Swan View's News

Summer-Fall 2023

Swan View Coalition
3165 Foothill Road
Kalispell, MT 59901

"Nature and human nature on the same path."

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Pushing Back Against All Odds!

It is said that, when the going gets tough, the tough get going - which is what we've been doing since 1984! We've made a lot of progress over the years and are still fighting to see that it doesn't all get rolled back by the current state of politics and government.

On page 2, we summarize our newly released road closure study in the Swan Valley, which found road closures far less effective than what the Forest Service is telling Fish and Wildlife Service and the U.S. District Court!

On page 3 we provide a couple examples of how the Forest Service is keeping the public in the dark about the commercial business private corporations want to conduct on public lands.

On page 4, Mike Bader reports on a spate of unnecessary grizzly bear deaths and calls on people to carry and know how to use bear spray.

On page 5 we provide a single satellite image demonstrating that the thinning the Forest Service promises will "restore" public forests often turns out to be clearcuts!

On page 6 we provide a sampling of some much appreciated but unsolicited praise for our work - and we announce our annual general membership meeting will be held November 12.

On page 7 we announce one of our generous supporters has offered to match up to $15,000 in donations made by the end of the year! So please donate today and see your donation double!

It has been a great year for matching donations and we thank all of you who helped us meet our $4,000 Cinnabar matching grant and our earlier $5,000 matching challenge from a generous donor! We hope you can continue to help us finish out 2023 in good shape!

We are still waiting for DNRC's Environmental Assessment of its Krause Basin thinning and logging plans. We hope to report on that and other Swan Range developments in our Holidays newsletter.

Keith

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

Swan View Issues Road Closure Effectiveness Report!

Swan View Coalition recently released a report based on its 2022 inspection of 303 Forest Service road closure devices in the Flathead National Forest's Swan Valley Geographic Area. The group found only 53% of the gates, berms and boulders showed no signs of motor vehicle use behind them. When adjusted to account for Forest Service exceptions allowing administrative and logging contractor use behind closures, effectiveness rose to only 68%, far short of the 92% effectiveness claimed by the Flathead NF for 2019-2020.

Swan View Coalition and Friends of the Wild Swan in 2019 filed a lawsuit over the revised Flathead Forest Plan and Fish and Wildlife Service's 2017 biological opinion approving of its effects on threatened grizzly bears and bull trout. On June 24, 2021, U.S. District Judge Donald Molloy ruled that the biological opinion's "failure to consider the effect of ineffective road closures was arbitrary and capricious" and violated the Endangered Species Act. He cited a 2004 Swan View Coalition road closure study and the Forest Service's own data finding road closures ineffective, ordering FWS to redo its opinion.

FWS issued a revised biological opinion February 16, 2022, relying on the Flathead's finding its closures were 92% effective, promises of a better road closure monitoring system, and promises that the Forest Service would fix its ineffective closures "as soon as they are able." The conservation groups filed a new lawsuit against the revised biological opinion in 2022, again arguing it does not adequately contend with the fact that the revised Forest Plan abandoned the prior Plan's reliance on road reclamation and the removal of culverts to make the closures more effective in protecting grizzly bears and bull trout. Swan View Coalition recently submitted its new road closure report to the District Court as a part of that lawsuit.

The report includes photos showing instances where the Flathead has taken seven years to repair an ineffective closure, even when the likely unlawful killing of a wolverine behind the closure was discovered and reported. Also reported is the fact the Forest Service promised FWS it would continue to monitor closure effectiveness but instead switched to monitoring whether a closure is "functional" in 2021 and 2022. Moreover, the Flathead refused to describe how "functional" compares to "effective" when its inspection data indicates a number of reportedly "functional" closures also show clear evidence of being breached by unauthorized motor vehicles.

Road reclamation and culvert removals are necessary to protect fish and wildlife. Both agency- and citizen-gathered data show that gates, berms and boulders are not enough to stop motor vehicle trespass and that unmaintained culverts eventually fail and put the road dirt into the trout stream. (Click here for the report).

Forest Service Keeping Public in the Dark!

Based on its behavior, the Forest Service has apparently changed its motto to "Caring for Commerce and Serving Corporations!" The public is being denied timely access to public documents and, when the documents are finally provided, they are often stripped of any meaningful description of the business a corporation is wanting to conduct on public lands. Or, they aren't provided until after the corporation has already conducted its business and the public has no say in it!

In the case of Pursuit's plans to build a commercial tram up the side of Columbia Mountain on public land, all descriptions of the proposal were stripped from documents provided us under the Freedom of Information Act. We shared these documents with local newspapers. They included an email from the Flathead Forest Supervisor telling a FS public relations employee "I wanted to highlight that Pursuit is looking to limit the amount of agency folks that know about this right now to ensure that it doesn't leak out to the public before they are ready."

In our letter to the editor, we asked "Why is a public agency helping a private corporation get the jump on the public and members of its own staff?" An ensuing Daily Inter Lake editorial concluded "It stinks of preferential treatment. The Supervisor works for the public and Steele was wrong to act as a de facto public relations manager on Pursuit's behalf."

In the case of Highlander, a Croatian corporation, it requested a Special Use Permit by the Flathead NF to hold a 5-day, 100-person, commercial backpacking event on the Forest September 19-23, 2023. The Flathead did not issue a decision approving the Highlander SUP until September 14, the day before it allowed the event to be set up.

We immediately requested a copy of the SUP and its Operating Plan, but the FS still has not replied to our request. Nor has the Forest Service provided us any of the documents it was considering for the Highlander request, which we requested on March 24, even though the FOIA requires the agency to respond within 20 working days!

So the 2023 Highlander publicity stunt has come and gone, with lots of commercial sponsorship and product placement, and Highlander is already asking people to fork over their money and register for its event on the Flathead NF next year! In short, the FS allows Highlander and other businesses to take money for an event for which it doesn't yet have an SUP to operate on public lands, but it refuses to provide the public with documents essential to understanding and monitoring that business - at least until it is too late and/or the documents have been stripped of meaningful information!

We are not the only people upset at this blatant disregard for due public process and the FS's preferential treatment of business, as evidenced by a letter to the editor by Jim Watson. Public lands are not simply billboards for corporate publicity stunts nor should they be fertile ground for corporate profit making. The FS knows the public needs timely information to push back against the commercialization of its public lands and it is doing its best to withhold it.

FOREST SERVICE
US
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MISSION
Caring for the Land and Serving People

Bear Spray Saves Lives of Humans and Bears! *by Mike Bader*

There is an annual rite that has to end. The rash of deadly incidents in recent weeks involving grizzly bear-human encounters are instructive as to why you need to carry bear spray, know how to use it and have it readily available.

Near Whitefish, hunters scouting out land run into a grizzly bear in thick brush and shoot it, one wounding the other man in the shoulder. In the Tom Miner Basin near Yellowstone fishermen encounter a grizzly in thick brush and shoot it. Outside West Yellowstone a woman was tragically killed in thick forest while jogging. The grizzly is later euthanized.

Near Big Sky hunters follow a deer into thick forest where they encounter a "small bear" and then a large female grizzly. One man is seriously injured by the grizzly while another attempted to shoot the bear with a rifle which misfired. He said he didn't have time to get his bear spray out of his backpack. In eastern Idaho two hunters encounter a grizzly in thick brush and shoot it. Then a man hunting in Beattie Gulch near Gardiner gets charged by a bear which he fatally shoots. There was a carcass the bear was guarding.

Finally, two hikers and their dog along Trail Creek in the Whitefish Range get charged by a bear emerging from thick brush. The woman is attacked, the man uses bear spray which causes the bear to move away from the woman possibly saving her life.

The common denominator in all these incidents except the most recent one is that no bear spray was used or accessible despite persistent warnings. The other is that these incidents all occurred in areas of thick growth with limited sightlines. The Montana Fish, Wildlife & Parks issued a bulletin on August 30th titled Hunters Must Expect to See Bears, which begins with: "Grizzly bears have the potential to be found anywhere in the western two-thirds of Montana (west of Billings), and their distribution is denser and more widespread than in previous years. Some areas with dense concentrations of grizzly bears are very accessible to hunters, especially during the archery season." Their leading recommendation is to carry bear spray.

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Armed bear managers say they go for the bear spray first because it is more effective. A bullet travels a narrow pathway and under extreme stress most people don't have the training or experience to aim accurately. Bear spray creates a cloud that has been proven effective at deterring or ending bear attacks.

At this time of year when hunters begin taking the field they must be aware and prepared for the possibility of encountering a grizzly bear. Archery hunters are especially vulnerable due to the tendency of

(continued on next page)

using thick brush for cover, silent stealthy movements, use of scents to cover human smells and hunting alone.

Hunters are particularly vulnerable while skinning and butchering harvested animals. Bear spray must be out of its holster and ready for deployment. If possible, a lookout should be posted while in this process. Hunters also need to be aware that gut piles left by other hunters will attract grizzly bears who may defend them.

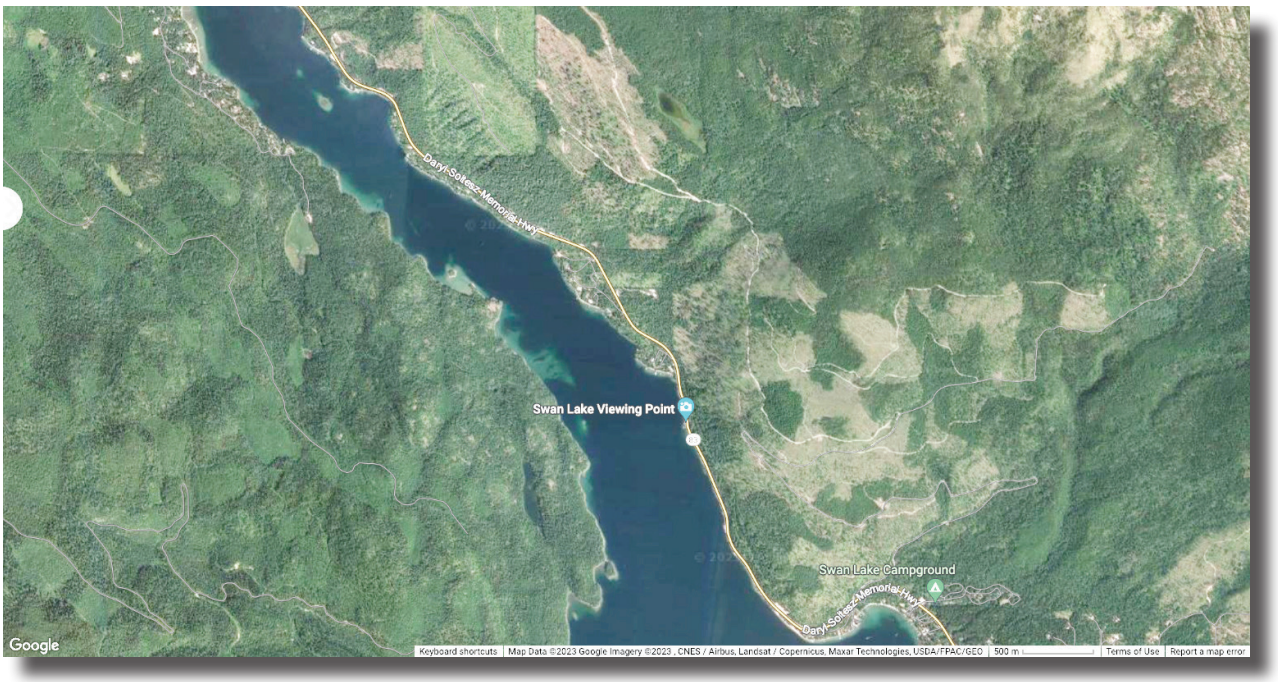
Running in grizzly habitat is a bad idea and even when near residential areas one must be prepared as some people have very poor food and garbage practices to which grizzly bears can become habituated and will return to take risks to obtain an easy meal.

This issue is not new to bear managers. Conservation groups petitioned the Montana Fish & Wildlife Commission in 2018 to develop an Administrative Rule requiring hunters to carry bear spray. There were 13 hunter-related defense of life grizzly bear kills within the borders of Montana in 2017 alone, an alarming statistic. Despite these facts they punted by saying that it is the responsibility of the legislature.

It's time to require that people hunting and recreating on public lands off-road in grizzly habitat carry bear spray, know how to use it and have it immediately available. Sponsors in the State Senate and House of Representatives are being sought. Until then, play it safe and smart in bear country and carry bear spray, which is proven to be effective at deterring attacks.

Mike Bader is an independent consultant in Missoula, Montana who has experience in grizzly bear management and research and has authored peer-reviewed scientific papers on grizzly bears and their habitat.

Thinning to "Restore" Forests or Just More Clearcuts?



The Weed Lake Landscape Restoration logging seen in the right half of this 2023 Google Earth image sure looks a lot like the older Crane Mountain clearcuts on the left side!

Unsolicited Praise for Our Work and Advocacy!

"Thank you for your passion for protecting the Swan Range! Couldn't have written a letter without your email alerting and providing good details." *S.H.*

"Thank you for all that you do to alert this community to the many dangers which threaten its way of life." R.M.

"Thanks. This [road closure report] sets a new standard." *M.B.*

"Superb piece of work." *B.H.*

"Thanks for your good investigative work and perseverance." *K.G.*

"Well done exposing this corruption! The Flathead National Forest continues to corrode public trust. Keep up the good work." *C.S.*

"Good work on you guys in sniffing this out. Makes me wonder how often this type of thing occurs." *C.N.*

"Saw your opinion in the Beacon and coverage of the road survey in the Missoula Current. Important info to get out." *C.G.*

"Swan View Coalition is a positive and impactful force in saving our beautiful environment." *K.K.*

"We sit on our deck with a 180 view of The Swans. We are comforted knowing you are a good steward and advocate!" *J.N.*

"Great photos and I always love your captions!" *K.K.*

"Awesome, beautiful photos and words." *B.H.*

"I want to thank all the folks who contribute the wonderful photos in your weekly Swan Ranger outing reports! I look forward to getting it every week. It's always so uplifting and fun! " *L.M.*

Annual Membership Meeting and Potluck November 12!

Join us for our Membership Meeting Sunday, November 12, at 4pm! We meet at the Mountain Brook Community Library at 2353 Foothill Road.

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 potluck dinner and socializing in a relaxed atmosphere!

Dinner will be followed by a regularly scheduled Swan Range Community Music Jam Session at 6pm for those who wish to stay! You don't have to play an instrument to enjoy this low key get together!

We hope you can join us!

Generous Local Donor Matching Your Donations up to $15,000 - Donate Today and Double Your Gift!

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: _____

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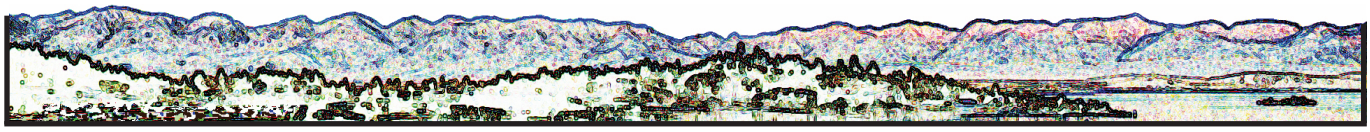

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