



**GLACIER-
TWO MEDICINE**
ALLIANCE

May 3, 2024

Anthony Botello, Forest Supervisor
Flathead National Forest
650 Wolfpack Way
Kalispell, MT 59901

Re: Flathead National Forest Plan Suitability Changes: Winter Travel Management and Recommended Wilderness Project, Draft Environmental Assessment

Submitted electronically: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=61460>

Dear Supervisor Botello and Flathead National Forest Staff,

Thank you for the opportunity to comment on the Flathead National Forest's (the Flathead) proposed changes to winter travel management, public travel in recommended wilderness, and a proposed amendment to the 2018 forest plan to suitability determinations for administrative use of recommended wilderness. Glacier-Two Medicine Alliance (GTMA) is a community-based, grassroots conservation organization located in East Glacier Park whose mission is to protect and steward the wildlands, waters, and wildlife of the Badger-Two Medicine and surrounding areas in Montana's Crown of the Continent ecosystem, including portions of the Flathead National Forest affected by this proposal.

GTMA appreciates the Flathead National Forest following through on its commitment to implement suitability changes made in the 2018 forest plan. We also appreciate the Flathead's responsiveness to many of the suggestions we made in our scoping comments. Please accept these comments on behalf of our Board and nearly 2,000 members and supporters in northwest Montana.

Over-Snow Vehicle Use Designations

GTMA appreciate the Flathead moving forward with its proposed updates to where over-snow vehicles (OSVs) are allowed on the forest in accordance with the suitability determinations made in the 2018 forest plan. GTMA strongly supports the closure of all routes and areas to OSVs that the 2018 forest plan determined as not suitable, and this action proposes, including the polygons labeled Puzzle Creek, Upper Sullivan, and Upper Tin in the draft Environmental Assessment (EA). We also support the Flathead's proposed decision to keep 260-acres of avalanche prone terrain in the Kimmerly Creek drainage closed. Additional suggestions and concerns about this section of the proposed action and analysis follow.

A. Boundary Adjustments in the Skyland / Challenge Snowmobile area

GTMA strongly supports the closure of the ungroomed route up Puzzle Creek in the Slippery Bill-Puzzle recommended wilderness area (RWA). This route has long-facilitated trespass into the non-motorized Badger-Two Medicine area of the Helena-Lewis and Clark National Forest. The new boundary will hopefully improve voluntary compliance and simplify enforcement. To better achieve this and other beneficial outcomes for wildlife, the new boundary should be established near the bridge over Morrison Creek where the warming hut is presently located. Establishing the boundary near the existing warming hut would further discourage people from continuing to ride illegally into the Badger-Two Medicine. This would require the closure of approximately 1.5 miles of groomed trail that forms a narrow strip surrounded by closed (yet rideable) terrain, effectively a dangling appendage to nowhere. In exchange, an additional 1.5 miles of groomed trail could be opened elsewhere within the existing boundaries of the Skyland / Challenge snowmobile area.

This sensible adjustment in the boundary would also benefit sensitive wildlife species. The groomed road segment passes along the eastern flank of Slippery Bill Mountain, which is mapped winter habitat for mountain goats.¹ Mountain goats are highly sensitive to winter motorized recreation.² Closing the ~1.5 miles of this vestigial route between the Morrison Creek bridge and the Slippery-Bill Puzzle RWA boundary would improve winter habitat security for a popular big game species whose populations are in decline regionwide.³ The closure would also provide greater habitat security for wolverines as this segment of groomed road passes through mapped maternal wolverine denning habitat.⁴ Research indicates that female wolverines can be quite sensitive to motorized winter recreation during the denning season.⁵ More information about recreational impacts to wolverines is provided in our comments about impacts to wildlife. Finally, closing this short segment better complies with the Northern Rockies Lynx Management Direction, as explained in our comments about impacts to wildlife.

Another step the Flathead could take to further limit trespass into the Badger-Two Medicine is to re-locate the warming hut closer to Challenge Cabin. The relocation would limit the cabin's use as a jumping off point for forays into the Badger-Two Medicine (stash fuel, regroup), or by reducing the sense of assurance the hut may provide some riders that a refuge is close at hand should something go wrong after they cross the divide.

GTMA also harbors strong reservations about opening the entire polygon labeled "Marias Pass" all the way to the Continental Divide. Trespass into the Badger-Two Medicine through this terrain is already a problem. The Continental Divide is geographically indistinct in this area, making it a difficult boundary to communicate or enforce. Regardless, many riders who ride in this portion of the Badger-Two Medicine likely do so knowingly and intentionally as trespass often comes through the portion of terrain currently open to Flattop Mountain where the Divide is distinct. Riders who cross the Divide here commonly continue down into the Pike Creek drainage or high mark on the south east flanks of Flattop. This trespass violates the Badger-Two Medicine travel plan, is contrary to the attributes and values for which the Badger-Two Medicine is listed as a Traditional Cultural District under the National Historic Preservation Act, impacts wintering wildlife like moose, and conflict with the ability of skiers and snowshoers to enjoy quiet winter recreation.

¹ See Flathead National Forest. 2018. Forest Plan FEIS Volume 4, Appendix 1: Maps, Figure 1-15.

² Smith, B. L., and N. J. DeCesare. 2017. Status of Montana's mountain goats: A synthesis of management data (1960–2015) and field biologists' perspectives. Final report, Montana Fish, Wildlife and Parks, Missoula.

³ Ibid

⁴ See Flathead National Forest. 2018. Forest Plan FEIS Volume 4, Appendix 1: Maps, Figure 1-19.

⁵ Heinemeyer, K. et al. 2019. Wolverines in winter: indirect habitat loss and functional responses to backcountry recreation. *Ecosphere*, Vol. 10(2), 1-23.

While the Flathead's contention that a shorter boundary will be easier to patrol and enforce is intuitive, OSV users should not be rewarded for previous bad behavior (i.e. frequent trespass = open the area). Moving the boundary to the Continental Divide will undoubtedly only increase the likelihood of trespass, especially as we noted, the new boundary would largely follow an indistinct geography. If the primary goal is to create a more intuitive, easier to enforce boundary, we suggest the Flathead consider the eastern edge of the Skyland and East Skyland roads. Everything upslope to the north and east would be closed (much of it currently is). This is about as clear and a distinct a boundary as one can make. Flathead personnel would then need to only ride the road to look for illegal use. This suggestion would minimize use conflicts with existing non-motorized recreation around Flattop Mountain as well as better protect the natural soundscape of the Badger-Two Medicine. Importantly, pulling the boundary downslope away from the Continental Divide will create a contiguous, non-motorized corridor for wildlife along both sides of the Divide from Highway 2 to the Bob Marshall Wilderness Complex (the Bob). This is the only high-elevation connectivity zone between the Bob and Glacier National Park (Glacier).

GTMA supports the designation of the polygon labeled "Skyland Challenge" as open to OSVs. The Elk Calf Mountain addition makes intuitive sense as it is almost entirely surrounded by open terrain. We know of no distinct resource issues within this polygon. Nor opening this terrain create use conflicts, such as those identified in the Marias Pass polygon.

B. Minimization Criteria

GTMA appreciates the detailed screening exercise and analysis in this EA, including the Flathead's clear effort to apply the minimization criteria. However, we have some concerns with the analysis or findings.

Minimum Snow Depth

Minimum snow depth is an effective tool to determine when OSVs can use an area. This tool helps protect soil, watershed, vegetation and other resources from disturbance by OSVs by ensuring sufficient snow depth exists to, in effect, insulate these resources from direct contact with or compaction from the weight of the OSV. This tool has been developed and successfully put into use on other national forests.⁶

However, the Flathead dismissed our and others suggestion to adopt this tool. The draft EA states the tool would "be difficult to enforce" and that "users of over-snow vehicles self-regulate because over-snow vehicles are expensive and can be damaged by use on insufficient snow."⁷ Both claims don't pass muster. The tool would be as easy to enforce as any other temporary closure order. I've personally observed many instances where osv riders have willingly crossed bare ground or areas of minimal snow to reach areas more desirable for riding.

As the changing climate continues to delay season openings and create more periods of minimal snow depth, this tool will become even more important to ensure OSV use does not harm

⁶ The Stanislaus National Forest in California, to cite one example, has established minimum snow depths to inform season open and closing dates. For more information, see Stanislaus National Forest Over-Snow Vehicle Use Designation, Final EIS Volum 1, Table 3 (July 2021) https://www.fs.usda.gov/nfs/11558/www/nepa/100952_FSPLT3_5637608.pdf and Stanislaus National Forest Over-Snow Vehicle Use Designation, Record of Decision (July 2021) page 3: "Over-snow travel in designated cross-country OSV-use areas and along designated OSV use trails, by vehicles designed specifically for that purpose, is only authorized where 12 or more inches of snow is present and no contact is made with native soil or vegetation" https://www.fs.usda.gov/nfs/11558/www/nepa/100952_FSPLT3_5646653.pdf.

⁷ Draft EA, p. 19

sensitive forest resources. We strongly encourage the Flathead to re-evaluate their position and adopt a minimum snow depth of 12” for any trail or area to open, or remain open, for osv use.

Recreation Issues

The Flathead needs to better demonstrate that the proposed opening of new OSV areas will minimize use conflicts (i.e. conflicts between types of use, not individual participants). GTMA is particularly concerned that the proposal would displace non-motorized recreation near Flattop Mountain. People currently backcountry ski off Flattop mountain into the areas that are proposed to be opened in the Marias Pass polygon. Other people cross country ski or snowshoe in the area. Conflicts can occur, including issues of safety. OSVs operating off trail create a particular risk to non-motorized users of collision or crashing in ruts left where OSVs have chewed up the snow.

Rather than protecting this existing use, the Flathead’s approach here, and elsewhere in this document, seems to be accept displacement of existing non-motorized users by the newly allowed OSV use: “The potential for conflict between users competing for fresh snow in the short term is likely but will vary depending on snow conditions... Over the long term, users will likely adjust use patterns to use available and preferred terrain.”⁸ The minimization tool analysis is intended to minimize conflicts by determining which uses should occur where, not create the level of conflict that causes existing users to voluntarily stop using an area.

The analysis also inaccurately minimizes the likely increase in snowmobile noise that will be heard in the Badger-Two Medicine as a result of opening the Marias Pass polygon. The draft EA indicates this noise is diminished because road and railroad noise is already audible. As a frequent winter recreator in the Pike Creek area, road noise is almost never audible except in the immediate vicinity of the highway. Railroad noise is periodic and temporally brief in duration. By contrast, snowmobile noise, because of its higher register, can be heard over long distances and persists so long as the snowmachine is in the area. This can create a protracted period of high-pitched noise that causes a different qualitative effect on user experience for many people, especially the sense of solitude from other humans. Opening the Marias Pass polygon all the way to the Divide will ensure non-motorized users in the Badger-Two Medicine hear snowmobiles far more frequently than they do presently and will likely contribute to further displacement of non-motorized users.

For these reasons, we encourage the Flathead to reassess how it will minimize conflict between motorized and non-motorized winter recreationists.

Impacts to Wildlife

1. Canada Lynx

Lynx, a threatened species, can be sensitive to motorized recreation. The proposed changes to where OSV use can occur is intended to produce “a no net increase in acres of over-snow vehicle use in potential lynx habitat.”⁹ The draft EA goes on to explain that this “complies with forest plan guideline HU G11.”¹⁰ This guideline states:

To provide ecological conditions to support Canada lynx on NFS lands at a forestwide scale, there should be no net increase in miles of designated routes for motorized over-snow vehicle use, groomed routes, or areas where motorized over-snow vehicle use is identified as suitable.

This guideline revises the HU G11 guideline in the Northern Rockies Lynx Management Direction which states:

⁸ Draft EA, p. 59

⁹ Draft EA, p. 31

¹⁰ Ibid

“Designated over-the-snow routes or designated play areas should not expand outside baseline areas of consistent snow compaction, unless designation serves to consolidate use and improve lynx habitat. This may be calculated on a lynx analysis unit basis, or on a combination of immediately adjacent lynx analysis units.” (emphasis added)

The Flathead’s justification for the change appears to be that the “guideline provides a strategy for management of over-snow motorized vehicle use that will be more adaptive in the future.”¹¹ This editorial change seems arbitrary and to lack scientific justification for how it will better benefit the conservation and recovery of lynx. It simply directs the Flathead to exchange acres as if lynx distribution and habitat quality were uniform across the forest, which is not the case. We request more detailed analysis that demonstrates how closing lightly used OSV routes and areas in the Sullivan Creek drainage, and opening far more accessible routes and areas in the Skyland / Challenge and southern Whitefish Range, places that do, and will, receive considerably more use, will “provide the ecological conditions to support Canada lynx,” as well as how these changes may benefit, harm or otherwise effect lynx.

Furthermore, both acres to be open both lie in critical connectivity zones for lynx, where the areas to be closed do not.¹² Increasing motorized use in the Skyland Challenge or the southern Whitefish Range may harm the ability of lynx to move. The current analysis does not discuss potential impacts on connectivity from the proposed changes.

2. Wolverine

The US Fish and Wildlife Service recently listed wolverines as a threatened species under the Endangered Species Act (ESA). One of the key factors that warranted the listing is the loss of reliable denning habitat due to declines in snowpack, a phenomenon largely driven by climate change. The listing decision also identified winter recreation as a threat to their continued persistence.¹³ Female wolverines in particular tend to avoid areas of dispersed motorized winter recreation.¹⁴ Frequent disturbance can lead to den abandonment.¹⁵ The impact of winter recreation, the decision asserts, is likely to grow over time as climate change reduces the areas of deep persistent snow, concentrating recreationists and wolverine mothers closer together.

Under the ESA, the Flathead has an obligation not just to minimize impacts to the current population, but to actively maximize wolverine recovery. The densest, most significant wolverine population in the lower 48 states is in Glacier National Park. The Flathead National Forest contains outstanding wolverine habitat, including dispersal and reproductive habitat, most of which is assumed to be lightly or unoccupied at present according to

¹¹ Flathead National Forest. 2018. Forest Plan FEIS Vol. 1, p. 9

¹² Squires, J.R. et al. (2013). Combining resource selection and movement behavior to predict corridors for Canada lynx at their southern range periphery. *Biological Conservation*. 157:187-195

¹³ Endangered and Threatened Wildlife and Plants; Threatened Species Status With Section 4(d) Rule for North American Wolverine. Available at <https://www.federalregister.gov/documents/2023/11/30/2023-26206/endangered-and-threatened-wildlife-and-plants-threatened-species-status-with-section-4d-rule-for>

¹⁴ Heinemeyer, K. et al. 2019. Wolverines in winter: indirect habitat loss and functional responses to backcountry recreation. *Ecosphere*, Vol. 10(2), 1-23.

¹⁵ Ibid

conversations with local scientific experts. Protecting this habitat is likely critical to the initial recovery of wolverines. In determining which suitable acres to designate as open, and which currently open acres to close, the Flathead should prioritize wolverine recovery over accommodating motorized recreation enthusiasts' desired access. The best available science suggests that minimizing motorized winter recreation in areas of suitable wolverine denning habitat would benefit wolverine survival and reproductive success. At the very least, the Flathead should not expand the motorized winter recreation footprint, especially in maternal habitat, until better data on wolverines on the forest, including population and habitat data, exists and the USFWS has established a recovery plan.

To that end, we recommend closing the approximately 1.5 miles of groomed route beyond the warming hut in the Skyland / Challenge snowmobile area (i.e. the final stretch of Road 569.1) as this lies within modeled wolverine maternal denning habitat.¹⁶ Given this area's high elevation and close proximity to wolverines in Glacier National Park, it is likely to remain good denning habitat much longer than some other areas of the forest. We also recommend against designating any additional acreage in the Whitefish Range that is classified as suitable yet falls within modeled wolverine maternal denning habitat per the 2018 forest plan.¹⁷ This underscores the need for comprehensive winter recreation travel planning as discussed below.

We also are unclear why the Flathead chose to analyze impacts to wolverine at the forest-wide scale, rather than at a more granular scale, such as the home range of a female wolverine.¹⁸ The forest-wide scale seems rather arbitrary biologically as habitat is not fungible; given the paucity of data on wolverine occupancy on the forest, the forest-wide scale may miss localized, yet biologically significant, effects on individual or small concentrations of wolverines. Furthermore, more evidence is needed to support the Flathead's decision to equate maternal wolverine home range with grizzly bear subunits appears arbitrary as no science or other information was provided to justify why the grizzly bear subunit serves as good "proxy home ranges." The scientific basis for the analytical scale needs to be justified in the record of decision.

3. Grizzly Bears

Motorized recreation can harm grizzly bears by displacement or by leading to conflicts with people that lead to their death. The period when bears emerge from their dens is a particularly critical period for their survival when energetic reserves are most stressed, especially for sows with cubs. Displacement from, or abandonment of, their den site, where sows with cubs tend to linger, or preferred habitat in response to OSVs can reduce fitness or even lead to death, especially for the cubs.

Unfortunately, the Flathead proposes to open additional acreage in the Skyland / Challenge snowmobile area that would remain open to OSVs until May 14th. This is well past the time when grizzly bears reliably emerge from their dens. The Flathead acknowledges the winter denning period as ending on March 31st. However, the best available scientific evidence indicates grizzly bears are increasingly emerging from their dens well before this date.

¹⁶ See Flathead National Forest. 2018. Forest Plan FEIS Volume 4, Appendix 1: Maps, Figure 1-19.

¹⁷ Ibid

¹⁸ Draft EA, p. 22

Climate change appears to be the most significant driver, which means this trend is likely to continue. The scientific information was summarized and reviewed recently by federal district court in a case examining wolf trapping in grizzly bear habitat. The court determined that grizzly bears can only be reliably assumed to be in their dens from Jan. 1 – Feb. 15th.¹⁹ The Ninth Circuit just issued a ruling which upheld the lower court decision.²⁰

The Skyland / Challenge is in known grizzly bear denning habitat.²¹ Conflicts between snowmobiles and grizzly bears in the Skyland have on at least one occasion led the Flathead to close the area early.²² In 2022, I personally documented grizzly bear tracks on the groomed Skyland Road on April 22, three and a half weeks before the area was slated to close.



To better protect grizzly bears, the Flathead should adjust the closing date for the Skyland / Challenge snowmobile area to be no later than March 31s. This would align with other major OSV areas across the forest. It would minimize harassment of grizzly bears as they

¹⁹ *Flathead-Lolo-Bitterroot Citizen Task Force vs. State of Montana*, No. CV 23-101-M-DWM, Dist. Court, D. Montana (Nov. 21, 2023)

²⁰ *Flathead-Lolo-Bitterroot Citizen Task Force vs. State of Montana*, No. 23-3754 (9th Cir. 2024)

²¹ Flathead National Forest. 2018. Forest Plan FEIS Vol. 4, Appendix 1: Maps, Figure 1-33. See also, Weaver, John. 2014. Conservation Legacy on a Flagship Forest: Wildlife and Wildlands on the Flathead National Forest, Montana. Wildlife Conservation Society Working Paper #43.

²² "Skyland/Challenge area closed to snowmobiles" May 1, 2014. *Hungry Horse News*. Accessed at: <https://hungryhorsenews.com/news/2014/may/01/skylandchallenge-area-closed-to-snowmobiles-10/>

emerge from their dens, as well as minimize significant disruption of their denning habitat.²³ The Flathead should also include stronger commitments to an adaptive closure date should grizzly bears emerge from their dens prior to the end of the open OSV season. The current language Wildlife Design Feature #3 says “If information indicates that disturbance could occur from over-snow vehicle use during female den emergence (April 1 to May 15),” Flathead staff will, in consultation with Montana Fish, Wildlife and Parks, determine the most effective mitigation, which may be “temporary area closures.” The design feature should eliminate April 1 to May 15 so that this feature applies anytime grizzly bears are reported to be out of their dens in this area. The “temporary closure” needs to be for the rest of the season unless the Flathead has a monitoring plan that can reliably indicate the bears have left the area.

C. Need for Comprehensive Winter Recreation Planning

The Flathead needs to conduct forest-wide OSV planning to achieve compliance with Winter Travel Management rule. The suitability determinations made in the forest plan are completely acceptable at the forest plan level. However, these determinations are programmatic and do not satisfy the hard look at site-specific impacts of OSV use required under National Environmental Policy Act (NEPA) and the OSV rule.²⁴ Appropriate environmental analysis requires compliance with the minimization criteria described in 36 CFR § 261.14 at the site-specific scale. According to the EA, “the forest plan identifies 743,949 acres, or 31 percent of the Flathead, as suitable for over-snow vehicle use.”²⁵ Our understanding and examination of the administrative record indicates that none of these acres have gone through legally-sufficient analysis prior to the current process (with a possible, although far from certain, exception of the Whitefish Range under Amendment 24). This present analysis conducts site-specific assessment of 25,436 acres, which is less than 3.4% of the acres designated as open to OSV use on the Flathead National Forest.

The Ninth Circuit held in *WildEarth Guardians v. United States Forest Service*, reliance on Forest Plan suitability determinations is insufficient to comply with travel planning requirements.²⁶ Given the exploding interest in winter snowmobile use on the Forest,²⁷ the Flathead should pause work on the OSV component of this plan and initiate forest-wide winter travel planning, unless it can show where in the administrative record it has conducted the level of analysis and application of the minimization criteria necessary to comply with Subpart C of the Travel Management Rule.²⁸

We’d also like to know more about how the Flathead intends to finalize any changes made under this analysis. The draft EA states the changes will be published in updated over-snow vehicle maps. Will the new map include existing areas of the forest that have not gone through winter travel planning under Subpart C of the Travel Management Rule? Will the discrepancy be explained to the public? We are concerned that publishing a map that shows both legally compliant and existing OSV designations may be misleading to the public—and potentially unlawful by the agency. We’d appreciate more information about what the Flathead sees as its obligations to the public and the Travel Management Rule.

²³ 36 CFR 212.55(b)(2)

²⁴ *WildEarth Guardians v. U.S. Forest Service*, 790 F.3d 920, 929-32 (9th Cir. 2015)

²⁵ Draft EA, p. 4

²⁶ *WildEarth Guardians v. U.S. Forest Service*, 790 F.3d 920, 929-32 (9th Cir. 2015)

²⁷ Peterson, Chris. “As demand for snowmobiling grows, Swan Mountain purchases J&L Rentals.” *Hungry Horse News*, Jan. 19, 2022. Available at: <https://hungryhorsenews.com/news/2022/jan/19/demand-snowmobiling-grows-swan-mountain-purchases/>

²⁸ 36 CFR § 212.81

D. Appendix D – Information and Education Strategy for Prevention of Over-Snow Vehicle Trespass

GTMA commends the Flathead for the development and inclusion of this resource in the draft plan. This is a great resource for Forest Service staff as they seek to improve compliance through education. It is also helpful for partners and the public to understand the Flathead's perspective on available options to improve compliance. Improved information distribution and increased educational outreach will be critical to prevent inadvertent trespass into closed areas as participation in motorized winter recreation continues to grow, and technology changes. Creating this guide is also a great model that other national forests will hopefully follow.

While we encourage the Flathead to continue to develop and implementation strategies in this guide, we would also like to see a more defined enforcement strategy included in the final decision documents. Without a greater commitment to enforcement, many of the boundary changes will be primarily a paper exercise. Many people who currently trespass in the Badger-Two Medicine, for example, do so willfully and will likely continue to do so under the new circumstances without greater enforcement. Potential actions could include commitments and protocols for patrols, monitoring and reporting procedures, or strategies to disincentivize trespass through peer-to-peer pressure, such as temporary area closures following repeated violations. We encourage the Flathead to continue to invest in revitalizing its Snow Rangers program as well as to hire additional LEOs, which would benefit enforcement issues and concerns well beyond motorized travel violations. We also encourage the Flathead to work with partners to enhance the frequency of monitoring and reporting of use and trespass situations, as well as to potentially assist with enforcement activities (such as partnering to pay for overflights; these could help monitor for grizzly bears too).

Recommended Wilderness Management

GTMA strongly supports the Flathead's proposed action "to prohibit public use of mechanized transport and motorized use in recommended wilderness areas" (RWAs).²⁹ This action will align travel management with suitability determinations in the 2018 forest plan, an action necessary to protect the social and ecological conditions and wilderness characteristics of these areas that make them worthy of future designation by Congress as Wilderness. This action is consistent with Forest Service directives³⁰ and federal policy for management of recommended wilderness.³¹

We also strongly support the Flathead's decision to close "short segments of trails that occur just outside of recommended wilderness,"³² as initiating a closure order at a trailhead, trail junction or other clear geographic reference point will "make for more intuitive trail closures to users"³³ and increase compliance.

However, we believe there are several sections of trails that, following this logic, should be added to the list of trail segments in Table 7 on page 18 of the EA proposed to be closed to mechanized transport, especially bicycles. These segments include:

- Trail #62 between Bear Creek river access and junction with trails 254 and 158. This approximately one-mile segment is *entirely* on the southwest side of the Middle Fork Flathead River. It can only be accessed by fording the river and only accesses other trails currently or proposed to be closed to mechanized transport.

²⁹ Draft EA, p. 14

³⁰ Forest Service Manual 1923.03

³¹ 36 CFR § 219.15(e); 36 CFR § 219.10(b)(1)

³² Draft EA, p. 17

³³ Draft EA, p. 18

- Trail #83 beyond Silvertip Cabin. The cabin provides a much clearer, and more intuitive geographical feature at which to alter the types of allowed transport than the recommended wilderness boundary less than a mile further east. Closing the trail at the cabin, rather than the similarly intuitive junction of Trail #89 or Trail #43 just to the west, would still allow bike-packers the unique opportunity to access a backcountry rental cabin, while simultaneously better protecting the Limestone-Dean Ridge RWA.
- Trail #154 in its entirety. The map on page 84 indicates about $\frac{3}{4}$ of a mile of trail would remain open between the trailhead and the RWA boundary under the proposed action. Initiating the closure for mechanized transport at the trailhead would be more intuitive and enforceable.
- Trail #156 in its entirety. The text of the EA indicates the whole trail is closed to bicycles,³⁴ while the stretch of trail from the trailhead to where the trail crosses Granite Creek remains open to handcars. However, the map on p. 84 indicates the trail is open to *both* handcars and bicycles from the trailhead to where the trail crosses Granite Creek. The final decision should maintain the closure as described on p. 17 – 18 and in Table 7: close the 1.54 miles of Trail #156 from the trailhead to the Slippery Bill-Puzzle RWA boundary to mountain bikes; close the last 0.18 miles from Granite Creek to the Slippery Bill-Puzzle RWA boundary to handcars.
- Trail #420 in its entirety. Currently about 1 mile of trail is open to mechanized transport between the trailhead and the boundary of the Jewel Basin RWA. Initiating the closure for mechanized transport at the trailhead would be more intuitive and enforceable.

These changes, amounting to approximately 4 miles, would make communicating the trails' status to the public easier—as well as improve compliance and enforcement—without diminishing meaningful opportunity for mechanized recreation across the Flathead National Forest.

Programmatic amendment to Forest Plan

A. Plan Amendment Not Necessary

Recommended wilderness should be managed as analogously to designated Wilderness as possible until that time when Congress either affirms or rejects the agency's recommendation. Any exceptions must be carefully and thoughtfully constrained to prevent degradation of an area's wilderness characteristics. The Flathead has identified three administrative activities it says are necessary but that it cannot effectively accomplish due to the current suitability language in the forest plan: 1) protecting existing whitebark pine stands from conifer encroachment and catastrophic wildfire; 2) igniting prescribed fires on ridgetops to limit conifer encroachment into subalpine habitat, including whitebark pine-dominant stands; and 3) maintaining trails, particularly the 3-mile trail up to the Thoma Lookout.

We are not convinced by the rationale presented that the Flathead needs to amend the forest plan to accomplish any of these three (or similar) activities. Whitebark pine restoration and trail maintenance can, and in most cases in RWAs should, be conducted using non-motorized tools, even if this requires more time and human energy. Using a helicopter to ignite fire does not appear to violate the plain language of the existing suitability provisions so long as helicopters do not land in

³⁴ Ibid

an RWA. For situations where the Flathead believes an exception is warranted and necessary, the same minimum tool analysis used for designated Wilderness should be performed. Thus, we'd encourage the Flathead to leave the original language in the 2018 plan intact.

B. Tighten the Revised Suitability Language to Prevent Use of Ground Disturbing Travel or Equipment

If the Flathead proceeds with amending the forest plan, the revised suitability language suggested in the draft EA is too broad and permissive to protect the ecological and social conditions or wilderness characteristics of RWAs that make them worthy of designation as Wilderness. Simply put, the language needs to be tightened to prevent the use of ground disturbing transportation or equipment, and to ensure consistent application as Forest Service staff turns over.

To that end, we suggested during scoping the Flathead adopt language similar to the language adopted by the Custer-Gallatin National Forest in their revised forest plan. The Flathead instead opted to propose language similar to that of the Helena-Lewis and Clark National Forest's revised forest plan. However, there is a key difference between the suitability provisions in the Helena-Lewis and Clark forest plan and the proposed language in the draft EA. The Helena-Lewis and Clark's suitability components limit motorized use in RWAs to motorized *equipment*, like a chainsaw. Unlike in the Helena-Lewis and Clark forest plan, the proposed language in the draft EA would allow the Flathead to use wheeled or tracked vehicles to transport people and equipment, or perform work such as falling conifers encroaching on whitebark pine stands or establish fire breaks for prescribed fire. The use of ground disturbing vehicles and equipment, even if used solely to restore whitebark pine will degrade wilderness character and invite the public to unlawfully use off-highway or over-snow vehicles in the RWA.

Conversations with Forest Service staff and review of the Final Environmental Impact Statement for the revised forest plan indicate the Flathead's objective with the proposed amendment is primarily to clarify its authority to use helicopters and chainsaws to conduct whitebark pine restoration, a federally-protected species whose recovery and restoration we fully support. While we believe this work can be accomplished under the existing suitability provisions, if the Flathead determines that it is not possible to do so without amending the forest plan, we suggest the Flathead adopt the following language for MA1b-Suit-06 instead of the language currently proposed:

Mechanized transport and motorized use are not suitable in recommended wilderness areas. Exception may be made for the administrative use of handheld motorized or mechanized equipment, or for the use of helicopters, to accomplish low impact restoration activities (for example, management of ignited fires or using chainsaws to reduce stand densities around whitebark pine trees) that protect or enhance the wilderness characteristics of these areas.

This language would maintain the clear, existing suitability determination in the first sentence. It then combines language from the Helena-Lewis and Clark, Custer Gallatin, and draft EA to achieve the Flathead's objective of greater agency flexibility for whitebark pine restoration, while also providing greater certainty to the public that this is not *carte blanche* authorization for motorized or mechanized vehicles. The clarity will also ensure consistency in application as staff turns over.

In Closing

GTMA appreciates the Flathead continuing to move forward with its commitment to implement suitability changes for over-snow vehicles and to the management of recommended wilderness made in the 2018 forest plan. Thank you for the opportunity to comment on the proposed actions. We

largely support most of the proposed actions outlined in the draft EA and hope the Flathead will incorporate our suggestions to improve the quality of the analysis along with the final decision. We look forward to continuing to be a part of this process moving forward. Please do not hesitate to contact us with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Peter Metcalf". The signature is written in a cursive style with a long horizontal stroke extending from the end of the name.

Peter Metcalf
Executive Director
Glacier-Two Medicine Alliance