

October 5, 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 third set of comments to append my previous comments.

My previous comments included paragraphs covering two concepts:

- 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 HLL 456 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).
- 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...

Your Forest Project File and scoping show this proposal MDP is based on permit HLL 456, issued in 2017 to Holland Lake Lodge Inc., Christian Wohlfeil Owner, well before POWDR's business entity purchase. Attached are two Montana Business Entity Reports clearly showing change of control for the business entity. Part of my job as a special uses permit administrator included routinely going to the Montana Secretary of State's Business Search Site. I'm sure your special uses administrator is equally trained and competent.

Why was HLL 456 permit not terminated and the required application and authorization process completed for a new permit BEFORE proposing this massive expansion? The only answer I can come up with is a concern, shared by POWDR and at least some FS, that nothing should interfere with work beginning in spring 2023, including taking the time for properly terminating HLL 456 and issuing a new permit. This is in keeping with POWDR's request to use an expedited CE NEPA process, something the Forest Supervisor's public statements supported until hearing the public (and thankfully Congressional) outcry. It also keeps Christian Wohlfeil as HLL Inc's "hometown" face, something POWDR's public relations representatives clearly appreciate given the public outcry over a Park City ski/adventure development company coming to town.

Has POWDR submitted a permit application and if so, what is the status? POWDR's proposed MDP was submitted in October 2021 and accepted for public review in April. If so, it should have been added to the Flathead website's Project File.

Too many "mistakes" have already been made in this process. You can add this permit issue to others, including the admission in last night's public meeting that the scoping uses a 15 acre currently permitted area with no proposed expansion, is instead 10.53 currently permitted acres, and the proposed MDP includes an expansion to 19 acres (not disclosed to the public until October 4th, three days before the comment deadline!). Or Kurt Steele's quote from that meeting, despite weeks of outcry over use of a CE: "We will analyze that in the Categorical Exclusion — or EA or EIS, I'm sorry." Is it any wonder the public has completely lost trust in FS handling of this proposal?

My second bullet point is lead-in to another issue you will see raised by the Montana Wildlife Federation (MWF). The NCDE Conservation Strategy was designed to maintain a recovered genetically healthy grizzly bear population post delisting. The proposed Holland Lake expansion is in prime grizzly bear habitat and well within the NCDE Grizzly Bear Recovery Zone and Big Salmon Bear Management Unit. The 2018 Forest Plan Revision includes:

Standard (FW-STD-REC) 01: Within the NCDE primary conservation area, the number and capacity of developed recreation sites on NFS lands that are designed and managed for overnight use by the public during the non-denning season (e.g., campgrounds, cabin rentals, huts, guest lodges, recreation residences) shall be limited to one increase above the baseline (see glossary) in number or capacity per decade per bear management unit.

The consequence of authorizing the proposed expansion of overnight use at Holland Lake Lodge is two-fold, neither in the public interest. First, as stated in the MWF comments, it would violate the spirit if not the letter of the NCDE Conservation Strategy and negatively impact some of the best remaining grizzly bear habitat in the NCDE. Second, it will preclude any development of even comparatively minor expanded overnight camping facilities in the Big Salmon Bear Management Unit, including at the popular and more economically priced Holland Lake Campground. Quoting from Jim Morrison, a Missoula County resident who has submitted comments:

This presents the Forest Service with a choice about how it is going to deal with the dilemma over the ever-increasing demand for recreation on our public lands in the upper Swan Valley. Should it permit development of a high-priced, high-amenity (indoor plumbing and speedy internet) resort on National Forest lands, or should it emphasize providing more basic, “rustic” campgrounds for tents and RVs with picnic tables, hand pumped well water, and fire rings? It can’t do both because, to protect grizzly bears and other wide-ranging wildlife, the Forest Plan limits expansion of “developed overnight recreation sites” in the upper Swan Valley to only one site every ten years. So if the Forest Service allows POWDR, Inc. to expand the physical size and guest capacity of a pricey guest resort it will not be able to increase campground opportunities for people who can’t afford or don’t want to pay several hundred dollars a night for high-amenity resort accommodations.

Permit HLL 456, issued in 2017, predates the Forest Plan Revision. Your acceptance of POWDR’s 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. The proposed expanded overnight use and occupancy at high-end commercial facilities at the expense of preserving prime grizzly and other wildlife habitat or expanding popular campground facilities is not in the public interest. Changes in the land management plan give you the rationale to deny the proposal and you have that authority.

These comments are not made with much hope that it will influence the NEPA process – it is apparent where this train is headed - and instead are intended to pepper the project file for use in what will assuredly be lawsuits challenging any decision authorizing this proposed MDP or a watered-down alternative that does not maintain or reduce the existing footprint and use.

I repeat from my previous comments: “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

Almquist Comments: Holland Lake Lodge Facility Expansion Proposal

maker is to the greater public good, not corporate interests, and you will long be remembered in the community by this proposal's decision."

Marty Almquist
PO Box 714, Darby MT 59829

CC via mail:

POWDR, 1794 Olympic Parkway, STE 210 Legal Dept., Park City UT 84098 Attn: Brian Stewart

Senator Jon Tester, 130 W Front St., Missoula, MT 5980