

# Swan View's News

Winter-Spring 2016



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*"Nature and human nature on the same path."*

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## *The Problem is Too Many Roads, Not Too Many Trees!*

We're sorry to be so late with this newsletter, but we've been busy! We spent the winter comparing the Flathead National Forest's road and culvert inventories to what is actually on-the-ground and just finished our "Roads to Ruin" report on our findings (page 2).

We've already used our investigations to secure better management and decommissioning of roads, culverts and bridges in the Swan Valley (page 3). We'll also use our report to secure better management Forest-wide when the Flathead's Draft Environmental Impact Statement for the revised Forest Plan comes out May 27 for public review and comment (page 4).

Federal and state agencies continue their push toward removing Endangered Species Act protection from grizzly bears in both the Yellowstone and Northern Continental Divide ecosystems. On page 5 we let you know what this means for the NCDE in particular and how you can help speak out for the continued protection of grizzly bears this summer.

We'll be asking for an additional 90 days for public review of the Flathead Forest Plan DEIS and companion NCDE grizzly bear delisting amendments DEIS. You and the rest of the public deserve more than the 90 days of summer to read and comment on these important plans! We'll also issue

a timely Summer newsletter to help guide you in your comments.

We're glad to report on page 5 that our lawsuit was successful and wolverine must again be considered for protection under the ESA!

On page 6 we bid farewell to the late Chuck Jonkel, a world-renowned bear expert who is the primary inspiration for the work we do.

We thank you all on page 7 for helping us meet our budget last year and ask for your continued support of our work. We need to stick together to protect habitats for fish, wildlife and people!



Google Earth image of Emery Creek culvert washout!

Keith

## *Roads to Ruin: Broken Promises on the Flathead N.F.!*

Culverts in closed Forest Service roads are even more prone to failure than those on open roads because they are less likely to be noticed if they start to plug up with debris. In 1995, the Flathead NF promised it would prepare a culvert monitoring plan for every road it closes to motor vehicles to provide grizzly bear Security Core habitat. In 2001, all the National Forests in Western Montana promised they would annually inspect all culverts in closed roads in bull trout habitat.

Our 18-month investigation shows that the Flathead NF has broken both of these promises and failed to monitor culverts regularly. This even though its spot monitoring of closed roads in 2007 found 9 failed culverts in 30 miles of road, with 50% of the culverts "at high risk of failure!"

We've documented these and other findings in our May 2016 report "Roads to Ruin: The Flathead National Forest Shirks Its Road Reclamation Duties." You can view or download it at [http://www.swanview.org/reports/Roads to Ruin.pdf](http://www.swanview.org/reports/Roads%20to%20Ruin.pdf). The problem is big enough you can see the damage from satellite, as shown on the cover of this newsletter - the same blown culvert shown in the 2014 Forest Service photo on this page!

Roads to Ruin tracks the Flathead's efforts to essentially quit reclaiming and decommissioning roads, which requires that all stream-aligned culverts be removed so they can't fail and harm water quality and

fish. The Flathead has been relying increasingly on simply closing roads to save money on maintenance, rather than removing the culverts so the roads are safe and don't need any maintenance - even though it has repeatedly acknowledged it is cheaper in the long run to decommission the road.

Roads to Ruin is timely because the Flathead is about to release its Draft Environmental Impact Statement for its revised Forest Plan - alongside another DEIS



Flathead NF photo of a 4' plugged culvert putting the Emery Creek Road into trout habitat!

aimed at removing ESA protection from the NCDE grizzly bear population and its habitat! Roads to Ruin documents the need to continue an aggressive, integrated road decommissioning program on the Flathead to reduce the road system to a manageable size and in order to protect water quality, fish and wildlife.

Roads to Ruin is divided into three parts. The first provides a comprehensive overview in lay language, while endnotes provide the details and links to supporting documents and research. An appendix details how the Flathead is cheating its current Forest Plan standards by simply closing rather than decommissioning roads - and how it intends to begin rebuilding roads it previously decommissioned!

We encourage you to read at least the first section of Roads to Ruin. It lays bare the Forest Service's agenda to fleece the taxpayer by claiming it needs all those roads to get rid of those pesky trees!

## *Restoration Gains Made in Cold Creek and Jim Creek!*

Significant watershed restoration gains are being made in the Swan Valley's Cold and Jim Creeks due to our attendance at Southwest Crown Collaborative (SWCC) meetings followed up with necessary objections and litigation. Most large SWCC projects are timber sales conducted under the guise of "restoration." We argued for a true watershed restoration project based in the removal of excessive roads and the result was the no-timber-sale Chilly James Restoration Project signed in April.

Chilly James will decommission 26 miles of road and place 5 miles of road into long-term storage with all stream-aligned culverts removed. Many of these are old Plum Creek roads on Legacy Lands transferred to the Forest Service via The Nature Conservancy, who until recently was still logging these

now-public lands for Plum Creek under a timber supply agreement that wouldn't have expired until 2018 (with logging cleanup provisions running as late as 2021)!

Swan View Coalition and others filed a lawsuit over the Glacier Loon Fuels Reduction and Forest Health Project in 2013. The Court ruled in our favor and further found that TNC and PC needed to abide by federal laws in continuing to log the former PC land the American public paid \$250 million for via a tax credit to TNC!

Faced with having to comply with federal fish and wildlife laws, TNC and PC in early 2016 cancelled the timber agreement. This cleared the path for the Flathead to begin decommissioning some of PC's old logging roads because PC no longer has a legal claim to use them for logging.

While Swan View Coalition and Friends of the Wild Swan have been generally supportive of the Chilly James Restoration Project, we filed formal objections to it because it did not survey all roads and culverts in



The last three miles of Bunker Creek Road 549 was decommissioned under Clinton's 1998 Clean Water Action Plan. Here a bridge was removed at Warrior Creek.

the watersheds before deciding which roads to better maintain and which roads to decommission. We also reminded the Flathead it must either remove or monitor annually all culverts left in closed roads in these bull trout watersheds. Jim Creek is also an "impaired" Water Quality Limited Stream due to roads and sediment.

District Ranger Richard Kehr met with us and we reached a settlement that reduced road "storage" and increased decommissioning. The District will also complete a survey of all roads and culverts in both watersheds and thereafter monitor annually all culverts on closed roads. While more decommissioning needs to be done than just Chilly James, our lawsuit and objections cleared the way for work to begin this summer and sets good precedent for fulfilling monitoring requirements!

## *Flathead Forest Plan DEIS to be Released May 27!*

Due in February, the Flathead is set to release its revised Forest Plan Draft Environmental Impact Statement on May 27 for a 90-day public review and comment period. A companion DEIS of grizzly bear amendments for the other 4 National Forest Plans in the NCDE will be released simultaneously for a total of 1,700 pages!

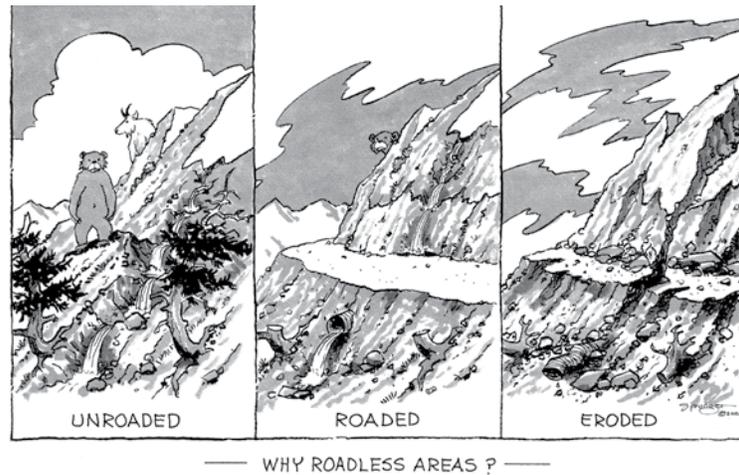
If the Forest Service were sincere about wanting informed public comment, it wouldn't be making the public spend its summer paying the price for the agency's tardiness last winter! We will be asking for an additional 90 days of public review and comment so Americans can enjoy their summer AND read and comment on the DEISs this fall.

Based on past comments and current Forest Service policies, we expect the DEIS to be strongly biased by the faulty premise that forests are suffering from too many trees instead of too many roads. We also expect it to treat recreation of all stripes as another consumer commodity to be maximized rather than regulated in a manner that protects fish and wildlife, as well as the recreational resource itself.

Indeed, the Proposed Plan we reported on last year would do away with the Forests road decommissioning program and increase both the timber sale program and the "suitable timber base" acreage to sup-

port it. And this, not surprisingly, requires a larger road network to haul logs over, even though the timber program doesn't pay for the roads and 55% of road maintenance funds are creamed off the top to instead pay for "timber support!"

Because the federal government wants to declare a victory in recovering threatened grizzly bears, in spite of increasing human populations and development pressures, the DEISs will also pave the way for removal of Endangered Species Act protection from grizzly bears. Hence, both the



Elmer Sprunger cartoon.

two-volume Flathead Plan DEIS and the one-volume Four-Forest DEIS will be crucially important to not only bears, but to the fish, wildlife and people that also benefit from the more secure habitat management these DEISs would

largely do away with!

Once we've seen the DEISs, we'll issue a timely Summer newsletter to help guide you in understanding and commenting on them. We'll be busy reading the DEISs, but we won't let them distract us from our summer field work photographing and reporting on failed culverts and washed out roads on the Flathead!

We'll also be busy preparing for and attending the grizzly bear "habitat-based recovery criteria" workshop described on the next page. So please, BEAR WITH US!

## *FWS Repeatedly Botches Science and Species Protections!*

### *Grizzly Habitat-Based Recovery Criteria Workshop*

Swan View Coalition and others successfully sued Fish and Wildlife Service over its 1993 Grizzly Bear Recovery Plan because it relied too heavily on population numbers and did not contain habitat-based recovery criteria (HBRC). HBRC are essential to insuring that grizzly bears have enough high-quality and secure habitat to persist in the wild and are the yardstick against which "recovery" is to be measured.

FWS agreed in writing to the court to develop HBRC for each grizzly bear ecosystem and hold a public workshop for comment on those HBRC before proposing to delist any population. Such a workshop was held for the Yellowstone ecosystem in 1997.

Now, after essentially declaring the NCDE population recovered and ready to delist based on DNA-derived population numbers established in 2011, FWS has scheduled an HBRC workshop in Missoula for July 7. This is a Johnny-Come-Lately approach thus far defining HBRC to mean whatever habitat conditions happened to exist in 2011!

Nonetheless, we and many scientists are taking this workshop seriously and will be fully involved. See <https://www.gpo.gov/fdsys/pkg/FR-2016-05-11/html/2016-11057.htm>.

### *Wolverine Still Waiting for ESA Protection!*

Wolverine get another shot at being listed for protection under the Endangered Species Act thanks to a federal judge who has seen wolverine in the wild and held Fish and Wildlife Service's feet to the fire for its abuse of wolverine research. FWS had proposed to list wolverine as a "threatened"

species but reversed itself at the 11th hour. Swan View Coalition and a long list of other groups sued.

On April 4, U.S. District Judge Dana Christensen chastised FWS for arguing it shouldn't list wolverine because it didn't know why wolverine need persistent snow for denning though research clearly showed they do. He wrote "No greater level of certainty is needed to see the writing on the wall for this snow-dependent species standing squarely in the path of global climate

change. It has taken us twenty years to get to his point . . . if there is one thing required of the Service under the ESA, it is to take action at the earliest possible, defensible point in time to protect against the loss of biodiversity within our reach as a nation. For the wolverine, that time is now."

Wolverine researcher Jeff Copeland called FWS's about-face politically motivated and said the Court "vindicated the science and vindicated the scientists who were slandered personally" by FWS.



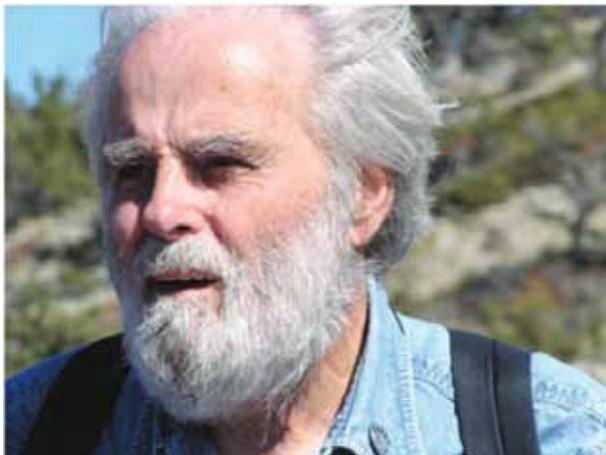
## *In Memory Of Bear Expert Chuck Jonkel, 1930-2016*

Chuck Jonkel had been working on the Border Grizzly Project for a decade when I first met him in the mid-1980s. We were carrying downed logs to one of Chuck's outdoor-meeting campfires. He was swatting at ants crawling down his shirt from the log on his shoulder. He looked like a bear, he acted like a bear, he was a bear.

Chuck was a world-renowned expert on many bear species, including polar and grizzly. He was seminal in founding the Great Bear Foundation and the International Wildlife Film Festival, both of which have called Missoula, Montana home.

Chuck's sole advice to me was "If you want to do some good for grizzly bears, get rid of some logging roads!" Decades of research would confirm how roads harm bears, we've gotten 763 miles of road decommissioned on the Flathead NF alone, and we owe our inspiration to Chuck.

I was with Chuck once in the thick of some grizzlies. He kept whacking the ground with a big stick. If he'd spoken, the bears would just think him another bear! For a great news story about Chuck visit <http://mtpr.org/post/chuck-jonkel-pioneering-bear-researcher-dies-85#stream/0>



Chuck Jonkel photo by Great Bear Foundation

## *Recent Unsolicited Praise of our Work and Play!*

*Thank you for your commitment to conserving peace, quiet, and the native ecosystems that make the Flathead such a gift to us all!*

Lucy S.

*I've been reading your white paper on Amendment 19 and road decommissioning, and its really well done. A very good resource!*

Greg D.

*This white paper is a 5-star effort start to finish and will be of tremendous help to new folks and those who have been in the trenches for years.*

Brian P.

*Congratulations for another outstanding victory. You all are relentless and inspiring warriors!*

Barry R.

*Tremendous work. Congratulations. Well done.*

Paul E.

*Thanks so much for organizing the great hike today. Very scenic and the people in the hiking group are super.*

Harry H.

*You're very welcome [for the donation]. Thanks for the continued good work.*

Debi S.

## *Your Financial Support is Key to Our Work!*

We rely in large part on member donations to fund our work protecting habitat for fish, wildlife and people. As you can tell by reading this newsletter, the cards are stacked against the environment and it can only be protected through endless pressure endlessly applied! You can help us broaden our membership by giving Gift Memberships at \$25 each, either on-line or using the form below!

**It's easy to join others in supporting our work:**



1. Send a check to Swan View Coalition at 3165 Foothill Road, Kalispell, MT 59901 - or -
2. Use your credit card securely on-line at [www.swanview.org](http://www.swanview.org) or [www.swanrange.org](http://www.swanrange.org), by clicking on the **Donate Now button** found there (or above)!

**Network for Good** handles your transaction securely for us and informs us immediately via email of your donation by credit card. You can also choose to give monthly, quarterly or yearly there to make it easier or more affordable (or change your mind anytime)! If you have other info you want to get to us, such as Gift Membership info, simply email it to [keith@swanview.org](mailto:keith@swanview.org) or mail it to the address in #1, above.



If there is pink on your mailing label, it means you haven't donated in nearly a year or more. Please make a donation so we can keep sending you our newsletter and continue our work!

- Here's \$25 to cover my minimum dues, newsletters, alerts, and Swan Ranger Reports.
- Here's \$50 to help restore a bit of peace and quiet to America's public lands.
- Here's \$100 to help keep forest roads from ending up in America's bull trout streams.
- Here's \$500 to help secure grizzly, lynx and wolverine habitat for future generations.
- Here's \$\_\_\_\_\_ to help save the world, one mountain range and one river at a time!
- Here's \$\_\_\_\_\_ for \_\_\_\_\_ Gift Memberships at a minimum of \$25 each. I've included each recipient's name, mailing address, email address, and my greeting on separate paper.
- As a gift of appreciation for my donation, please send me  the Swan/Flathead history booklet "The Lineage of Chief Aeneas: A History of People and Place" and/or  a Swan Ranger patch (circle "hang-loop" or "sew-on").
- Save paper! Email my newsletters to \_\_\_\_\_

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## *The Problem is Too Many Roads, Not Too Many Trees!*

Executive Summary	page 1
Roads to Ruin: Broken Promises on the Flathead National Forest!	page 2
Restoration Gains Made in Cold Creek and Jim Creek!	page 3
Flathead Forest Plan and Grizzly Bear DEISs to be Released May 27!	page 4
Fish and Wildlife Service Botches Science for Grizzly and Wolverine!	page 5
In Memory of Chuck Jonkel and How He Inspired Us!	page 6
<u><a href="#">Your Financial Support is Key to Our Work!</a></u>	page 7