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Mr. Chip Weber, Supervisor
Mr. Chris Prew, Project Leader
Flathead National Forest
650 Wolfpack Way
Kalispell, MT 59901

**Re: Flathead Wild and Scenic River
Proposed Action for the Comprehensive River Management Plan**

September 13, 2019

Dear Chip;

Thank you for the opportunity to comment on the Flathead Wild and Scenic River Proposed Action for the Comprehensive River Management Plan (CRMP). On behalf of The National Parks Conservation Association and our 1.2 million members and supporters nationwide, the future management of these rivers, particularly the North and Middle Forks that bound Glacier National Park, are of huge significance and management direction should be protective of resources and have future generations in mind.

In general, we feel that the desired conditions identified are sufficient. There are several areas of concern for us however, and we feel that the Environmental Assessment needs to do a much better job of addressing these deficiencies. We will identify these shortcomings below as “river system-wide” issues or “segment specific” issues.

River System-wide:

A primary concern we have with the CRMP document, and in fact the entire process so far, is a fundamental lack of adequate sharing of baseline and current situation data. For the public to assess whether the proposed triggers and thresholds are reasonable and appropriate, stakeholders first need to understand current conditions. It may be that on the Middle Fork Recreational Segment Management Unit 3 a trigger of 150 boats/day and threshold of 170 boats/day is reasonable, if we are currently seeing 120 boats/day; however, if the current situation is only 70 boats/day, then those 150/170 trigger numbers are far too high. The public simply cannot assess a proposed future number unless we have the current number as a baseline comparison. The average citizen trying to understand and comment on the CRMP doesn't have easy and clear access to the necessary numbers; instead, that data is buried deep within the project website. The current river-use status (and historical data if it exists) must be clearly laid out next to the proposed action numbers for purposes of comparison and analysis. Additionally, the probability/percentage method used to set triggers/thresholds for encounters per day is abstract and confusing. Even the facilitator at USFS public meetings noted how confused the general public

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was by this methodology, suggesting that land managers should have simplified the methodology before soliciting further public comment. “Encounters with no more than 3 parties per day during 60% of the peak use season” is abstract to the point of being meaningless, particularly when coupled with the fact that the public is not being provided current conditions in terms of parties per day during a percentage of the season. In short, there is no reasonable avenue for comparison, analysis or informed public comment. The CRMP must be clear and transparent to the average river user; hard numbers, not abstract probabilities, must be used to create triggers and thresholds, and there must be a reasonable comparison to current conditions. This must be rectified for future documents for the public to meaningfully engage in the process and to understand what decisions were made and why. As written, the document has rendered public comment meaningless by obfuscating current and future desired conditions.

On the topic of numbers and triggers/thresholds we further insist that the CRMP set reasonable and protective thresholds/triggers for the number of boats/parties that someone on shore (i.e., anglers, picnickers, etc.) can expect to see during a day. This is done for the North Fork Flathead Recreational Segment and must be expanded to include all management segments on all three forks of the Flathead System. Visitor use is identified in all the segments’ discussion on Outstanding Resources Values (ORV’s), and activities that could potentially impact or degrade the ORV’s as a limiting attribute.

We suggest that the CRMP should implement a free and unlimited permit system on all three forks of the Flathead in order to educate river users about proper river usage, leave no trace travel, waste disposal and river etiquette. This initial free permit system (which if necessary, over time could morph into a paid permit system) would require river users to visit a ranger station or visitors center to receive a permit for the river; at that time, they could also be educated about proper river use, waste disposal and more. This would also help in tracking overall river use, types of users, length of trip, and other data that would be beneficial to both the Park Service and Forest Service for long-term monitoring and decision making.

Additionally, the standard method (river ranger floats) for assessing river use is outdated and insufficient. Recent data from University of Montana researchers counting from shore has produced far more useful data in terms of daily use. While we understand that the rigor of this UM research cannot be sustained, the FNF should nevertheless find ways to replicate as closely as possible this new shore-based model. This may mean spot checks or partnership with private and educational entities, such as the FreeFlow program at Whitefish High School. The CRMP must require a shift in traditional data-gathering toward shore-based collection.

Finally, this is not a plan for today; it is a plan for the future. The CRMP must envision what sort of river experience will occur in 20-30 years and must anticipate and ensure the river experience we wish to leave for the next generation. The triggers and thresholds that are set must be realistic and conservative enough to ensure an enjoyable experience into the future. In a world of increasing visitation and competing uses, we argue that



100YEARS

the proposed CRMP fails to set standards that will achieve a protective outcome as required by the Wild and Scenic Rivers Act.

North Fork Scenic Segment:

As we mentioned above but want to reiterate here as a segment-specific suggestion, the CRMP must set numerical triggers/thresholds for shore parties encountering boats/parties per day, as is included in the North Fork Recreational Segment. The trigger/threshold needs to be forward looking and take into consideration that many long-time river users believe the upper limit of visitor use has already been hit and needs to be lowered in some areas. Setting a trigger/threshold on “average number of watercrafts passing by a selected location per day during peak season” needs to be done, and it needs to be clear and comparable to current use so the public can properly assess its merits. The trigger/threshold also must consider the current opinion of rivers users regarding today’s existing crowding on the river.

The proposed triggers/thresholds are simply too high compared to current river use and the level of crowding that long-time river users believe is already happening. Lower numbers should be adopted, in accordance with the protective requirements of the Wild and Scenic River Act, and those numbers should be comparable, side by side and in the same form, with current use data. The proposed thresholds as currently written are not comparable to the current trends/data that are being collected, and the Forest needs to put greater work into making the current numbers and proposed triggers/thresholds comparable so that the public can understand what is being proposed.

Also, there have long been complaints about human waste and waste disposal at Sondreson Meadows. This CRMP is an opportunity to be proactive about these complaints. It’s also an opportunity to get ahead of the potential for increasing problems as visitor use increases both on the river and throughout the Forest. We suggest that the CRMP evaluate the need for and installation of a pit toilet and garbage cans at Sondreson Meadows, and that the analysis evaluate how additional visitor infrastructure may impact future use and how any increased use might be mitigated (limited camp sites, etc.).

North Fork Recreational Segment:

As with the scenic segment the Forest needs to clarify its proposed triggers and thresholds so that they are comparable to current usage. That being said, we believe this segment of the river is already over-crowded and the proposed triggers/thresholds need to be lowered. The proposed threshold for average number of watercrafts passing by a selected location is double what is currently occurring on the river. This is unacceptable in a Wild and Scenic corridor; double the river use will make the river far more crowded and lead to user conflicts and degradation of visitor experience and ORVs. The CRMP also needs to consider the type of use occurring, including outfitter and private boater but also kayak, raft, paddleboards, fishing, etc. and set strong standards around use and user conflict.

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A final note on the recreational segment, given the increasing use on the river and the belief of long-time river users that it's already reached capacity: the CRMP needs to look at limiting the "pool days" available to outfitting companies. Having an unlimited number of pool days for potential use by outfitters will ultimately lead to greater crowding and use of the North Fork, especially as use on the other river segments increases. We do not oppose "pool days," but we believe protections afforded by the act require a limit be placed on total "pool days" available. Getting out in front of that potential overcrowding is an important component of the CRMP, as it looks to plan for the future rather than the current condition.

Middle Fork Recreational Segments 1-3:

We fully support the comments of Headwaters Montana around the issue of oil trains in the Middle Fork Corridor, particularly:

"Under "water quality and quantity", the Proposed Action does not mention the publics' growing concern regarding the rail transport of hazardous substances along the Middle Fork Flathead corridor. Water quality should be the highest ranked ORV, and potential threats to water quality should be identified. While rail transport of materials is subject to additional federal laws and regulations, including interstate commerce provisions, the potential adverse impact to the Middle Fork WSR from a derailment and release is very real and everyday, and an accidental release of hazardous and toxic substances into the Middle Fork Flathead under current operating conditions may be an inevitability. The CRMP needs to address this issue in a meaningful way.

The USFS and NPS are mandated to protect the ORVs of the Flathead wild, scenic and recreational river segments. It would seem appropriate for these federal agencies to bring together other relevant federal agencies to coordinate the development of a federal rail safety and derailment prevention plan that provides clear standards, guidelines and mandatory practices that would provide greater assurance of rail safety operation over current practices.

With respect to how this could be addressed in the EA, we would suggest under Desired Future Conditions for Middle Fork Management Units 1 and 2 that additional separate sections be added titled, "Rail Corridor". A statement like the following could be included under these sections: "The Flathead Forest, Glacier National Park, and Federal Railroad Administration will cooperate in developing a federal rail safety and derailment prevention plan that addresses the significant risk of an accidental release of hazardous or toxic materials into the Middle Fork Flathead River that the public has identified as a major concern."

Under "Indicators, Triggers and Thresholds" for both MU1 and MU2, add a water quality section. In tables 16 and 18 inform the public under "Indicator" that "a public rail safety prevention plan does not



100YEARS

currently exist.” Leave the “Trigger” and “Threshold” sections blank. Under “Management Actions” state, “The FNF, GNP, and FRA will work cooperatively to develop a public process to help limit the risk of an accidental derailment and release of hazardous materials.” Under “Rationale” state, “A single derailment and release of hazardous or toxic materials could have severe and long-lasting consequences for all ORVs associated with the Middle Fork Flathead River.”

Quite frankly, we think the FNF and GNP may choose to continue to ignore or not address this concern in the EA. For this reason, if the FNF and GNP will not include the hazardous material issue in the above format for evaluation in the EA, then we request that the EA contain a statement about hazardous material rail shipments through the Middle Fork WSR corridors (MU1 and 2) that explains the legal rationale and includes legal citations for the authority to exclude further consideration of the issue.”

As with the North Fork Recreational Segment we believe that there is a need to limit the number of “pool days” available to outfitters. The fact that actual service days is almost 20,000 higher than the permitted service days for outfitters shows both the popularity of the Middle Fork and the need to initiate limits. Given how crowded the Middle Fork can be on summer days, an unlimited number of pool days for outfitters is not sustainable into the future and is not in accordance with the legal protections mandated by the Wild and Scenic River Act. We recommend that the CRMP limit total pool days and institute a reasonable hard cap on them, allowing for some growth but at a sustainable level. There may be a need to look at historical data to find the growth trend in pool day requests, in order to project into the future a sustainable growth pattern that also caps use at some point.

We also believe it is time for the same triggers/thresholds to be placed on the Middle Fork as on the North Fork in terms of average number of watercrafts per day past a selected location. We are not sure what that number is, because FNF has not provided comparable data on current use, but the CRMP should look at setting triggers/thresholds that are reasonable and sustainable.

Again, thank you for the opportunity to comment on the CRMP, we are looking forward to continuing to engage in the future. Please contact me with any questions or for more information, slundstrum@npca.org or 406-250-5346.

Sincerely,

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