

From: Mavor, Michele - FS Michele.Mavor@usda.gov 
Subject: RE: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page
Date: February 10, 2022 at 3:43 PM
To: Keith Hammer keith@swanview.org
Cc: Dowling, Chris- FS Christopher.Dowling@usda.gov, Cory Davis cory.davis@mso.umt.edu



Good Afternoon Mr. Hammer!

We appreciate your request. We will post the revised BiOp when we receive it.

Thank you,
Shelli



Shelli Mavor
Planning Team Lead

Forest Service
Flathead National Forest
Swan Lake Ranger District

p: 406-837-7510
f: 406-837-7522
michele.mavor@usda.gov

200 Ranger Station Road
Bigfork, MT 59911
www.fs.fed.us



Caring for the land and serving people

From: Keith Hammer <keith@swanview.org>
Sent: Tuesday, February 8, 2022 12:11 PM
To: Mavor, Michele - FS <Michele.Mavor@usda.gov>
Cc: Dowling, Chris- FS <Christopher.Dowling@usda.gov>; Bridges, Darlene - FS <darlene.bridges@usda.gov>; Cory Davis <cory.davis@mso.umt.edu>
Subject: Fwd: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page

Michele;

I am forwarding my January 24 email to Cory Davis and his response, below.

Rather than repeat it all here, I am asking that you post to the Krause Basin Collaborative web site the documents I asked Cory to post and for the reasons we provided Cory.

I just reviewed the Krause Basin Collaborative web page and the FAQs newly posted there.

I also note you did not post the 2017 Biological Opinion on the revised Forest Plan, but instead promise an updated BiOp "coming soon."

We object in the strongest of terms to the District's efforts to suppress and not post documents

critical to an understanding of the promises the FS has made for managing Krause Basin and the Flathead NF.

Without the 2017 BiOp, the public cannot understand that the 19/19/68 motorized access thresholds derived under Amendment 19 are/were used by FWS and the FS as “research benchmarks” to determine when those impacts result in an “taking” of grizzly bear or are likely to have an adverse effect on bears.

Without Kathy Ake’s paper, the public cannot understand that, in order to meet the 19/19/68 research benchmarks and thereby minimize incidental take of grizzly bears, all the motorized trails in Krause Basin would need to be closed to motorized use - as was promised under Amendment 19.

By promising to simply post the pending update to the BiOp, the public cannot understand why an update is necessary and that the BiOp is being written because U.S. District Judge Donald Molloy ruled last June that the 2017 BiOp and the Flathead Forest Plan’s reliance upon it violated the Endangered Species Act - in large part due to the abandonment of Amendment 19, which Judge Molloy likened to “throwing away your umbrella in a rainstorm because you are not getting wet.”

You need to post all these documents so the public can understand past promises and the evolution of management in Krause Basin.

Suppressing these documents is akin to losing both legs in an auto accident only to have the insurance company say that it would prefer to get a fresh start, can’t pay you for the loss of your legs because you don’t have any legs, and then refuse to let you see the policy that said you would indeed be paid for the loss of your legs.

And, finally, we find the above facts and discourse missing from the FAQs, as well as any mention of the vast mileage of roads on the Flathead NF that are open to motorized vehicles including ATVs and snowmobiles. The result is a severely skewed presentation of the facts clearly intended to convince the public it should support the District's agenda to maintain if not increase motorized trails in Krause Basin and to maintain and improve trails to the highest of standards per the Forest Service Manual and Handbook documents you have posted to the web page.

This is not the fair footing on which to base a collaborative or any other public planning process.

Please respond to this email as soon as possible and indicate what you intend to do or not do to address our requests and concerns, including whether you intend to post or not post the documents discussed above and below.

Thank you,

Keith

Keith Hammer - Chair
Swan View Coalition

Swan View Coalition
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<http://www.swanrange.org>
<http://www.facebook.com/SwanViewCoalition>
<http://www.youtube.com/user/swanviewcoalition>

"Nature and human nature on the same path."

Begin forwarded message:

From: facilitator4kb@gmail.com
Subject: RE: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page
Date: February 4, 2022 at 4:36:45 PM MST
To: "Keith Hammer" <keith@swanview.org>

Hi Keith,

There will very shortly be a new FAQ document on Krause Basin posted to the project webpage. It will have some of what you suggested in your previous email but not all. I have also asked that the BO for the Forest Plan be posted as well.

I have been given clear instructions on where this collaboration process is starting from by the District Ranger and his staff. The Forest Service feels strongly that the new Forest Plan, and its Biological Opinion, provides the sideboards for our discussion. I know you disagree with this, and you will need to take this up further with the Forest Service Team Leader (Michele.Mavor@usda.gov). If you convince them that the discussion should start elsewhere, I will be happy to adjust our sideboards. As of now, the collaboration process will be moving forward with the starting point outlined in the previous meeting and that I will reiterate in the next meeting.

Thank You,
Cory Davis

From: Keith Hammer <keith@swanview.org>
Sent: Monday, January 24, 2022 11:56 AM
To: Cory Davis <facilitator4kb@gmail.com>
Subject: Re: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page

Cory

Cory;

Thanks for your reply and inquiry about what other things we think should be posted to the Project web site.

A few of the most critical documents that should be on the Krause Basin Collaboration web page would be Amendment 19 to the prior Flathead Forest Plan, FWS's 2017 Biological Opinion on the revised Forest Plan, and Kathy Ake's 10/15/15 assessment of what remaining roads and trails on the Flathead NF would need to be closed to motorized use in order to meet Amendment 19's "19-19-68" numerical objectives for Open Motorized Route Density, Total Motorized Route Density, and Security Core (respectively).

FWS's 2017 Biological Opinion shows that the 19-19-68 criteria are still used under the revised Forest Plan as "research benchmarks" to determine the levels at which grizzly bear are being "taken" or "harmed." See the Incidental Take Statement in the BiOp at III-87 (pdf page 213), at https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd566357.pdf).

Hence, Kathy Ake's paper shows on page 3 that "All motorized trails in Krause Basin would need to be closed" to meet the 19-19-68 "take" thresholds/benchmarks (that is, in order to limit harm to bears). Her paper is at http://www.swanview.org/reports/06_Ake_2015_A19_00172.pdf .

So this is not just ancient history that applied only to the previous Forest Plan, not that the Forest Service should excuse itself from the commitments it made in its prior Forest Plan in the first place, such as meeting 19-19-68 in grizzly bear habitat.

The way the Forest Service wants to deal with this is to not deal with, simply say it wants to get a fresh start via this Collaboration, and say that these "prior" documents are not relevant to this Collaboration and have no "precedence."

That's like losing both legs in an auto accident and then having the insurance company say it would rather get a fresh start, tell you you currently don't have any legs so it can't pay you for them, and then also refuse to let you see a copy of the insurance policy that says you would be paid for the loss of your legs because that policy no longer has precedence!

So those are the most important documents, although we think that all of the documents we describe in our 5/12/21 Notice of Intent to file suit (and listed at http://www.swanview.org/article/whats-new/2021_Krause_NOI_and_Docs/296) are relevant.

Moreover, without access and discussion of these documents and circumstances the Collaborative may believe Darlene Bridge's 12/16/21 implication that the District of its own free will decided not to issue a Special Use Permit last summer for guided commercial motorcycle tours in Krause Basin. It wasn't until we filed the above NOI and Ranger Dowling received pressure from Flathead NF wildlife biologists and other

staff citing our NOI (as evidenced in emails we obtained via the FOIA) that the Krause Basin trails were finally removed from the Permit.

The way it sits now, the Project web site provides links to a plethora of documents intended to more fully develop, sign and promote motorized trails in Krause Basin - and virtually none show why the trails should be closed to motorized use and remain unsigned.

Please let me know how you intend to handle this situation and these documents.

Thanks,

Keith

Keith Hammer - Chair
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<http://www.swanrange.org>
<http://www.facebook.com/SwanViewCoalition>
<http://www.youtube.com/user/swanviewcoalition>

"Nature and human nature on the same path."

On Jan 19, 2022, at 5:12 PM, facilitator4kb@gmail.com wrote:

Hi Keith,

Thanks for forwarding along your email chain below and sorry for my delayed response. Please let me know if there is anything else you would like to see posted to the project website. I am compiling information for our next meeting and will have some items to share before the next meeting.

As to your question about managing the collaboration process, I will be managing that the best I can. However, as I am only doing this on a part-time basis, I will be relying on the Forest Service for support for such things as website management and mapping needs. As I said in the introductory meeting, the group can choose to meet without the Forest Service present, though here at the beginning I think having them present to answer questions is preferable.

Please let me know if you have any other questions.

Thank you!
Cory

From: Keith Hammer <keith@swanview.org>
Sent: Wednesday, January 5, 2022 4:12 PM
To: Cory Davis <facilitator4kb@gmail.com>
Subject: Fwd: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page

Cory;

I wanted to be certain you had seen my Jan 4 email and Shelli Mavor's response to it below.

Who is managing and controlling the Krause Basin Collaboration, you as Facilitator or the Forest Service?

Thanks,

Keith

Keith Hammer - Chair
Swan View Coalition
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<http://www.facebook.com/SwanViewCoalition>
<http://www.youtube.com/user/swanviewcoalition>

"Nature and human nature on the same path."

Begin forwarded message:

From: "Mavor, Michele - FS"
<Michele.Mavor@usda.gov>
Subject: RE: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page
Date: January 5, 2022 at 1:15:24 PM MST
To: Keith Hammer <keith@swanview.org>

~~-----~~
Happy New Year Keith!!

Hoping you enjoyed a wonderful holiday season with family and friends!

I apologize the meeting information posting to the project webpage was delayed. Many of us took the two weeks following the meeting off for the holidays to enjoy time with family. We are all getting back to work this week.

Our Regional webmaster posted the meeting slides and chat today. No meeting notes were taken due to the introductory nature of the meeting. Unfortunately, due to the technical difficulties we experienced, a meeting recording is not available.

We posted the Current Management Direction – 1988 Recreation Management Direction for the Noisy Face Geographic Unit. Some of the other documents you referenced (Amendment 19) are replaced by our current 2018 Revised Forest Plan and Biological Opinion (awaiting final updated version from USFWS). The other historical documents (the 13 public meetings, its draft and final Biological Opinion) were used for the 1988 decision and have no precedence in the current development of a new Krause Basin recreation management strategy under current environmental conditions.

Cory Davis' facilitator email address is Facilitator4KB@gmail.com and his name is now linked on the webpage with this email.

Yes, the delayed response to your 12/15 email is because I was trying to track down Matt's last name. I have queried folks since our return to work on Monday and no one can recall his last name. Both Matt and Meghan Chamberlain (sp?) worked for the Swan Lake RD. You received all the data Matt collected in your FOIA Request dated Dec 24, 2020 as it was referred to 'GPSing' in emails between you/Joleen/Rich.

Thank you,
Shelli
<image001.png>

From: Keith Hammer <keith@swanview.org>

From: Keith Hammer <Keith@swainview.org>

Sent: Tuesday, January 4, 2022 9:24 AM

To: Mavor, Michele - FS <Michele.Mavor@usda.gov>

Cc: Cory Davis <facilitator4kb@gmail.com>

Subject: [External Email]Krause Basin Collaborative Meeting Follow-Up and Web Page

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages

to: Spam.Abuse@usda.gov

Shelli;

I looked over the Krause Basin Collaboration web page this morning and don't find the following:

1. Slides from the 12/16/21 meeting.
2. Post-12/16/21 meeting notes.
3. Recording of the 12/16/21 meeting.
4. Any historical documents about past decisions and planning processes for Krause Basin, such as the 1988 Noisy Face Recreation Plan, the 13 public meetings that led up to it, its draft and final Biological Opinion, Amendment 19, and what full implementation of Amendment 19 promised/required for the area.
5. A link or listing of Cory Davis' "facilitator" gmail address.

It is as if the meeting and its discussion never took place.

Please let me know as soon as possible when the above information will be posted to the web page.

Also, please see our 12/15/21 email exchange forwarded below and let me know the last names of Matt and Meghan (non-FS people who gps'd Krause Basin routes) and any affiliation they may have with a particular user group or organization. I've yet to receive a reply with this information from you.

Thank you,

Keith

Keith Hammer - Chair
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<http://www.youtube.com/user/swanviewcoalition>

"Nature and human nature on the same path."

Begin forwarded message:

From: Keith Hammer
<keith@swanview.org>
**Subject: Re: Krause Basin
Collaborative Meeting Agenda
12/16/2021**
Date: December 15, 2021 at 4:37:50 PM
MST
To: Michele Mavor
<Michele.Mavor@usda.gov>

Thanks.

If Matt and Meghan are not FS employees
and are affiliated with a particular user
group or organization, please indicate that
also.

Keith

Keith Hammer - Chair
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<http://www.youtube.com/user/swanviewcoalition>

"Nature and human nature on the same path."

On Dec 15, 2021, at 4:31 PM,
Mavor, Michele - FS
<Michele.Mavor@usda.gov>
wrote:

Keith-

Absolutely understand.

Mark = Mark Ruby, Forest
Service Employee
Shelli = Shelli Mavor, Forest
Service Employee

I will get back with you
regarding Matt and
Meghan's info.

Have a lovely evening!
Shelli
<image002.png>

From: Keith Hammer
<keith@swanview.org>
Sent: Wednesday, December
15, 2021 4:25 PM
To: Mavor, Michele - FS
<Michele.Mavor@usda.gov>
Subject: Re: Krause Basin
Collaborative Meeting Agenda
12/16/2021

Thanks for the quick reply.

Could you please add the last

names and indicate whether these are all Forest Service employees?

It is important to know the specifics and to know who to contact if there are questions about the GPSing.

Thanks again,

Keith

Keith Hammer - Chair
Swan View Coalition
3165 Foothill Road
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406-755-1379 (office)
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keith@swanview.org
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<http://www.swanrange.org>
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"Nature and human nature on the same path."

On Dec 15, 2021,
at 4:20 PM,
Mavor, Michele -
FS
<Michele.Mavor@usda.gov> wrote:

Good Afternoon
Keith!

Several folks
contributed to

the GPSing of
the trail system:

2015 Matt
2015 Mark
Summer 2021
Meghan
Summer 2021
Shelli

That is the best I
know!

Thanks,
Shelli
<image001.png>

From: Keith
Hammer
<keith@swanview.org>

Sent: Wednesday,
December 15,
2021 3:50 PM

To: Mavor,
Michele - FS
<Michele.Mavor@usda.gov>

Subject: Re:
Krause Basin
Collaborative
Meeting Agenda
12/16/2021

Shelli;

Thanks for this.

The project
overview map on
the web site
shows "GPSed"
trails. Who GPSed
those trails and
roughly when?

Thanks,

Keith

Keith Hammer -
Chair

Swan View

Coalition

3165 Foothill

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59901

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(office)

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[keith@swanview
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[http://www.swan
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"Nature and
human nature on
the same path."

On
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