

September 27, 2022

Flathead National Forest  
Attn: Kurt Steele, Forest Supervisor, Shelli Mavor, Project Lead  
Sent via: <https://www.fs.usda.gov/project/?project=61746>

Dear Mr. Steele and Ms. Mavor,

I submit this second set of comments to supersede my September 19<sup>th</sup> comments, correcting a couple of typos and an Amendment reference, adding additional points.

FS acceptance of POWDR's Master Development Plan (MDP) and this scoping does not constitute approval of the proposal or provide any assurance that any particular item will be authorized by the Forest Service or constructed by the holder nor do any legal consequences, including the requirement to conduct environmental analysis under NEPA, flow from acceptance of the MDP.

I urge you to deny the Proponents request for an expedited NEPA CE process and to give the public a full 60-day comment period. The Holland Lake Lodge Master Development Plan was not made publicly available on the Flathead's web site until September 6 and the Flathead's project area website continued piecemeal updates for documents critical to those commenting. What is going on here - intentional fast-tracking and/or administrative overload?

An EIS is the required NEPA for this scale of proposed development, the potential effects on existing extraordinary circumstances such as multiple threatened, proposed, and sensitive fish & wildlife species, and effects on critical habitat (especially considering this entity's proposal for expanding winter use and anticipated additional proposals). I also urge that you develop an alternative to the POWDR proposal that maintains the milieu and existing footprint of the historic and clearly beloved Holland Lake Lodge.

My experience with the Holland Lake Lodge is tangential to positions held while working on the Bitterroot NF. During the late 1990's and up to 2009, I worked with Thunderbow Outfitters, operated by Mike and Bobbi Jo Robinson, and permitted on the Bitterroot NF, Beaverhead NF, and on Flathead NF, where my understanding is they were Outfitter of Record for the Holland Lake Lodge (I think hunting, maybe fishing). I initially spent time as a wilderness ranger inspecting their Bitterroot NF camps and heard about the Holland Lake Lodge permit when the Swan Lake RD cited them for non-compliance, including unauthorized use of FS lands. In 2007, after additional non-compliance issues, the Flathead terminated the outfitter permit and their role with Holland Lake Lodge was ended. In 2008, after becoming the Bitterroot's Outfitter Permit Administrator, I worked with the Montana Licensing Board relating to multiple non-compliance issues and MTF&G violations (Thunderbow found guilty in court), followed in 2009 with the Bitterroot NF terminating their permit. Note that Christian Wohlfeil held the Holland Lake Lodge Resort/Marina permit from 2002 through 2007, when Thunderbow's Flathead NF outfitter permit was terminated, and the Holland Lake role ended. I also see in the Montanan State Business Licensing search that the Holland Lake Lodge Outfitters business license expired in 1997 and there is no Agent. Has an outfitter other than Thunderbow subsequently been permitted for Lodge activities and if so, for what activities, seasons or use days? Has POWDR or their Agent proposed outfitted use in a separate Outfitter/Guide application? I request to be put on your public involvement list for any proposals to permit outfitting services relating to the Holland Lake Lodge.

Given my experience administering Special Use Permits, I was amazed to read in the September 12 Montana Free Press: “Christian Wohlfeil **has owned the 15-acre special-use permit** that encompasses Holland Lake Lodge since 2002...Wohlfeil has partnered with Utah-based POWDR, owner of several ski resorts, and **has already sold the company shares of the permit**, anticipating a complete buyout. **Wohlfeil said the permit had been for sale ...**” If these quotes are accurate, after 20 years as permit holder Wohlfeil clearly still does not understand a holder’s rights and may not be the ideal Agent for POWDR. Individuals and corporations do not “own” special use permits, only the improvements authorized previously. The permit is not assignable or transferable.

The Forest Service (decision-maker Forest Supervisor Kurt Steele) is not obligated to issue a new permit to the party who acquires title to the improvements and certainly not obligated to authorize the scale of development being proposed! In addition, the HHL 456 Permit Amendments #1 & #2 show pre-decisional bias. The MDP is not even through the scoping period that began September 1 yet Amendment #2, signed August 22, authorized the two wells **proposed** in the MDP. Amendment #2 also authorizes a Holland Lake Lodge Inc. representative to sign permit applications and is co-signed by Brian Stewart (listed in the MDP as Primary Contact, not Christian Wohlfeil). Any change in control of the business entity as defined in permit section J-1 shall result in termination of the permit. The party acquiring control must submit an application for a permit (not simply be amended to the current permit that lists Christian Wohlfeil as owner).

Your stated Purpose and Need (that HHL facilities are inadequate for current and future demand) will not be satiated by authorizing this expansion and the Flathead can expect future requests for multi-story lodges. The intensity of desired accommodations is best met in privately held lands such as the nearby Holland Peak Ranch, Paws Up, Tamarack’s Resort, and The Lodges on Seeley Lake. Repairing or replacing the existing deteriorating structures can be accomplished within the currently authorized footprint. And nearly quadrupling the permitted use (guests and employees, winter activities) will only exasperate wastewater issues – each expansion requires additional lagoons, holding tanks and pumps (especially vulnerable during increasingly “catastrophic” rain events, as seen in this year’s Yellowstone flooding). Maintain the existing footprint.

The Holland Lake Lodge and other authorized improvements are operated through a Resort/Marina Special Use Permit to offer concessions on Forest Service lands. The purpose of that permit is to “benefit the general public and protect public and natural resource values.” POWDR’s proposed “improvements” do not meet that definition. 36 CFR § 251.54 “An authorized officer shall reject any proposal, including a proposal for commercial group uses, if, upon further consideration, the officer determines that: (i) The proposed use would be inconsistent or incompatible with the purposes for which the lands are managed, or with other uses; or (ii) **The proposed use would not be in the public interest.**”

POWDR’s proposed Master Development Plan (MDP) states “By improving the Lodge, we have a unique opportunity to offer the public upgraded accommodation and recreation opportunities, while retaining the resource integrity and spirit of Holland Lake.” However, FIGURE 3 of the MDP (PROPOSED HOLLAND LAKE SITE PLAN) shows three gates (main entrance, from the FS campground to the permit area and from a permit area trail connecting to FS trails (Holland Falls NRT #416 and the East Holland Lake Connect Trail #415). These new gates will serve to discourage public use of NF lands and should not be authorized. Razing existing structures in an effort to “modernize”, tripling guest/parking capacity and adding employee housing (quadrupling the current footprint with indoor plumbing requiring additional

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and vulnerable wastewater treatment facilities), removing nearly 100 trees including along the shoreline (didn't take the time to count all in the HHL Proposed Tree Removal PDF) and bringing fiber optic internet does not retain the "spirit" of Holland Lake. Maintaining the existing footprint does.

It is obvious from POWDR's other business investments and from the MDP that their intent with "upgraded" cabins, restaurant and docks is not an appeal to the average visitor but to wealthy clientele. In fact, I recently went to their website to consider a stay and was met not with the normal search dates for availability/book now but instead fill out a form and "WE'LL CONTACT YOU TO FINALIZE YOUR RESERVATION" – as in I am being screened for suitability! I am now concerned that because of this comment, I will be blacklisted (in which case, you will be receiving a call). This is not a private club and non-exclusive use is a requirement.

How will providing employee housing ensure local hiring practices? Instead consider the alternative for meeting public need through increased campground and parking capacity that would better serve the general public. Authorize SSTs rather than private baths that will require adding wastewater treatment for the more than twenty new cabins and maintain FS responsibility for the currently maintained parts of this system. Limit expansion of use on site to twenty-two additional people (per Appendix B Wastewater Tech Memo this number would not require expanding wastewater treatment). The proposed Mission Mountain Restaurant seating capacity of 120 is the MDP's projected summer season guest capacity. Ensure the permit area, including restaurant, remain open to the public for all lawful purposes (non-exclusive use). Prohibit time-share arrangements. Require a schedule of prices for sales and services and use your authority to require they not charge prices significantly different from those charged by comparable or competing enterprises. Develop a carrying capacity analysis for boat use at Holland Lake, including that from the FS campground, and limit equipment provided by the holder accordingly. And, if proposed in the future, do not authorize a helispot that would add noise and safety concerns both in the permit area and at the public campground!

In closing and addressed specifically to Kurt Steele, you have already heard from over 5,000 commenters that have concerns I share about this expansion proposal's effects to wildlife, water, and wild places along with this rushed and suspect NEPA process. Your obligation as decision maker is to the greater public good, not corporate interests, and you will long be remembered in the community by this proposal's decision.

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CC via mail:

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