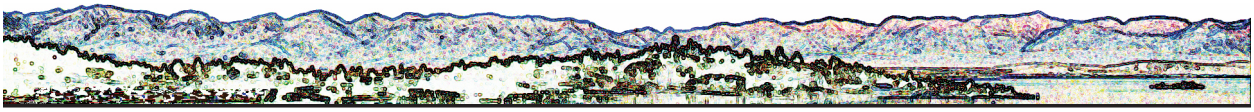
Swan View's News

Summer-Fall 2021



Swan View Coalition
3165 Foothill Road
Kalispell, MT 59901

"Nature and human nature on the same path."

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Even Victories Require Constant Vigilance!

We won our lawsuit against the Flathead Forest Plan in June, with U.S. District Judge Donald Molloy writing that abandoning the prior Plan's Amendment 19 road closure and reclamation program was "like throwing away your umbrella in a rainstorm because you are not getting wet." But the government would like to just paper the problem over, rather than reinstate true protections for grizzly bear and bull trout. See page 2 for details!

On page 3 we provide updates about Krause Basin and our volunteer work maintaining authorized trails and reclaiming unauthorized trails.

On page 4 we issue an **alert** about air tours over Glacier National Park and **ask you to send in a quick comment** to finally put an end to them. Don't be misled by the news headlines that Glacier is eliminating the overflights when it is in fact proposing a phase-out period with no end date!

On page 5 we share some unsolicited praise for our weekly Swan Ranger Reports and send out a big thank you to the many Rangers that make those reports possible by sharing their outing photos with us!

On page 6 we announce our October 10 general membership meeting. We've again moved it forward a month so we can hold it outdoors during this time of COVID resurgence and social distancing.

On page 6 we also share some unsolicited praise for our work and on page 7 we remind you that Cinnabar Foundation has again said it will match the first $4,000 of your donations to support our work! So act quickly to double your donation!

We hope you and yours are well and healthy, in spite of the setbacks in recovery from COVID. We are glad to be able continuing our work and very thankful for your continuing support of it!

We are also continually grateful for your emails and letters to officials that help us make the progress we do and to hold off the worst of what is proposed. Fish and wildlife can't speak for themselves in our political system, so it is up to all of us to speak for their protection!

Keith

Reading a hard copy newsletter and want to access it in color with linked citations? Visit http://www.swanview.org

Judge Rules in Favor of Grizzly Bears and Bull Trout!

A federal judge has ruled in favor of grizzly bears and bull trout in our lawsuit against the 2018 revised Flathead Forest Plan! U.S. District Judge Donald Molloy cited Supreme Court Justice Ruth Bader Ginsburg in ruling that federal agencies were negligent in abandoning the prior Plan's road management protections for grizzly bear and bull trout, saying it is "like throwing away your umbrella in a rainstorm because you are not getting wet."

Amendment 19's road closure and removal requirements are credited with putting threatened grizzly bears on a path toward recovery. Its requirement that culverts be removed from permanently closed roads is credited with helping protect threatened bull trout from the sediment released by inevitable culvert washouts.

The revised Flathead Forest Plan abandoned these requirements, so Swan View Coalition and Friends of the Wild Swan filed a lawsuit in 2019. Judge Molloy's 6/24/21 Order requires the Forest Service and Fish and Wildlife Service to reconsider its abandonment of Amendment 19 and to conduct new Endangered Species Act reviews of any new road-building projects.

Our victory should slow down federal efforts to remove ESA protection from the Northern Continental Divide Ecosystem grizzly bear population, which is premised on the same abandonment of Amendment 19 road and motorized vehicle management. The agencies, however, are thus far showing they think they can just paper over the shortcomings of their Forest Plan and the Biological Opinion it relies upon.

Soon after the Court Order, the Forest Service attempted to move forward with new road building projects without reconsulting with Fish and Wildlife Service over a new Biological Opinion for the Plan - something it promised it would not do in oral arguments before Judge Molloy in May. Our attorneys asked Judge Molloy to amend his order to make it clear that the Forest Service must also rewrite those portions of the Forest Plan he found unlawful.

We finished that briefing in early September and, along the way, secured written promises from the Forest Service to Judge Molloy that it would not proceed with most of its pending road building plans. Our attorneys have objected to the exceptions where the Forest Service wants to go ahead with road building based on an unlawful Biological Opinion and Plan and we await Judge Molloy's ruling on the matter.

Meanwhile, the Forest Service continues to plan more roadbuilding, requiring the public to file its Objections to the massive Mid-Swan Project without having a lawful Forest Plan or Biological Opinion to compare it to! It is still full steam ahead with little regard for public input or law!

Volunteers Ready to Protect and Restore Krause Basin!

In May we asked our members to object to Flathead National Forest's plans to issue a Special Use Permit for guided motorized bike and motorcycle tours in Krause Basin. Many of you emailed the Forest Service with your objections. Thank you!

We also had our attorney announce we would file a lawsuit if the Permit included Krause Basin, in part because Forest Service maps of trails where motorized use is allowed are in error and violate the 1988 Recreation Plan for the area. In other words, the FS would be permitting motorized commercial guiding on trails closed to motorized use.

While the FS issued a commercial Permit for other areas of the Flathead for 2021, it made clear the trails in Krause Basin were not included! It helped that FS wildlife biologists agreed with our contentions that the Krause Basin maps are flawed and that it would be inappropriate to issue a commercial permit just as the FS is initiating a new public planning process for Krause Basin.

In July we asked our members to sign up for the new "collaborative" planning process by August 15 and many of you did. Soon after, the FS announced it was "building a contact list of all interested parties" but has said nothing further. We have filed a Freedom of Information Act request to obtain the records by which we can fact-check the contact list.

Meanwhile, we renewed our annual Volunteer Agreement with the FS to help maintain trails on Swan Lake Ranger District. We also signed an agreement to help the District "naturalize" and decommission unauthorized trails in Krause Basin.

Four of our members got FS volunteer chainsaw certification this summer so we can use chainsaws to help maintain or decommission trails. Area forests are experiencing increased tree mortality and blow-down due to climate change, so we needed to expand our toolkit.

The photo comparison on this page shows a large grand fir removed from the Switchback Trail recently by our volunteers. They cleared another half-dozen blow-down trees and re-dug trail tread in several places where blown-over root wads left holes in the trail.

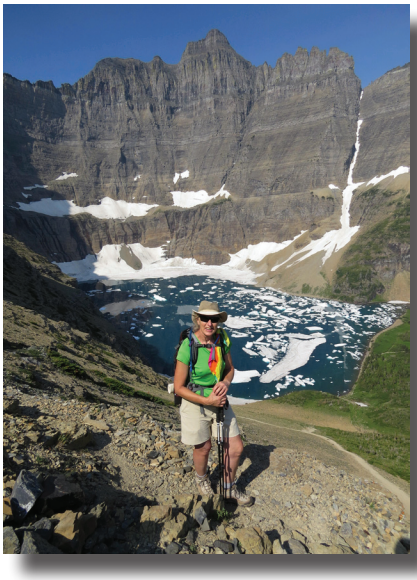
Our volunteers stand ready to help maintain authorized trails and to decommission unauthorized trails in Krause Basin and to maintain trails elsewhere on Swan Lake Ranger District. We await word from the FS on when Krause Basin planning will begin and will let you know what we find out.

If you find trails in need of clearing on SLRD, let us know via email to keith@swanview.org where the blow-down or trail damage is located. See also our Swan Rangers in Service web page!

Your Comments Needed to End Noisy Air Tours Over Glacier Park Now!

The photo on this page shows one doesn't need a noisy helicopter ride to get nice views of Glacier National Park. And those that aren't avid hikers can drive the breathtaking Going to the Sun Road for such views.

Recent news headlines suggest that Glacier is finally phasing out commercial air tours, but don't be fooled. Glacier is only proposing to phase out the air tours - without naming a date by which the phase-out would be complete.



Glacier announced its desire to "prohibit commercial sightseeing tours over Glacier National Park" in its 1999 General Management Plan, concluding "these air tours do not meet the affirmative responsibilities to preserve park resources or park values 'in a state of nature' or to care for them properly."

The National Parks Air Tour Management Act of 2000 then gave Glacier and other National Parks the authority to phase out air tours. Now, more than 20 years later, Glacier is proposing to start another indefinite phase-out period rather than simply put an end to the air tours now.

Noisy air tours have long been a hot-button issue for National Parks, where a few privileged passengers ruin the peaceful and quiet enjoyment of the Parks by the hundreds trying to experience the Park firsthand from the ground. It is not only Park visits by people that are spoiled by noisy air tours, think about the wildlife that have no choice but to call them home!

Please take a few moments to send a simple message to Glacier Park and the Federal Aviation Administration. We suggest something along these lines:

"You've had over 20 years to phase out overflights. This is the time to be done with them, not start a whole new phase-out process. Current generations of Americans deserve quiet in their National Parks, not just a promise that future generations will enjoy quiet after a phase-out of undetermined length."

To comment, go to https://parkplanning.nps.gov/document.cfm?parkID=61&projectID=103520&documentID=114733 , click on "Comment Now" and submit your comment. For more background, click on "Project Home."

Your comments are due by October 3! If the government web site is not working when you need it to, you can as last resort send your comments in an email to Mary_Riddle@nps.gov .

Or you can send written comments to:

National Park Service
Natural Sounds and Night Skies Division
GLAC ATMP
1201 Oakridge Dr., Suite 100
Fort Collins, CO 80525

Please also sign the Quiet! Glacier petition to help reach the goal of 50,000 signatures! Our thanks to the Quiet! Glacier Coalition, of which we are a member, and to its spearhead Mary McClelland for keeping us abreast of these developments. Thank you too for helping return quiet to Glacier!

Unsolicited Praise for our Swan Ranger Reports And the Folks that Make them Possible!

Our weekly Swan Ranger reports remain very popular, even though they no longer document a single Swan Ranger group outing in words and photos. Instead, they are a collection of words and photos contributed by numerous Swan Rangers with the common theme of paying attention to what is along the trail, beside the road and outside our window. We want to thank our informal network of contributors and can think of no better way to do so than to share here what others say about them. We've also included a couple recent notes of appreciation for the old group outings because they too speak to the quality of the people involved then and now:

"Please pass along to all of the talented outdoors photographers that these pictures are exquisite! Thanks so much to all for their contributions! *K.K.*

"What an absolutely delightful report and photos! Thanks, everyone!" *N.R.*

"Just wanted to drop a line to thank you for sharing photos of the beautiful places in your neck of the woods." *A.S.*

Flathead Valley rain shower by Pat Jaquith

"Outstanding photos of oft-not seen sights! Nice!" *G.N.*

"Love your news from the North country!" *D.F.*

Wolverines, grizzlies, goshawks and great horned owls all out in our backyard. What a special place to live and spend time exploring. *R.W.*

"When I was living away from home [and working in the Flathead] the outings were the highlight of the week - - I wasn't there just for the decaf :o) [during breakfast]" *J.P.*

"I've told you before that the Swan Rangers was one of the favorite things of my life; it meant a lot to be able to get outdoors with such a wonderful group of people."

S.F.

Unsolicited Praise for Our Work!

"Good newsletter, I didn't know that Krause Basin was in the crosshairs this year."

A.M.

"Saw you on TV. Thanks for standing up to the people who are only interested in making more money."

S.E.

"Thank you so much for coming to speak with the students about your work with the Swan View Coalition, and teaching us more about the legal work that is necessary in the conservation field. Your information about the damage/impact of roads on wildlife was so interesting!"

O.D.

"Thanks again, the grizzly and trout have no better champions."

L.W.

"Thank you and congratulations. I know that you have been working on this issue for quite some time. It is great to have the environment score a win. I am so glad that there are a lot of those 'pesky tree huggers' helping to protect this gorgeous area. "

M.V.

"Thank you for your willingness and enthusiasm and the additional individuals working as a part of the Swan Rangers in Service to volunteer on your public lands."

D.B.

"Thank you! If it wasn't for you we wouldn't have known about this."

A.M.

"I am glad to be able to help support all your efforts."

D.H.

Annual Membership Meeting Outdoors October 10!

Join us for our Membership Meeting Sunday, October 10, at 4pm! We will meet outdoors in Keith and Pam's yard at 3165 Foothill Road, around a small bonfire.

We'll spend an hour electing officers, discussing a bit of business, and summarizing the past year's challenges and accomplishments!

Then we'll enjoy a bring-your-own dinner and socializing in a relaxed atmosphere!

Please bring you own food, dishes, beverage, and folding chair. This will not be potluck as a COVID precaution. Please dress for the weather and bring a COVID face mask in case we need to move under shelter due to bad weather.

We hope you can join us for a bit of business and a fun, COVID-safe gathering! Please be sure your dues are paid up if you intend to vote on officers (see next page).

Your Donations Again Doubled by Cinnabar Foundation!

Cinnabar Foundation has again issued us a Challenge/Matching Grant for $4,000 - **so be among the first to donate to get your money doubled by Cinnabar!**

We rely in large part on member donations to fund our work protecting habitat for fish, wildlife and people. **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 with and help others support 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 https://swanviewcoalition.networkforgood.com (or by clicking on the Donate Now button at right)!

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 or mail it to the address in #1, above.

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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 _____

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

Swan View Coalition, Inc.
3165 Foothill Road
Kalispell, MT 59901

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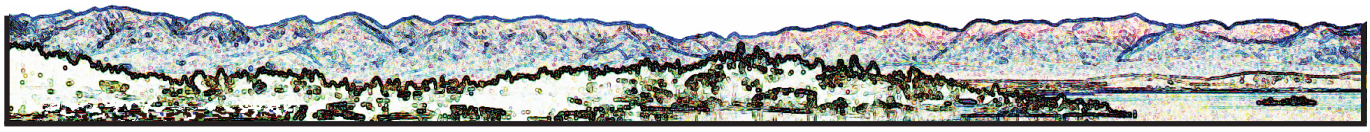

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