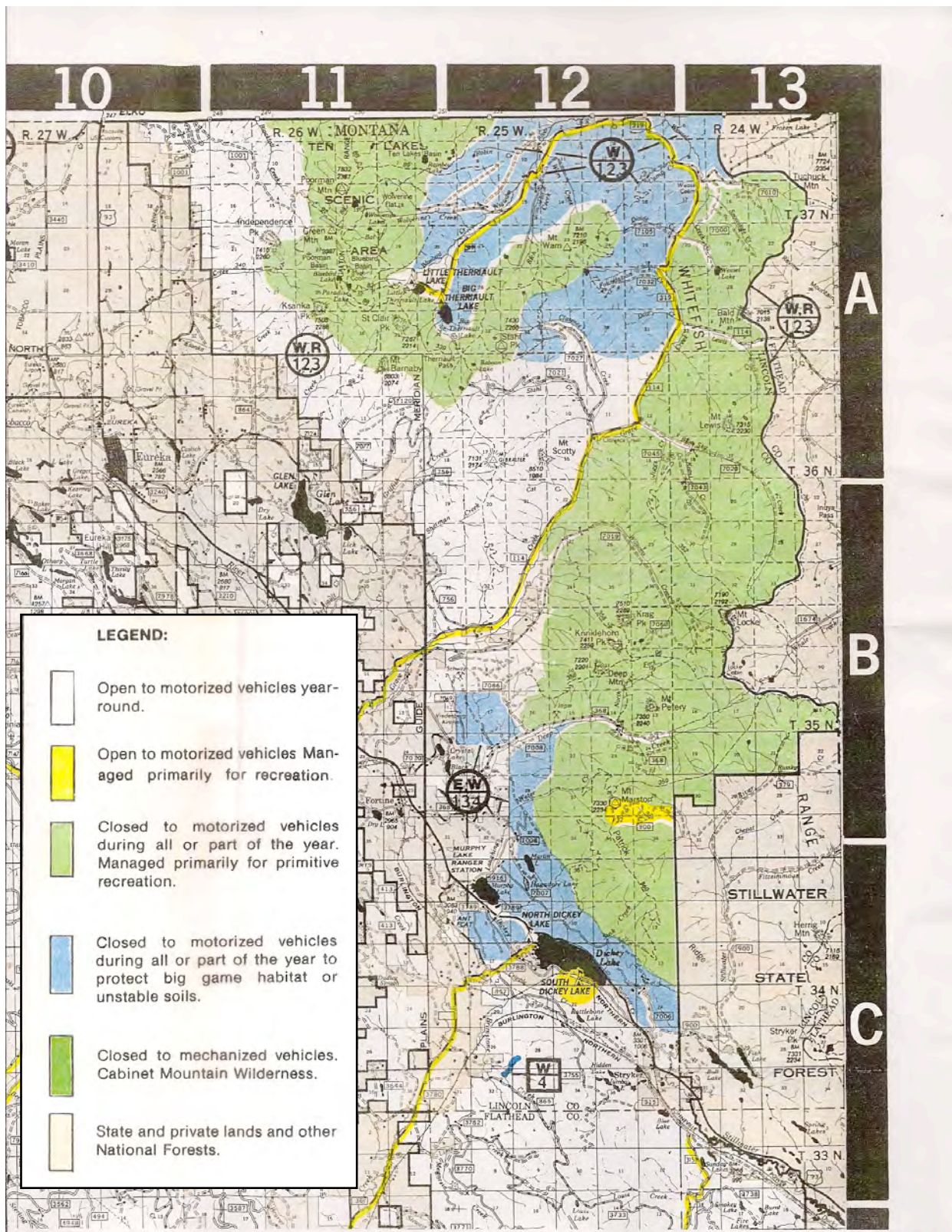
APPENDIX A: Maps

Figure 32. Primary and maternal habitat for wolverine, North Fork Flathead River Basin and Ten Lakes area, Crown of the Continent Ecosystem, Montana.



Map 1. Showing potential wolverine denning habitat in the Northern Rocky Mountains of Montana. Circled area corresponds with the Ten Lakes and Whitefish Range portions of the Kootenai National Forest. (From Weaver, 2011)

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Map 2: Map of Kootenai National Forest, Ten Lakes area, dated pre-1987, showing roads managed as travel corridors and more conservative land management adjacent to road corridors. *Source: Kootenai National Forest*

Headwaters engages citizens of the Crown of the Continent in the region's critical conservation issues: water and wildlife conservation, and climate change.

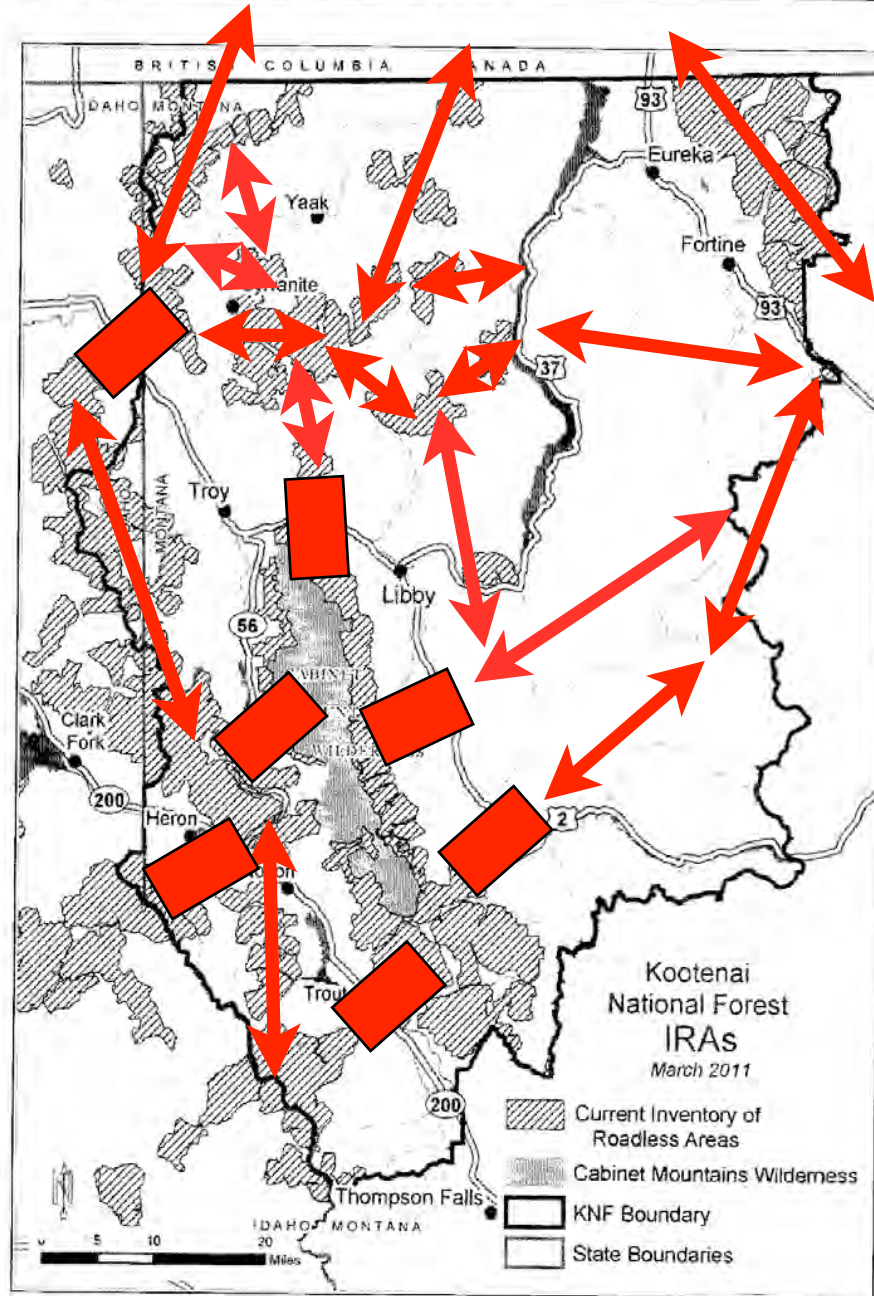
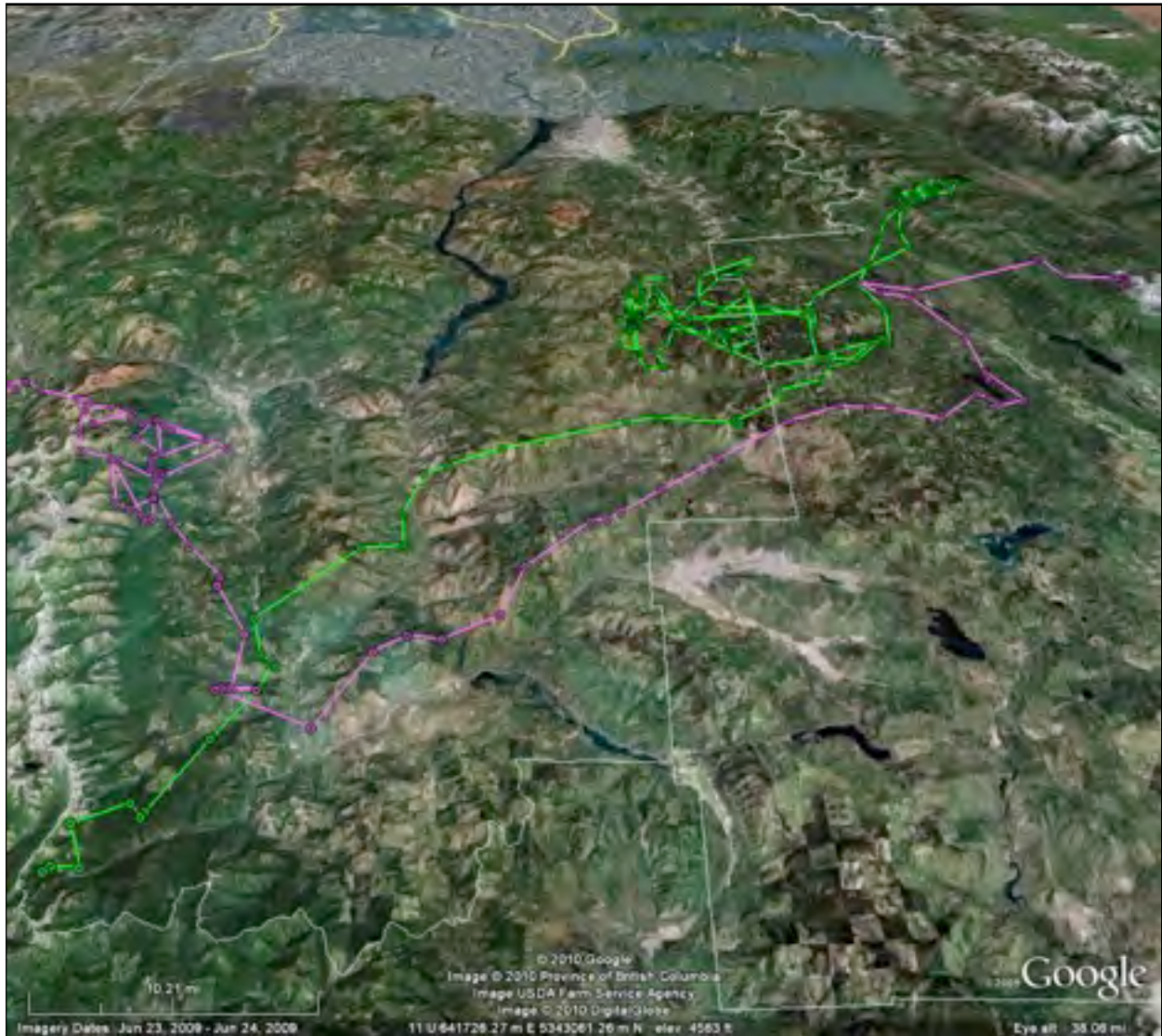


Figure 38. Potential Wilderness Inventory Map

Map 3. Showing approximate positions/locations for establishing a Management Area 8 “Linkage Areas” designation for the proposed Kootenai National Forest Land Management Plan. The distinction between solid blocks and arrows is a matter of scale of the linkage area on the landscape. See Serhveen, et al. 2001, for discussion of linkage areas and corridors.

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Map 4: Showing the return routes taken by two female grizzly bears (F714 and F715) to the North Continental Divide Ecosystem (NCDE) that had been relocated to the Cabinet-Yaak Ecosystem (CYE) in 2009 and 2010. Both bears returned to the NCDE through KNF proposed General Forestry lands and corporate timber lands. Their routes take them from the Cabinet Mountain Wilderness over Dunn Peak, Wolf Point north of the Fisher River, and Calyx and Sheppard mountains south of the Fisher River to the Skillet and Sunday mountain area. Both bears crossed through the Labeau IRA and into the Stillwater State Forest before entering the Flathead National Forest, Glacier View Ranger District. (Source, MFWP). Our proposed MA 8: Linkage Zone would, in part, provide greater habitat security along these natural travel routes.

APPENDIX B: Data

Stream	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
O'Brien Creek	22	12	36	47	37	34	47	45	46	51	86	65	77	79	40	27	32
Pipe Creek	5	17	26	34	36	30	6	11	10	8	2	6	0	4	9	16	2
Bear Creek	6	10	13	22	36	23	4	17	14	6	3	14	9	14	6	8	3
West Fisher Creek	3	4	0	8	18	23	1	1	1	13	27	4	18	6	8	12	3
Grave Creek		24	42	52	85	87	131	156	173	102	153	118	166	170	55	102	51
Clarence Creek		5	6	13	39	9	29	38	52	29	32	22	42	27	24	9	10
Blue sky Creek		6	1	1	10	1	13	5	20	10	9	8	0	10	8	9	3
Grave Drainage Total		35	49	66	134	97	173	199	245	141	194	148	208	207	87	120	64
Quartz Creek	41	9	30	33	14	52	45	52	29	8	25	23	20	14	18	12	7
West Fork Quartz Creek	26	42	39	72	88	39	109	10	26	41	46	28	15	32	13	27	30
Quartz Drainage Total	67	47	69	105	102	91	154	62	55	49	71	51	35	46	31	39	37
Keeler Creek		74	25	39	42	3	11	27	61	53	85	52	50	32	24	45	29
North Fork Keeler Creek			18	43	52	82	4	75	26	30	45	59	30	22	0	19	29
South Fork Keeler Creek			16	10	5	5	0	0	0	43	40	31	4	8	0	11	10
Keeler Drainage Total		74	59	92	99	90	15	102	87	126	170	142	84	62	24	75	68
North Callahan Creek									30	17	12	29	0	14	10	9	1
South Callahan Creek									10	8	8	4	3	1	0	1	2
Callahan Drainage Total									40	25	20	33	3	15	18	10	3
Wigwam River (B.C.)	247	500	581	673	838	1186	1477	1881	2043	2106	635	2285	1850	1827	1567	1114	1198
Wigwam River (U.S.)		12	17	6	21	9	19	11	10	27	7	13	33	6	8	4	8
Wigwam Drainage Total	247	512	598	679	849	1195	1496	1892	2053	2133	642	2298	1883	1833	1575	1118	1206
Skookumchuk River (B.C.)			66	105	161	189	132	143	134	140	111	163	144	137	64	112	86
White River (B.C.)							166	153	143	93	137	167	193	137	112	122	206
Blackfoot Creek (B.C.)								108	96	91	106	144	73	73	0	7	
Kootenai Total	350	711	916	1158	1472	1772	2194	2733	2924	2876	1569	3235	2727	2613	1974	1666	1710

Table 1: Bull trout (*Salvelinus confluentus*) redd counts for streams in the Kootenai watershed. These data support the claim that the Wigwam is an exceptionally important river to bull trout and that the upper, U.S. portion of the watershed should be given greater protection by nomination to the National Wild and Scenic River System.



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Mr. Paul Bradford, Forest Supervisor
Kootenai National Forest - Forest Plan Revision
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May 4, 2012

Also submitted by email to: KNFPlanRevision@fs.fed.us

Re: Kootenai Forest Draft Forest Plan Comments

Dear Supervisor Bradford:

On March 30, we submitted a comment letter on the Kootenai National Forest draft land management plan and DEIS. We submit this letter as additional comment. Please include this letter in the comment record.

We appreciate your consideration of the Lincoln County Commissioners' request to extend the comment period. We have used that time to further research the concept of a "Linkage Zone" management area, or, as we proposed in our earlier letter, an "MA 8: Linkage Zone".

We have gathered information from various sources. We consulted with the Libby Ranger District on the East Reservoir Project and that project's initial use of "connectivity corridors". We have consulted with Wildsight (a conservation organization in the Southeast Kootenays of British Columbia) and Conservation Northwest which are jointly developing a conservation map that abuts the Kootenai National Forest that would include mapped core conservation areas and mapped linkage zones. We have talked with Defenders of Wildlife which originated the idea of a Wildlife Linkage Alternative (an "Alternative Considered but Eliminated from Further Study", DEIS, p. 31), as well as other groups and individuals who have commented or been engaged in the KNF forest plan revision process.

Our investigation has reinforced our opinion that the KNF should adopt an eighth MA designation to protect and restore linkage zones across the Forest and across and between other jurisdictions, national forests, and the international border with Canada.

Wildlife Linkage Zones Can Be Mapped at the Forest Plan Level

Wildlife linkage zones can be mapped and should be mapped by the KNF as an element of the Management Area design of the forest plan. The draft management plan defines Management Areas as:

"...areas across the Forest that have similar management needs and desired conditions. They help clarify [emphasis added] the allowed uses on various parts of the Forest." DMP, p 44).

The MA 6, “General Forest” covers more than 63 percent of the Forest, including most of the discreet areas that we think should be designated MA 8 Linkage Zone. The description of MA 6, mentions wildlife (DMP, p. 66) only in regard to vegetation management as a function of improving habitat and not in providing connectivity or linkage. MA 6 provides no assurance that restoring or relinking wildlife habitat will be given consideration within that MA. MA 8 Linkage Zones should be derived or taken from the proposed MA 6 area of the KNF to connect roadless areas, wilderness, recommended wilderness and other high quality core habitat areas of the Forest.

Given the general definition and intent of “management areas”, it would be a simple task to describe an MA 8 Linkage Zone as:

“Description

“This MA is made up of areas of various size (with or without roads) and provides for wildlife movement and connectivity between core and security habitat areas, including designated wilderness areas, recommended wilderness, inventoried roadless areas, core habitat areas, and adjoining national forests and Canada.

“Management activities in this MA are limited to ensuring wildlife connectivity. Timber production and mining are not a consideration for this MA. Trails may remain open in this MA but not for motorized trail use. Snowmobiling would not be permitted in this MA. Road densities will be reduced in this MA to meet scientific standards that will promote the secure use of these areas by wildlife to move between core habitat.”

Examples of Linkage Zone Mapping as Basis for KNF Adoption of MA 8 Linkage Zone

British Columbian Example #1: The conservation organizations Wildsight and Conservation Northwest have partnered to develop a map-based system of defining protected areas and linkage zone.¹ This map is currently in draft form. (Map 1, following) The direction and intent of this proposal is to proactively map important core conservation areas and linkage zones that provide secure passage for wildlife in advance of the major effects of climate change.

The draft map clearly shows how linkage zones can be mapped irrespective of current land management practices. The priority and purpose of linkage zones is to protect existing wildlife connectivity and promote and restore it where it has been lost. Thus, mapping linkage zones becomes a planning and ongoing management exercise with the ‘desired future condition’ being expressed as protected and restored wildlife connectivity across the landscape - very similar to the purpose and intent of the KNF planning effort.

The boundary of this mapping project about the KNF. It would behoove the KNF to inform itself of this science-based approach. We think this example best approximates the scale of our proposed MA 8 that ensure transboundary continuity in wildlife connectivity.

British Columbian Example #2: Wildsight has also proposed establishing a “Wildlife Management Area” (WMA) in the Rocky Mountains that spans from the international border

¹ Pers. Comm. John Bergenske, Executive Director, Wildsight. 2 – 495 Wallinger Avenue Kimberley, B.C. V1A 1Z6

near Ten Lakes WSA, the Whitefish Range, and the North Fork Flathead River all the way to Banff National Park, Alberta. (Map 2, following) This WMA is currently depicted at a coarser scale than example 1, above. As such it would prohibit mining, but allow some timber harvest. The B.C. government could enact legislation establishing the WMA as soon as 2013.²

Kootenai National Forest Example: The KNF made a preliminary effort to map “connectivity corridors” as part of the early process of identifying resource values in the East Reservoir Project (ERP). We spoke with Libby Ranger District personnel to gain a clearer understanding of this effort.

From our conversations with KNF staff, we understand that the ‘connectivity corridors’ were eventually not used in the development of the ERP. We understand that the corridors were proposed and mapped prior to a Forest wildlife biologist being assigned to the ID team. Nevertheless, the KNF has demonstrated that it has the capacity to consider and map corridors and linkage zones.

In our phone discussion with the KNF personnel we enquired whether they thought a linkage zone map would be helpful in evaluating and promoting wildlife habitat connectivity. The biologist thought it would be “duplicative” of the evaluation process that the KNF undergoes as part of a project planning exercise.

We understand this statement and do think that wildlife connectivity and linkage must be part of every project evaluation and final plan. *However, our call for establishing an MA 8 Linkage Zone is entirely different than the consideration connectivity and linkage zones might receive during project development and evaluation.*

The MA 8 Linkage Zone designation as we propose is clearly intended to establish wildlife linkage zones as priority for the KNF equivalent to General Forest, Recommended Wilderness, Backcountry, Research Natural Areas, or any other MA. Furthermore, there is no technical barrier to do so.

Defenders of Wildlife Comments

Defenders of Wildlife made the initial suggestion of establishing wildlife corridor MAs to the KNF, as well as a Plan alternative that maximized habitat connectivity. We discussed with Defenders their proposal to get a clearer sense of the details and concerns covered by their idea.

The KNF DEIS devotes three paragraphs to the Defender’s proposal and provides no indication or documentation that they consulted with Defenders in their evaluation or understanding of the Defender’s proposal.

The KNF decided not to offer a Plan alternative that emphasized wildlife connectivity. The KNF DEIS states that “All of the action alternatives have a desired condition of facilitating movement between separated parcels of NFS lands, and maintain options to address wildlife crossing concerns as they develop.” [Emphasis added]. We interpret this to mean that the KNF thinks that project level planning will be adequate to address forest-wide linkage issues. The DEIS also

² Pers. Comm. John Bergenske, Executive Director, Widsight. 2 – 495 Wallinger Avenue Kimberley, B.C. V1A 1Z6

presents other MAs like wilderness, backcountry, and riparian areas as fulfilling linkage requirements.

We respectfully but strongly disagree with this assessment. “Wildlife crossing concerns” are not an eventuality. They already exist across Hwy 2 and throughout the KNF. Connectivity and linkage to adjacent NFS lands is a recognized and ongoing issue of concern. The Draft Plan Alternative B proposes motorized winter recreation in over 84 percent of the KNF, and allowing motorized wheeled recreation on a significant percentage of the backcountry MA 5. This extent of motorized activity will inhibit rather than promote linkage.

The KNF draft plan states its goals, standards and guidelines for wildlife (DFP, pp. 26-31). The goal statement is silent with respect to linkage zones. The draft plan mentions linkage zones under desired conditions (FW-DC-WL-17) and guidelines (FW-GDL-WL-14). These mentions illustrate the KNF’s low level of concern and commitment for wildlife linkage and do not represent an adequate response to Defender’s suggestion for MA-level consideration, nor to the public’s expressed interest in wildlife recovery as expressed in the ESA on a national level, or in Montana as a whole.

Our MA 8 Linkage Zone recommendation represents a distinct middle ground. An MA 8 Linkage Zone designation would be just another MA and does not represent a full Plan Alternative-level request.

In addition, the KNF has established MA’s for “Research Natural Areas”, “Special Areas”, and “Primary Recreation Areas”, among others. All of these MA are important. But none are necessarily any more important than “Wildlife Linkage”, considering the legal and budgetary context of T&E species, or of game and non-game species in KNF operations, project planning, or, in the current case, Land Management Planning. It certainly cannot be credibly argued by the KNF that “Linkage Zones” are less important than “Primary Recreation Areas” or “Research Natural Areas”.

Change in Kootenai National Forest Culture

The KNF has been the subject of over 130 appeals (since 1998) and an unknown number of lawsuits over its proposed management activities.³ Many of these administrative and legal actions have resulted from the public’s perception that timber production receives priority on the KNF, and conversely, that wildlife and other values do not. While the KNF and higher administrative decision makers have often ‘affirmed’ line officer decisions, the KNF has not always won litigation brought as a result of those affirmations and the exhaustion of the administrative appeal process.

A significant amount of public funds have been expended proposing, defending and settling claims. With the publication of the draft land management plan and the DEIS, the public has the right to inquire: has the KNF changed its management approach and culture to significantly and meaningfully address the public’s concern for the welfare of water, wildlife, old growth timber

³The KNF appeal record may be found at: <http://www.fs.usda.gov/projects/kootenai/landmanagement/projects>. No similar on-line resource was found that documents litigation brought against the KNF for its management practices.

and other non-commodity resources of the national forest? We would like this question answered specifically. Given the history of [appeals](#) and litigation on the KNF and the clear public expression for protection and promotion of wildlife values, we think the KNF has an obligation to demonstrate a clear, new commitment to protecting and improving non-commodity values in the revised plan.

The KNF has elected to adopt a “predecisional administrative review process”⁴ under 36 CFR 219.32. This truncated process (relative to the previous appeal process) ends with the reviewing officer’s decision: “The reviewing officer's response regarding an objection is the final decision of the Department of Agriculture.” (36 CFR 219.32(c)) We are uncertain whether the Forest’s election of this process will lead to greater or lesser litigation given that the Proposed Action (Alternative B) so clearly misses the mark in terms balanced resource management (see our March 30 letter of comment). We think the proposed action will invite closer scrutiny.

Conclusion

We have argued above that the KNF should adopt an eighth Management Area: MA 8 Wildlife Linkage Zone. We have demonstrated that the technology and scientific basis for doing so exists, that the KNF has made a foray in this direction with the East Reservoir Project, and that the public’s desire, established law and regulations, and budgetary commitments to wildlife analysis all favor a forest plan level designation of an MA 8 category.

Based on the MA’s proposed by the KNF in the Draft Plan, it is clear that wildlife linkage is no less important an issue than these other MAs.

Our March 30, 2012, comment letter argued that the proposed Alternative B does not reflect a balanced approach to the management of the public lands of the Kootenai National Forest. Alternative C comes closer to a starting point for the final Plan. The addition of an MA 8 Wildlife Linkage to Alternative C would create a forest plan that would benefit all forest users more equitably and contribute significantly to the recovery of T&E species.

The KNF is located in a geographically strategic region for the recovery of grizzly bears, in particular. It is positioned between a Canadian source of bears and the Flathead, Idaho Panhandle, Lolo and Bitterroot national forests. Grizzly bear population management and augmentation efforts are meeting with declining results. Recent reports estimate that the finite rate of increase (for 1983-2010) was 0.963, or less than one, or declining. The probability that the population was declining was 78 percent.⁵

Given the extensive history and cost of grizzly bear recovery, the congressional mandate to recovery T&E species, and the declining grizzly bear numbers since efforts began on the KNF in the early 1980’s, it seems appropriate for the KNF to implement measures that secure core habitat and provide linkage between core habitats. This history also suggests that adding an

⁴ Reference to this decision may be found at: <http://www.fs.usda.gov/kipz>

⁵ Kasworm, Wayne F., Harry Carriles, Thomas G. Radant, Michael Proctor, and Christopher Servheen 2011. USFWS Grizzly Bear Recovery Coordinator’s Office, U. Montana. Missoula, MT.

eighth MA (Linkage Zone MA) might be equally if not more important than listing “Research Natural Areas”, for example.

The alternatives provided by the KNF in the DEIS do not reflect an adequate range of alternatives. However, adoption of Alternative C with an MA 8 component could help move the KNF away from administrative and legal controversy, because Alternative C with an MA 8 component (in line with Map 3, following, and previously submitted in our March 30 letter) will clearly set the stage for a conservative approach to KNF management, as opposed to an over-exploitive approach that depresses T&E species and further impacts water and fishery resources. We recommend developing the MA 8 map layer using the skills and knowledge of an inter-agency team and the NGO community.

The next KNF plan revision process might not be until 2032. Many of us working on the current KNF management plan revision may not be around to see that process. Now is the time for the KNF to take Linkage Zone up several orders of magnitude from a guideline to a clear forest direction.

We appreciate the opportunity to comment.

Sincerely,



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