

# Swan View Coalition *Nature and Human Nature on the Same Path*



3165 Foothill Road, Kalispell, MT 59901

swanview.org & swanrange.org

ph/fax 406-755-1379

January 13, 2012

Uploaded to <https://cara.fs2c.usda.gov/Public/CommentInput?Project=65359>

Sent via email to:

[Charles.Carver@usda.gov](mailto:Charles.Carver@usda.gov)

[adam.ladell@usda.gov](mailto:adam.ladell@usda.gov)

[james.yarbrough@usda.gov](mailto:james.yarbrough@usda.gov)

[michael.munoz@usda.gov](mailto:michael.munoz@usda.gov)

[robert.davies@usda.gov](mailto:robert.davies@usda.gov)

[Christopher.Dowling@usda.gov](mailto:Christopher.Dowling@usda.gov)

Re: Outfitter and Guide Special Use Permits in the Bob Marshall Wilderness Complex

Dear Rangers Carver, Ladell, Yarbrough, Munoz, Davies and Dowling;

We are sending these comments to each of you because we need more information before we can provide fully informed comments. Your 12/22/23 letter inviting our comments states they "must be site specific." However, your letter does not list what Permits are being considered for reauthorization, let alone where they are located.

We ask that you post to the Project web site a clear listing of each Permit being considered, along with a copy of each current Permit, relevant maps of where the permitted activities are allowed to occur, an indication of how long each permitted operation has been authorized/reauthorized, all monitoring data collected regarding whether the current Permit has been complied with or its conditions violated, and any public or agency complaints or praise received regarding the current Permit and Permit holder's performance.

Only then can you reasonably ask the public for "site specific" comments about whether or not each of these permits should be reauthorized. Given the breadth of your proposal in terms of geography, sensitive wilderness and wildlife areas, and proposed 10-year reauthorization, no less than a 30-day public comment period must be provided once sufficient information is provided in a readily accessible manner.

The way you have structured the public comment period will bias comments in favor of clients that have been contacted by their outfitter with a request that they put in a good word for their performance and Permit reauthorization. The rest of the public remains uninformed due to zero information being provided by your scoping notice.

We ask that each of you respond in writing to this request for basic, essential information and a subsequent minimum 30-day public comment period.

A. Here are a few examples to demonstrate why the information we have requested must be made available to inform public comments:

1. What is the status of the Swan Mountain Outfitters Permit and your proposal to greatly expand its area of operations? (<https://www.fs.usda.gov/project/flathead/?project=60675>) Ranger Dowling sent out a scoping notice in this matter on August 20, 2021. We submitted our comments on September 3, 2021, and we've received no substantive response. Our comments are included in this pdf and hence resubmitted for your consideration here.

As noted in our prior comments, the FS has acknowledged that SMO has performed in ways that do "not meet Forest Service specifications" and knows that its monitoring of the Permit "has not been conducted at the level that is needed." Via our prior comments and likely by other means, the FS is now aware that MDFWP has issued citations against SMO for numerous violations "of DNRC regulations, and Tabor's commercial use license" as well as unprofessional conduct and violation of Montana regulations in failing "to keep true and accurate records by submitting inconsistent records to the Board of Outfitters and the various regulatory agencies of the Swan River."

Our previous comments questioned why the FS would want to expand the area of operations for such a permittee, especially using a categorical exclusion. We find today that reauthorization of the SMO Permit using a categorical exclusion is similarly flawed.

2. Apparently, the FS is also aware of noncompliance with a Permit which led former Spotted Bear District Ranger Scott Snelson to cancel the Permit. According to a Hungry Horse News account of the situation (attached), former Flathead Forest Supervisor Kurt Steele reinstated the Permit, removed Ranger Snelson from his post and reassigned him to a desk job at the Supervisor's Office. What Permit is this, why was it cancelled, why was it reinstated, and who now owns the Permitted business? These are some of the circumstances the public should know about all the Permits being considered for reauthorization.

3. In July 2013, my partner and I backpacked up Silvertip Creek on the Spotted Bear Ranger District for a few days. We came across a well- if not over-developed outfitter camp with lots of gear cached there. On our way out from our backpacking trip, we stopped by the Spotted Bear Ranger Station and complained about the outfitter camp, based on our understanding that permanent caches are not allowed in Wilderness areas. Before making the complaint, however, we asked whose camp it was and were told it was part of Harry Workman's outfit, with Harry being the father of Bill Workman, Spotted Bear District's packer for some 40 years. (<https://whitefishpilot.com/news/2020/dec/02/longtime-forest-service-packer-inducted-cowboy-hal/>)

We find there is still a web site for Harry Workman's Buckhorn Ranch Outfitters that refers to its hunting camp up Silvertip Creek as "Silvertip City." (<https://fordinfo.com/buckh.htm>) Does this camp and its operation comply with all Permit conditions? Is it still a Permitted camp? Does Harry Workman and/or Buckhorn Ranch Outfitters still hold the Permit? If not, who does? Are there any records on file of

my 2013 complaint about the camp/cache? Are there any indications of whether the Permit holder being related to a District employee garnered any special favors or unwanted attention from the FS? These are some of the circumstances the public should know about all the Permits being considered for reauthorization.

4. I worked on FS trail maintenance crews on Hungry Horse Ranger District the summers of 1972-1974. In 1973 or 1974, we encountered an outfitting camp up Cy Creek in what is now the Great Bear Wilderness. The main trail ran smack into a corral fence, so we took a right on the trail that led to the creek and after which it eventually fizzled out. We then discovered the main trail continued out the far end of the corral and assumed the corral was intended to confuse the public and put them on the wrong trail so they wouldn't get to the prime elk hunting grounds further up Cy Creek.

We reported this situation to our superiors and were ordered to go back in there and reestablish the main trail by cutting through the corral fences. We did this and later heard that the outfitter was pretty angry about it, which tends to confirm this was indeed a Permitted outfitter camp. Your scoping letter states that some of these Permits being considered go back as far as 75 years. Is the campsite and corral I encountered up Cy Creek a Permitted camp? If so, who is the current Permit holder, has the Permit changed hands since 1973, and what kind of records do you have regarding FS monitoring of this Permit and/or complaints or praise for its implementation? These are some of the circumstances the public should know about all the Permits being considered for reauthorization.

B. While we wait for you to answer our questions and provide the requested information to the rest of the public, let us say that your proposed use of a Categorical Exclusion (from the preparation of an EA or EIS) to reauthorize these Permits is inappropriate because numerous "extraordinary circumstances" exist and will be directly affected by these Permits.

The Bob Marshall Wilderness Complex that would be affected by these Permits includes most if not all of the extraordinary circumstances listed at Forest Service Handbook 1909.15, Chapter 30, at 31.2:

1. Federally listed species in the area include grizzly bear, lynx and wolverine.
2. The Wilderness includes flood plains and wetlands.
3. The Wilderness is indeed among "congressionally designated areas, such as wilderness."
4. The Permit areas likely include Inventoried Roadless Areas or potential wilderness areas, but we don't know for sure because you have posted no specific information about the Permits or their locations.
5. Do the Permits include use of Research Natural Areas? Again the public lacks such information.
6. The Permits likely cover lands considered "American Indians . . . religious or cultural sites."
7. The Permits likely include areas with "Archaeological sites or historic properties or areas."

There is indeed a “cause-effect” relationship between these Permits and potential effects on these resources. Take, for example, the increased likelihood of harm to grizzly bears due to the Permits allowing hunting with guns, including the establishment of base- and spike-camps full of grizzly bear attractants, for the purpose of shooting big game and extracting the carcasses from the Wilderness. While there exists a food and attractants storage order that lessens the likelihood of harm to grizzly bears if complied with, it does not remove the risks entirely. Simply put, Outfitters and Guides bring more people into the backcountry with firearms and often a lack of backcountry savvy. The news over the years has reported many incidents of hunters killing grizzly bears during surprise encounters and of grizzly bears heading toward the sound of rifle shots because they associate the sound with the promise of a gut pile if not a big game carcass to feed on.

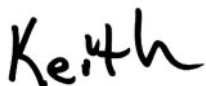
Are some of these Permits also for fishing and other types of Outfitting and Guiding? The scoping notice simply doesn’t say. Moreover, the administration and reauthorization of the Permits has proven controversial – to the point of leading to at least one District Ranger being removed from his post. The above levels of extraordinary circumstances and controversy cannot legally be covered by a Categorical Exclusion.

You must discuss all of these and other circumstances, including the cumulative effects of all of these Permits, in an EA in order to see if an EIS is required. They cannot simply be summarily dismissed through the inappropriate use of a Categorical Exclusion.

As indicated in the few examples we’ve provided above, holders of these Priority Special Use Permits sometimes take actions on public lands as if they owned the place – actions that likely violate their Permit conditions. But there is no way for the public to meaningfully participate in this process of deciding whether or not to reauthorize these permits without the FS firstly making the necessary information available.

So please back up, post the necessary information on the Project web site and then initiate a minimum 30-day scoping period for the preparation of an EA to determine whether a full EIS is required.

Sincerely,



Keith J. Hammer  
Chair

Enclosures: 9/3/21 comment letter on Swan Mountain Outfitters permit expansion

12/6/23 Hungry Horse News article about the removal of Scott Snelson as Spotted Bear District Ranger

# Swan View Coalition *Nature and Human Nature on the Same Path*



3165 Foothill Road, Kalispell, MT 59901

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ph/fax 406-755-1379

September 3, 2021

District Ranger Chris Dowling and Darlene Bridges  
Swan Lake Ranger District  
200 Ranger Station Road  
Bigfork, MT 59911

Re: Swan Mountain Outfitters Expansion  
Comments submitted via [comments-northern-flathead-swan-lake@usda.gov](mailto:comments-northern-flathead-swan-lake@usda.gov)

Dear Mr. Dowling and Ms. Bridges;

The use of a Categorical Exclusion and a 14-day public comment period to expand Pat Tabor's/Swan Mountain Outfitter's permit area for hunting and guiding is entirely inappropriate and unlawful. You intend to expand his area of SMO operations from "several trails and roads" to essentially the entire Swan Valley and northern Swan Range!

The Forest Service has received multiple complaints about SMO's operations. SMO is known to the FS as causing "horse manure in the stream running into [Pony Lake] and horse tracks on the beach" and as having "improved" trails in a manner that "does not meet Forest Service specifications." The FS has also acknowledged that its "monitoring [of SMO] has not been conducted at the level that is needed; capacity for me to get out there regularly has been an issue." (See Attachment 1).

If you can't adequately monitor SMO's limited operations, how can you possibly adequately monitor the SMO expanded operations you propose? This issue alone requires the preparation of an Environmental Assessment. Were it not for the prior investigations of Enhancing Montana's Wildlife and Habitat (see Attachment 2 or <https://www.emwh.org/issues/public%20trust/mt%20pt%20threats/Patrick%20Pat%20Tabor.htm>) we would not have been able to locate the PDF of documents included as Attachment 1 within this 14-day public comment period.

EMWH also provides a summary of MDFWP citations against SMO for numerous violations "of DNRC regulations, and Tabor's commercial use license" as well as unprofessional conduct and violation of Montana regulations in failing "to keep true and accurate records by submitting inconsistent records to the Board of Outfitters and the various regulatory agencies of the Swan River." (See Attachment 3).

If this is the kind of outfit for which the FS wants to greatly expand its operating area, what does this say about the FS? This is essentially SMO and/or the FS drawing huge outlines on the map and proposing to hand its commercial use over to SMO. It is akin to

the Special Use Permit application submitted this year by Snowbike Nation/Flathead Outdoors to guide commercial motorized bike and motorcycle tours on virtually the entire non-wilderness Flathead NF, even though "Several of the routes include roads and apparently also areas that are closed to wheeled motorized use. Also, the proponent mistakenly thinks E-bikes are allowed on trails and roads closed to motorized use." (3/24/21 email from Amy Jacobs to Darlene Bridges and others). The FS did issue Snowbike Nation/Flathead Outdoors an SUP, even though a FS wildlife biologist warned "Guiding people up to closure devices doesn't seem to make sense, and it might cause compliance problems . . . the proponent is going to have to keep a close eye on a bunch of different road and trail closure dates. That sounds like a nightmare to pull off and to administer." (4/16/21 email from Amy Jacobs to Darlene Bridges and others).

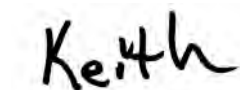
So, is the same recreation officer that doesn't have time to adequately monitor SMO going to monitor Snowbike Nation/Flathead Outdoors? As we have stated in our comments on other permitting matters, the FS is unlawfully sectioning public and agencies' review of its recreation and permitting programs. Moreover, it is doing even more damage by issuing a long string of Categorical Exclusions and Special Use Permits without adequate time for public disclosure of pertinent documents, the preparation of an adequate EA or EIS, and to secure fully informed public comment.

The SMO expansion proposal stands to have significant impacts to fish and wildlife as well as significant impacts to the general public as its commercial outfitting causes significant impacts and crowding of public trails, trailheads, parking areas, and camping areas. SMO's limited operations have already proved controversial and its expanded operations will most certainly be even more controversial.

All of the circumstances outlined in this letter and its attachments indicate that use of a Categorical Exclusion is unlawful. If you wish to consider expanding SMO's area of operations, you must back up and initiate an adequate scoping process for the preparation of an EA to assess impacts and determine if an EIS is required. Moreover, this NEPA process must be conducted in a way that provides adequate assessment of all Special Use Permit activities (19 new summertime SUPs were considered in 2021 alone) and non-commercial activities on the Flathead National Forest, along with their cumulative impacts.

Please keep us informed in a timely fashion of how you do or do not proceed with the SMO expansion proposal.

Sincerely,

A handwritten signature in black ink that reads "Keith".

Keith J. Hammer  
Chair

Attachments 1-3

ATTACHMENT 1



United States  
Department of  
Agriculture

Forest  
Service

Flathead  
National  
Forest

650 Wolfpack Way  
Kalispell, MT 59901  
(406) 758-5200  
Fax (406) 758-5367

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**File Code:** 6270

**Date:** September 20, 2016

Kathryn QannaYahu  
513 1/2 W. Curtiss St.  
Bozeman, MT 59715

Dear Ms. QannaYahu,

This letter is in response to your Freedom of Information Act (FOIA) email dated August 24, 2016. In this email you requested "copies of all complaints and records/reports resulting, submitted against Outfitter Patrick M. Tabor, license no. 11300, his company Swan Mountain Outfitters, LLC. or one of his guides."

In response to your request, I have provided you 11 pages of records with this response letter.

Please note that Pursuant to Title 7 Code of Federal Regulations (CFR), Subtitle A, Part 1, Subpart A, Appendix A, there is no charge for the records enclosed as the amount falls below the minimum amount required for the Forest Service to collect fees.

Your request is identified by the following identification number: 2016-FS-R1-05371-F. If you have any questions, please contact Michele Draggoo at 406-758-5269.

Sincerely,

CHIP WEBER  
Forest Supervisor

Enclosure



**Dunham, Joleen -FS**

---

**From:** Kari Gunderson <cnd2543@blackfoot.net>  
**Sent:** Wednesday, March 30, 2016 9:49 AM  
**To:** Dunham, Joleen -FS  
**Subject:** Re: Tabor's Camp

Hi Joleen,

Thanks for your quick response. I figured as much. Mr. Tabor needs to be monitored. I'll take some photos and send them your way. If you want to walk back there sometime I'd be happy to go back there with you. We can walk back there from my house in about 15 minutes.

All the best,  
Kari

On Mar 30, 2016, at 9:36 AM, Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)> wrote:

Hi Kari,

Thanks for the note!

Yes, Tabor has been authorized to dump manure back behind his camp on FS lands. We have asked him to do all of those things you bring forward in regards to the manure dumping but our monitoring has not been conducted at the level that is needed; capacity for me to get out there regularly has been an issue. I will take you up on the photos of the bailing twine left in the manure piles that you've acquired on your treks out there.

I will pursue conducting increased monitoring of his dumping operations this upcoming season but will also welcome any observations you see when you're out there and weed monitoring you can do with documentation and photos as we go forward if that is possible?

Thanks for your efforts in picking up the twine and providing the correspondence. I envision continued communications back and forth on what we observe and document this upcoming season.

Joleen

<image001.jpg> **Joleen Dunham**  
**Recreation Forester**  
**Forest Service**  
**Flathead National Forest, Swan Lake Ranger District**  
p: 406-837-7538  
f: 406-837-7503  
[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)  
200 Ranger Station Road  
Bigfork, MT 59911  
[www.fs.fed.us](http://www.fs.fed.us)  
<image002.png><image003.png>



**From:** Kari Gunderson [mailto:[cnd2543@blackfoot.net](mailto:cnd2543@blackfoot.net)]  
**Sent:** Wednesday, March 30, 2016 9:13 AM  
**To:** Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)>  
**Subject:** Tabor's Camp

Hi Joleen,

Happy spring! I hope you had a good winter, what little there was of it. It's great to see the snowpack continues to build this late in the season.

I live east of Salmon Prairie and often take walks back behind my place onto FS land. It has come to my attention over the past few years that Mr. Tabor is now dumping his manure from corrals at his FS base camp behind Lion Creek onto adjacent FS land. I see a few issues that I hope can be easily resolved in the future.

I have been pulling a LOT of baling twine out of the piles he has dumped out of his corrals onto adjacent FS land. So much that it accumulates to at least 2 large garbage bags worth. I see it as garbage and a potential problem for wildlife. I would like to recommend that his permit be adjusted so that if he continues to dump loads of manure from his corral on adjacent FS land that: 1) it is clean with no baling twine or other garbage before he dumps it; and 2) that he spread it out rather than leave it in piles; 3) that the FS monitors whether these manure piles become noxious weed patches; and, 4) he does not dump it near riparian areas. I can document the baling twine left in the manure piles with photos if you want me to and I'm happy to help with weed monitoring.

Thanks for your consideration.

Happy trails,  
Kari

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ATTACHMENT 1

Dunham, Joleen -FS

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**From:** Kari Gunderson <cnd2543@blackfoot.net>  
**Sent:** Thursday, April 07, 2016 7:52 AM  
**To:** Dunham, Joleen -FS  
**Subject:** Tabor's baling twine photos

Hi Joleen,

I've made 3 trips back to pull, pile, and pack out the baling twine left in horse manure piles near Tabor's camp on FS land.

I think I'll be able to get the last of it in one more trip. I'm glad I saved my old Kelty frame backpack for this job.

Here are a few photos for your files. Hopefully this issue will be resolved in the future.

I see that the horse concessionaire permit is up for bids in Glacier that he's had for the past 10 years.

Enjoy these lovely spring days.

Happy trails,  
Kari



Manure piles (after twine removal)



Baling Twine Mess



More baling twine mess



Collected Baling Twine

ATTACHMENT 1

**From:** Owens, Michelle L -FS on behalf of FS-Flathead Contact Us  
**Sent:** Tuesday, June 09, 2015 8:40 AM  
**To:** Dunham, Joleen -FS  
**Subject:** FW: WWW Mail: caches in Swan District

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Good morning Joleen,

Can you help with this? Thanks!

Michelle Owens  
Customer Service Representative  
Forest Service  
Flathead National Forest, Tally Lake Ranger District  
p: 406-758-5208  
[mowens02@fs.fed.us](mailto:mowens02@fs.fed.us)  
650 Wolfpack Way  
Kalispell, MT 59901  
[www.fs.fed.us](http://www.fs.fed.us)

Caring for the land and serving people

-----Original Message-----

**From:** [carellens@gmail.com](mailto:carellens@gmail.com) [mailto:[carellens@gmail.com](mailto:carellens@gmail.com)]  
**Sent:** Monday, June 08, 2015 12:51 PM  
**To:** FS-Flathead Contact Us  
**Subject:** WWW Mail: caches in Swan District

I have heard through the grapevine that Swan Mountain Outfitters has a large cache in the wilderness up Lion Creek in the Swan Lake district. Also that the access to the trail is not user friendly to the public as it is almost exclusively used by SWM guides and clients and that the attitude toward public users is very negative. Parking and stock containment is minimal at best and non-existent at worst due to trucks and trailers belonging to students, guides, clients and employees of Swan Mountain Outfitters private camp. Does Swan Mountain Outfitters own that property or is it public land?

Thank you for your attention to this matter.  
Carellen

**Dunham, Joleen -FS**

---

**From:** Dunham, Joleen -FS  
**Sent:** Wednesday, August 03, 2016 10:30 AM  
**To:** 'Kari Gunderson'  
**Subject:** RE: Weeds in manure piles from Tabor's stock

Thanks Kari. Yes, we will get them sprayed.



**Joleen Dunham**  
**Recreation Forester**  
**Forest Service**  
**Flathead National Forest, Swan Lake Ranger District**

p: 406-837-7538  
f: 406-837-7503  
[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)

200 Ranger Station Road  
Bigfork, MT 59911  
[www.fs.fed.us](http://www.fs.fed.us)



Caring for the land and serving people

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**From:** Kari Gunderson [mailto:[cnd2543@blackfoot.net](mailto:cnd2543@blackfoot.net)]  
**Sent:** Wednesday, August 03, 2016 10:26 AM  
**To:** Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)>  
**Subject:** Re: Weeds in manure piles from Tabor's stock

Hi Joleen,

Thanks for the clarification. If you see the weeds I am describing I hope the FS or Mr. Tabor will treat the weeds so they don't spread.

~ Kari

On Aug 3, 2016, at 10:16 AM, Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)> wrote:

Hi Kari,

Yes, I was talking the same locations behind the gate as you where I authorized him to dump. All I was saying is that the hay and grain that he is using at his Lower Camp is certified based on my inspection.

It's entirely possible that some of his horses eat non weed free hay before they come in to the Lower Camp and could have resulted in the weeds. We can only control the weed free hay regulation on FS lands....they might have come from his private property. I will go out and take another look ...It's variable for me when I get a break so I will just head out there as soon as I can.

Thanks....Joleen

## ATTACHMENT 1

<image001.jpg> **Joleen Dunham**  
**Recreation Forester**  
**Forest Service**  
**Flathead National Forest, Swan Lake Ranger District**  
p: 406-837-7538  
f: 406-837-7503  
[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)  
200 Ranger Station Road  
Bigfork, MT 59911  
[www.fs.fed.us](http://www.fs.fed.us)  
<image002.png><image003.png>  
**Caring for the land and serving people**

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**From:** Kari Gunderson [<mailto:cnd2543@blackfoot.net>]  
**Sent:** Tuesday, August 02, 2016 6:10 PM  
**To:** Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)>  
**Subject:** Re: Weeds in manure piles from Tabor's stock

Hi again,

The weeds I am reporting to you are not in Tabor's lower camp. They are where you authorized him to dump manure from his corrals. If he's using weed free feed then why are these manure piles filled with weeds (and the surrounding area is not). I can take photos for you or as I offered earlier this spring, I am happy to walk back there with you and show you what I have observed. Thanks for your attention to this matter.

Happy trails,  
Kari

On Aug 2, 2016, at 2:03 PM, Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)> wrote:

Kari,

Thanks for this info also. I will make another trip out there and take a look. Yes, Mr. Tabor is in compliance with the Certified Weed Free Hay Regulation. I inspected his Lower Camp in June for both hay and grain and all looked good.

Our Trails Program Manager inspected the Upper Camp last summer and did not document weed issues there. We will be visiting the Upper Camp again this summer.

I forgot about your question on the Crystal Lake rescue last weekend on the last email. I understand that a female had a possible broken ankle and was taken via wheeled litter to the TH and Bigfork Ambulance did the transport. I also understand that Life Flight staged at the Condon Airstrip but did not go into wilderness. Is that the information you have?



Thanks...Joleen

ATTACHMENT 1

<image001.jpg> **Joleen Dunham**  
**Recreation Forester**  
**Forest Service**  
**Flathead National Forest, Swan Lake Ranger District**  
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<image002.png><image003.png>  
**Caring for the land and serving people**

**From:** Kari Gunderson [<mailto:cnd2543@blackfoot.net>]  
**Sent:** Tuesday, August 02, 2016 10:33 AM  
**To:** Dunham, Joleen -FS <[jdunham@fs.fed.us](mailto:jdunham@fs.fed.us)>  
**Subject:** Weeds in manure piles from Tabor's stock

Hi Joleen,

I've been meaning to send you a quick note regarding the manure pile dumps on FS lands near Tabor's outfitting camp.

The manure piles have been leveled but everywhere where there was manure dumped is now filled with Canada Thistle and St. Johnswort. If you need photos I can go back and take some to send to you. **My bigger concern is if the manure is filled with noxious weed seed then is Mr. Tabor abiding by the certified weed free seed feed regulation at his base camp and is his upper camp also filled with noxious weeds from horse manure?**

Thanks for your consideration.

Happy trails,  
Kari

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## ATTACHMENT 1

Dunham, Joleen -FS

---

**From:** Mike Childs <mdm2@blackfoot.net>  
**Sent:** Monday, September 09, 2013 9:50 AM  
**To:** Dunham, Joleen -FS  
**Subject:** Pony Lake

Hi Jolene,

Many people, including you, have been curious and/or upset about the presence of Swan Mountain Outfitters at Pony Lake. On a trip to Pony on Sept. 6th of this year, volunteer Diann Ericson and I saw a wall tent set up, horse manure in the stream running into the lake and horse tracks on the beach. Litter about the camp was no worse than in previous years. I talked to Pat Tabor Jr. about watering the horses upstream from the lake and possibly soon putting a high line up for the horses. He seemed willing to do this and as usual was very pleasant to converse with. Diann and I noticed the trail up to the lake was very dusty and heavily used. On Aug. 16th of this year, one of the SMO wranglers, Shaun, told me a crew in association with SMO "improved" the trail. Indeed the trail has been widened with stumps and trees sawed out of the way and rocks pried from the tread and narrow spots pulaskied back into the hill to make the tread wider. The question I am being asked is--can an individual or group open up or "improve" a trail into a site designated as proposed wilderness. Obviously the trail in question does not meet Forest Service specifications and I can see the potential for problems as the trail erodes.

Let me know if you need more info. Mike

# Enhancing Montana's Wildlife & Habitat



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## Patrick "Pat" Tabor's FWP Citations & USFS Complaint Documents

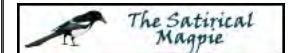
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Collected Baling Twine



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Back in 2016, I was called with some concerns about an outfitter from the Swan, Patrick Tabor.

After some basic calls and queries, I submitted public information requests with Montana FWP, DNRC, Board of Outfitters and a Freedom of Information Act request with the USFS. The two linked pdf's below contain the FWP citations and the FS complaints.

[Montana FWP Citations for Patrick Tabor pdf](#)

[USFS FOIA Request pdf](#)

- There were 5 FWP Game Warden citations against Patrick Tabor, license number 11300, for violations of MCA 37-47-344, 37-47-201 and ARM 24.171.2301 (1b) involving subcontracting business, utilizing State DNRC lands/waters without a commercial license (4 different dates) and failure to keep true and accurate reports. Lake County dismissed these citations without going to trial. Per a conversation with Warden Bowen, there were more Tabor violations than they issued citations for.
- Lake County Attorney, Molly Erin Owen (previously Lynch), asked the judge for the dismissal without prejudice of the Patrick M. Tabor citations, similar to the Lake County law enforcement scandal that the Missoula Independent investigated (Serve and Deflect article linked below). The judge approved the request, Justice of the Peace Randall Owens, on July 11, 2016. Tabor was due to have a jury trial on Dec. 15, 2016.
- Placing a FOIA for any complaints with the US Forest Service, for Patrick Tabor and his Swan Mountain Outfitters, I received complaints and documentation for the following: Allegedly, for years, Mr. Tabor had been dumping manure from his corrals onto FS land, which was not only producing many noxious weeds (including Canada Thistle and St. Johnswort), but included a large amount of baling twine, over 2 large garbage bags worth, near a riparian area. Swan Mountain Outfitters reportedly had a large cache stored in the wilderness up Lion Creek; access to the trail is not user friendly to the public as it is almost exclusively used by SMO guides and clients with a negative attitude to the public; parking and stock containment minimal at best as students, guides, clients and employees of SMO dominating utilization; horse manure in the stream running into Pony

Lake, the trail up to Lake heavily used with SMO wranglers stating a crew, in association with SMO "improved" the trail, widening it with stumps and trees sawed out of the way, rocks pried from the tread and narrow spots pulaskied back into the hill to make the tread wider at a site designated as proposed wilderness.

I feel that the Tabor citations (additional violations) and FS complaints show a pattern of viewing and utilizing our public lands/resources as private, rather than respecting them as public. Mr. Tabor's alleged failure to keep true and accurate records is more disconcerting in view of MOGA's previous proposal to amend ARM (Administrative Rules of Montana) to remove a variety of reporting data, one of which was proposed by Tabor involving operations plans and outfitter records.

Patrick M. Tabor is the owner and founder of Swan Mountain Outfitters. He was previously President elect of Montana Outfitters & Guides Association. Tabor was also, previously a board member of the Montana Board of Outfitters for Big Game Outfitting.

## BACKGROUND

Receiving a call to verify if there were actually any rumored citations against Board of Outfitters & Montana Outfitters & Guides president elect, Patrick Tabor, I found more than the citations, I the continuing of the same concerns in Lake County justice system, that were occurring several years ago that caused a scandal.

Matthew Frank, an independent journalist, writing for the Missoula Independent, at the time, wrote a large investigative article dealing with Lake County, "a culture of corruption pervading law enforcement agencies in Lake County"- [To Serve and Deflect: State Investigator describes resistance, alleges tampering among Lake County law officials](#) (pdf pages 16-19). After the Missoula Independent was bought out by Lee Enterprises, it was shut down and the archived articles were lost.

Another article, from the Flathead Beacon, on the ongoing investigations - [State Investigator Describes Resistance, Alleges Tampering Among Lake County Law Officials](#)

There are a number of reasons for pursuing this, most stem from our wardens and other LE being able to do their job. Without access to these kinds of reports, it would seriously hamstring them. Currently, Montana law requires them to submit client logs. On March 1,2, 2016, the Board of Outfitters met in Helena, Tabor is appointed to this board. MOGA reported on the meeting, of which Tabor is President elect. At the bottom of the page, concerning future legislation:

"Remove the requirement to submit client logs – This will require statutory change. Outfitters will be required to retain and provide logs if audited, you would just not have to submit them to the Board. We see this as a very significant cost savings as all the logs being submitted now must be scanned and filed. The counter is that these logs MAY help some outfitters faced with allocative decisions on some waterways. That is not likely simply because of the manner in which the data is collected retained and the cost of mining that data to verify past use. We are committed to getting this law amended."

As a retired FWP game warden explained it, currently, those records are public information, which they need to investigate. They can gain access to public records without tipping off who they are investigating, sometimes investigations take years. But if outfitters are not required to submit records, the records are private property; a warden or other LE would have to subpoena them, which would give a heads up to the outfitter they were being investigated.

Additionally, with the pattern of certain county attorneys dismissing cases, it makes outfitter laws pretty toothless. I spoke with the **DNRC office in that area, they said they did not renew Tabors commercial use license because of the issues.** Tabors subcontractor did not have a commercial use license with DNRC for each of the events. The cost for commercial licenses is based on a set fee or 5% of gross earnings if larger, based on records, but if they don't have to report, how are you going to know if the money collected by DNRC for school trust, is even accurate?

I called FS District Rangers office in that area to see if they had any violations by Tabor. I was told that there had been a number of complaints against him. When I asked if they were from landowners, other outfitters, the public or other agencies, I was told I would have to put a FOIA in for that information, which I did.

I put a Public Information request in to FWP for 6 years of statistics on how many citations have been issued, how many dismissed, how many convicted, per year, per region to see if there is a pattern in certain areas of dismissals. Lake County was one of the larger dismissal counties. These are some of the concerns I have with our sportsmen's dollars, FWP enforcement being able to do their job properly, protecting the resource, and the accountability/transparency aspect.

Research by Kathryn QannaYahu



Site designed and maintained by [Kathryn QannaYahu](#)



COURT COPY		NOTICE TO APPEAR AND COMPLAINT			ISSUED BY MONTANA FISH, WILDLIFE & PARKS		520A 232792	
STATE OF MONTANA } vs.		DEFENDANT NAME FIRST Patrick		MIDDLE M	LAST ABOR		VEHICLE LICENSE	
THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN		STREET		CITY Swan Lake		STATE MT	ZIP 59111	VEH. MAKE
JUSTICE COURT OF Justice Court		SEX M	WT 265	HT. 5'10"	DATE OF BIRTH	VEH. YEAR		VEH. MODEL
COUNTY OF Lake		D/L NO.		D/L STATE	ALS NO.		VEH. COLOR	
LOCATED AT 106 4th Ave E		HOME PHONE		EMPLOYER	BUSINESS PHONE			
Polson MONTANA ON OR BEFORE		THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING						
THE 23 DAY OF March, 2016		<input checked="" type="checkbox"/> MCA		<input type="checkbox"/> COMMISSION OR DEPARTMENT ORDER OR RULE 201		FB		
TO ANSWER THIS CHARGE Wed 9-11 am				SECTION NO. 37-47-344 MCA		UVC:		
				ON THE 21 DAY OF May, 2013 AT 1700		MILITARY TIME		
RECEIPT OF THE FOLLOWING ARTICLES IS ACKNOWLEDGED		IN THAT SAID DEFENDANT DID KNOWINGLY, PURPOSELY OR NEGLIGENTLY						
		See Statement of Probable Cause						
		NAMES AT (LOCATION)		Upper Swan River		RECEIVED		
		GIS COORDINATES - LAT:		Fatty		\$ None		
				LONG		AS APPEARANCE BOND		
		IF CHECKED <input type="checkbox"/> LICENSE PRIVILEGES WILL BE FORFEITED						
		IF CHECKED <input type="checkbox"/> PERSONAL APPEARANCE IN COURT REQUIRED						
		I hereby swear all information contained on this document is true and correct to the best of my knowledge.						
		BADGE NO. FG 112		SIGNATURE OF		Frank Bowen		DATE 1 March

DOCKET NUMBER TK-16-253 1045

**STATEMENT OF PROBABLE CAUSE**  
**NTA # 520A 232792**

As a Montana Game Warden and Peace Officer, I state that on May 21st 2013, in Lake County, Montana:

Defendant **PATRICK M. TABOR / Owner Operator of Swan MT Outfitters**  
Address: **[REDACTED] / Swan Lake, MT. 59911**  
DOB: **[REDACTED]**  
Data: **5ft 10 in / Gray hair and Blue eyes / 265 pounds**  
Phone: **406-886-3900**

Knowingly and purposely violated: **37-47-344 MCA, 37-47-201 MCA,**  
**24.171.2301(1b) ARM.**

**TO WITT:** On May 21<sup>st</sup> 2013, sub-contracted with Jason Lanier of Big Fork Anglers Fly Shop allowing that business to contract with, and serve 4 clients on the Upper Swan River thereby utilizing state lands without a commercial use license. This is a violation of DNRC regulations, and Tabor's commercial use license. This offense occurred from 0900 to 1700 hours on the Upper Swan River, on DNRC / State Lands at Fatty Creek. This was evidenced by client statements, Board of Outfitter records, DNRC fishing log records, and client invoice / receipts for the transaction.

**24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**

(1) A violation of (1)(a) through (p) or (3)(a) through (o) by an outfitter, or (2)(a) through (d) or (3)(a) through (o) by a guide or professional guide is misconduct, specified as a basis for disciplinary action under 37-47-341, MCA. Such violation is also determined by the board to be unprofessional conduct, as provided in 37-1-319, MCA, specified as a ground for disciplinary action under 37-1-312, MCA. A violation of this rule may result in any sanction provided by 37-1-312 or 37-47-341, MCA. An outfitter shall:

(b) not conduct any services or allow services to be conducted by a supervised guide or professional guide on private or public land, except legal transportation across such lands, without first having obtained written permission from the landowner or written authorization from the agency administering public land, unless the landowner or agency does not require such permission;

The foregoing statement is based upon:

- my personal observation and investigation  
 Information supplied to me from my fellow officer's observation  
 other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the NTA is true and correct to the best of my knowledge.

Executed on  
03/01/2016  
Date (mm/dd/yyyy)

Frank H. Bowen  
Officer's Signature

COURT COPY		NOTICE TO APPEAR AND COMPLAINT			ISSUED BY MONTANA FISH, WILDLIFE & PARKS		520A 232793	
STATE OF MONTANA		DEFENDANT NAME		MIDDLE	LAST	VEHICLE LICENSE		
THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN JUSTICE COURT OF <u>Justice Court</u> COUNTY OF <u>Lake</u> LOCATED AT <u>106 4th Ave E</u> <u>Polson</u> MONTANA ON OR BEFORE THE <u>23</u> DAY OF <u>March</u> , 20 <u>16</u> TO ANSWER THIS CHARGE <u>Wed 9-11 am</u>		FIRST <u>Patrick</u>		<u>M</u>	<u>Labov</u>	LIC. STATE		
		STREET		CITY		STATE	ZIP	VEH. MAKE
RECEIPT OF THE FOLLOWING ARTICLES IS ACKNOWLEDGED:     		SEX <u>M</u> WT. <u>265</u> HT. <u>5'10"</u>		DATE OF BIRTH		MO	DAY	YEAR
		D/L NO.		D/L STATE		ALS NO.		
THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING <input checked="" type="checkbox"/> MCA <input type="checkbox"/> COMMISSION OR DEPARTMENT ORDER OR RULE <u>201</u> <input type="checkbox"/> SECTION NO. <u>37-47-<del>311</del></u> <u>hca</u> ON THE <u>19</u> DAY OF <u>September</u> , 20 <u>13</u> AT <u>0900</u> MILITARY TIME		HOME PHONE		EMPLOYED		BUSINESS PHONE		
		FB UVC:		<u>Swan MT Outfitters</u>				
IN THAT SAID DEFENDANT DID KNOWINGLY, PURPOSELY OR NEGLIGENTLY  <u>See Statement of Probable Cause</u>		NAMELY AT (LOCATION) <u>Upper Swan River</u>		GIS COORDINATES - LAT: <u>Fatty CK</u>		RECEIVED <u>\$ NONE</u> AS APPEARANCE BOND		
		IF CHECKED <input type="checkbox"/> LICENSE PRIVILEGES WILL BE FORFEITED IF CHECKED <input type="checkbox"/> PERSONAL APPEARANCE IN COURT REQUIRED		I hereby swear all information contained on this document is true and correct to the best of my knowledge.		SIGNATURE OF OFFICER: <u>Frank Jones</u> DATE: <u>1 Mar 16</u>		
BADGE NO. <u>FG-112</u>								

DOCKET NUMBER 7K-16-253 2015



**STATEMENT OF PROBABLE CAUSE**  
**NTA # 520A 232793**

As a Montana Game Warden and Peace Officer, I state that on September 19<sup>th</sup> 2013, in Lake County, Montana:

Defendant **PATRICK M. TABOR** / Owner Operator of Swan MT Outfitters  
Address: ~~2500 Soap Creek Road~~ Swan Lake, MT. 59911  
DOB: ~~03/08/1959~~  
Data: 5ft 10 in / Gray hair and Blue eyes / 265 pounds  
Phone: ~~406-336-0888~~

Knowingly and purposely violated: ~~37-47-344 MCA, 37-47-201 MCA,~~  
**24.171.2301(1b) ARM.**

**TO WITT:** On Sept 19<sup>th</sup> 2013, sub-contracted with Jason Lanier of Big Fork Anglers Fly Shop allowing that business to contract with, and serve a client on the Upper Swan River thereby utilizing state lands without a commercial use license. This is a violation of DNRC regulations, and Tabor's commercial use license. This offense occurred from 0900 to 1700 hours on the Upper Swan River, on DNRC / State Lands at Fatty Creek and Point Pleasant. This was evidenced by client statements, Board of Outfitter records, DNRC fishing log records, and client invoice / receipts for the transaction.

**24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**

(1) A violation of (1)(a) through (p) or (3)(a) through (o) by an outfitter, or (2)(a) through (d) or (3)(a) through (o) by a guide or professional guide is misconduct, specified as a basis for disciplinary action under 37-47-341, MCA. Such violation is also determined by the board to be unprofessional conduct, as provided in 37-1-319, MCA, specified as a ground for disciplinary action under 37-1-312, MCA. A violation of this rule may result in any sanction provided by 37-1-312 or 37-47-341, MCA. An outfitter shall:

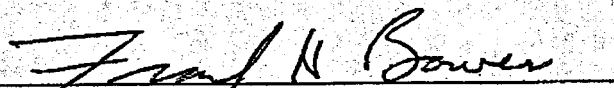
(b) not conduct any services or allow services to be conducted by a supervised guide or professional guide on private or public land, except legal transportation across such lands, without first having obtained written permission from the landowner or written authorization from the agency administering public land, unless the landowner or agency does not require such permission;

The foregoing statement is based upon:

- my personal observation and investigation  
 Information supplied to me from my fellow officer's observation  
 other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the NTA is true and correct to the best of my knowledge.

Executed on  
03/01/2016  
Date (mm/dd/yyyy)

  
Officer's Signature

COURT COPY		NOTICE TO APPEAR AND COMPLAINT			ISSUED BY MONTANA FISH, WILDLIFE & PARKS		520A 232794			
STATE OF MONTANA		DEFENDANT NAME		MIDDLE	LAST	VEHICLE LICENSE				
vs.		FIRST Patrick		M	Labon	LIC. STATE				
THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN		STREET		CITY Swan Lake		STATE MT	ZIP 59911	VEH. MAKE	VEH. YEAR	
JUSTICE COURT OF Justice Court		SEX M	WT 265	HT 5'10"	DATE OF BIRTH	MO	DAY	YEAR	VEH. MODEL	VEH. COLOR
COUNTY OF Lake		D/L NO.		D/L STATE		03/29/15		3		
LOCATED AT 106 4th Ave E		HOME PHONE		EMPLOYER		BUSINESS PHONE		FB		
Polson MONTANA ON OR BEFORE		THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING								
THE 23 DAY OF March 2016		<input checked="" type="checkbox"/> MCA <input type="checkbox"/> COMMISSION OR DEPARTMENT ORDER OR RULE 201								
TO ANSWER THIS CHARGE Wed 9-11am		<input type="checkbox"/> SECTION NO 37-47- <del>201</del>								
RECEIPT OF THE FOLLOWING ARTICLES IS ACKNOWLEDGED		ON THE 12 DAY OF September 2013 AT 1700 MILITARY TIME								
		IN THAT SAID DEFENDANT DID KNOWINGLY, PURPOSELY OR NEGLIGENTLY								
		See Statement of Probable Cause								
		NAMES AT (LOCATION)		RECEIVED						
		GIS COORDINATES - LAT:		Upper Swan River		\$		AS APPEARANCE BOND		
				Point Pleasant						
				IF CHECKED <input type="checkbox"/> LICENSE PRIVILEGES WILL BE FORFEITED						
				IF CHECKED <input type="checkbox"/> PERSONAL APPEARANCE IN COURT REQUIRED						
		I hereby swear all information contained on this document is true and correct to the best of my knowledge.								
		BADGE NO. FG-112		SIGNATURE OF OFFICER: Frank Bonen		DATE 11/11/16				

DOCKET NUMBER TK-16-253 365

TK-16-253 Count III

**STATEMENT OF PROBABLE CAUSE**  
**NTA # 520A 232794**

As a Montana Game Warden and Peace Officer, I state that on September 12<sup>th</sup> 2013, in Lake County, Montana:

Defendant **PATRICK M. TABOR / Owner Operator of Swan MT Outfitters**  
Address: **96356 S. Swan Lake, MT. 59911**  
DOB: **09/20/1950**  
Data: **5ft 10 in / Gray hair and Blue eyes / 265 pounds**  
Phone: **406-226-8888**

Knowingly and purposely violated: **37-47-344 MCA, 37-47-201 MCA, 24.171.2301(1b) ARM.**

**TO WITT:** On Sept 12<sup>th</sup> 2013, sub-contracted with Jason Lanier of Big Fork Anglers Fly Shop allowing that business to contract with, and serve 2 clients on the Upper Swan River thereby utilizing state lands without a commercial use license. This is a violation of DNRC regulations, and Tabor's commercial use license. This offense occurred from 0900 to 1700 hours on the Upper Swan River, on DNRC / State Lands at Fatty Creek and Point Pleasant. This was evidenced by client statements, Board of Outfitter records, DNRC fishing log records, and client invoice / receipts for the transaction.

**24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**

(1) A violation of (1)(a) through (p) or (3)(a) through (o) by an outfitter, or (2)(a) through (d) or (3)(a) through (o) by a guide or professional guide is misconduct, specified as a basis for disciplinary action under **37-47-341, MCA**. Such violation is also determined by the board to be unprofessional conduct, as provided in **37-1-319, MCA**, specified as a ground for disciplinary action under **37-1-312, MCA**. A violation of this rule may result in any sanction provided by **37-1-312** or **37-47-341, MCA**. An outfitter shall:

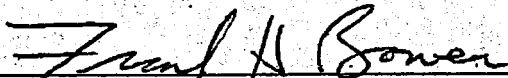
(b) not conduct any services or allow services to be conducted by a supervised guide or professional guide on private or public land, except legal transportation across such lands, without first having obtained written permission from the landowner or written authorization from the agency administering public land, unless the landowner or agency does not require such permission;

The foregoing statement is based upon:

- my personal observation and investigation  
 Information supplied to me from my fellow officer's observation  
 other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the NTA is true and correct to the best of my knowledge.

Executed on  
**03/01/2016**  
Date (mm/dd/yyyy)

  
Officer's Signature

COURT COPY		NOTICE TO APPEAR AND COMPLAINT			ISSUED BY MONTANA FISH, WILDLIFE & PARKS		520A 232795	
STATE OF MONTANA } vs.		DEFENDANT NAME FIRST <u>Patrick</u> MIDDLE <u>M</u> LAST <u>abor</u>		STREET <u>[REDACTED]</u>		VEHICLE LICENSE LIC. STATE		
THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN		CITY <u>Swan Lake</u> STATE <u>MT</u> ZIP <u>59911</u>		VEH. MAKE		VEH. YEAR		DOCKET NUMBER <u>TK-16-253-45</u>
JUSTICE COURT OF <u>Justice Court</u>		SEX <u>M</u> WT <u>265</u> HT <u>5'10"</u> DATE OF BIRTH <u>[REDACTED]</u>		VEH. MODEL		VEH. COLOR		
COUNTY OF <u>Lake</u>		DL NO. _____ DL STATE _____ ALS NO. <u>[REDACTED]</u>		3				
LOCATED AT <u>106 4th Ave E</u> <u>Polson</u> MONTANA ON OR BEFORE		HOME PHONE _____ EMPLOYER <u>Swan MT Outfitters</u> BUSINESS PHONE _____		THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING		FD		
THE <u>23</u> DAY OF <u>March</u> , 20 <u>16</u>		<input checked="" type="checkbox"/> MCA <input type="checkbox"/> COMMISSION OR DEPARTMENT ORDER OR RULE 201		SECTION NO. <u>37-47-311</u> MCA		UVC:		
TO ANSWER THIS CHARGE <u>Wed 9-11am</u>		ON THE <u>29</u> DAY OF <u>July</u> , 20 <u>13</u> AT <u>1700</u> MILITARY TIME		IN THAT SAID DEFENDANT DID KNOWINGLY, PURPOSELY OR NEGLIGENTLY				
RECEIPT OF THE FOLLOWING ARTICLES IS ACKNOWLEDGED:		See Statement of Probable Cause						
		NAMES AT (LOCATION) <u>Upper Swan River</u>		RECEIVED				
		GIS COORDINATES - LAT: <u>Forky Creek</u>		\$ NONE				
		IF CHECKED <input type="checkbox"/> LICENSE PRIVILEGES WILL BE FORFEITED		AS APPEARANCE BOND				
		IF CHECKED <input type="checkbox"/> PERSONAL APPEARANCE IN COURT REQUIRED						
		I hereby swear all information contained on this document is true and correct to the best of my knowledge.						
		SIGNATURE OF <u>Frank Bonar</u>						
		BADGE NO. <u>FG-112</u> OFFICER: <u>Frank Bonar</u> DATE <u>1 Mar 16</u>						

**STATEMENT OF PROBABLE CAUSE**  
**NTA # 520A 232795**

As a Montana Game Warden and Peace Officer, I state that on July 29th 2013, in Lake County, Montana:

Defendant **PATRICK M. TABOR** / Owner Operator of Swan MT Outfitters  
Address: **[REDACTED] Soup Creek Road / Swan Lake, MT. 59911**  
DOB: **[REDACTED]**  
Data: **5ft 10 in / Gray hair and Blue eyes / 265 pounds**  
Phone: **[REDACTED]**

Knowingly and purposely violated: **37-47-344 MCA, 37-47-201 MCA,**  
**24.171.2301(1b) ARM.**

**TO WITT:** On July 29<sup>th</sup> 2013, sub-contracted with Jason Lanier of Big Fork Anglers Fly Shop allowing that business to contract with, and serve 2 clients on the Upper Swan River thereby utilizing state lands without a commercial use license. This is a violation of DNRC regulations, and Tabor's commercial use license. This offense occurred from 0900 to 1700 hours on the Upper Swan River, on DNRC / State Lands at Fatty Creek. This was evidenced by client statements, Board of Outfitter records, DNRC fishing log records, and client invoice / receipts for the transaction.

**24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**

(1) A violation of (1)(a) through (p) or (3)(a) through (o) by an outfitter, or (2)(a) through (d) or (3)(a) through (o) by a guide or professional guide is misconduct, specified as a basis for disciplinary action under **37-47-341, MCA.** Such violation is also determined by the board to be unprofessional conduct, as provided in **37-1-319, MCA,** specified as a ground for disciplinary action under **37-1-312, MCA.** A violation of this rule may result in any sanction provided by **37-1-312 or 37-47-341, MCA.** An outfitter shall:  
(b) not conduct any services or allow services to be conducted by a supervised guide or professional guide on private or public land, except legal transportation across such lands, without first having obtained written permission from the landowner or written authorization from the agency administering public land, unless the landowner or agency does not require such permission;

The foregoing statement is based upon:

- my personal observation and investigation
- Information supplied to me from my fellow officer's observation
- other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the NTA is true and correct to the best of my knowledge.

Executed on  
**03/01/2016**  
Date (mm/dd/yyyy)

**Frank H Bowen**  
Officer's Signature

COURT COPY		NOTICE TO APPEAR AND COMPLAINT			ISSUED BY MONTANA FISH, WILDLIFE & PARKS			520A 232796	
STATE OF MONTANA		DEFENDANT NAME		MIDDLE	LAST	VEHICLE LICENSE			
In.		FIRST Patrick		M	Tabor				
STREET		CITY		STATE	ZIP	LIC. STATE			
THE DEFENDANT IS HEREBY GIVEN NOTICE TO APPEAR IN		Swan Lake		MT	59911				
JUSTICE COURT OF Justice Court		SEX	WT.	HT.	DATE OF BIRTH	MO.	DAY	YEAR	VEH. MAKE
COUNTY OF Lake		M	265	5'10"					
LOCATED AT 106 4th Ave E		DL NO.	D/L STATE	ALS NO.	VEH. MODEL		VEH. COLOR		
Polson					3				
MONTANA ON OR BEFORE		HOME PHONE	EMPLOYER	BUSINESS PHONE	FB				
THE 23 DAY OF March 20 16		THE ABOVE NAMED DEFENDANT IS CHARGED WITH VIOLATING			MCA		MCA		
TO ANSWER THIS CHARGE Wed 9-11am		MCA			COMMISSION OR DEPARTMENT ORDER OR RULE 201		UVC:		
		ON THE 31 DAY OF December 20 13 AT 1200			SECTION NO. 37-47-301				
RECEIPT OF THE FOLLOWING ARTICLES IS ACKNOWLEDGED:		IN THAT SAID DEFENDANT DID KNOWINGLY, PURPOSELY OR NEGLIGENTLY			MILITARY TIME				
/		See Statement of Probable Cause							
		NAMED AT (LOCATION) Spring Ck Road			LONG: MT		RECEIVED		
		GIS COORDINATES - LAT: Lake Co					\$ NONE		
		IF CHECKED <input type="checkbox"/> LICENSE PRIVILEGES WILL BE FORFEITED					AS APPEARANCE BOND		
		IF CHECKED <input type="checkbox"/> PERSONAL APPEARANCE IN COURT REQUIRED							
		I hereby swear all information contained on this document is true and correct to the best of my knowledge.							
		SIGNATURE OF			OFFICER: Neal Bower		DATE 1/mar/16		
		BADGE NO. FG-112							

DOCKET NUMBER 7K-16-253 505

**STATEMENT OF PROBABLE CAUSE**  
**NTA # 520A 232796**

As a Montana Game Warden and Peace Officer, I state that on Dec 31<sup>st</sup> 2013, in Lake County, Montana:

Defendant **PATRICK M. TABOR / Owner Operator of Swan MT Outfitters**  
Address: **[REDACTED] / Swan Lake, MT. 59911**  
DOB: **[REDACTED]**  
Data: **5ft 10 in / Gray hair and Blue eyes / 265 pounds**  
Phone: **[REDACTED]**

Knowingly and purposely violated: **37-47-344 MCA, 37-47-201 MCA,**  
**24.171.2301(1k) ARM.**

**TO WITT:** On December 31<sup>st</sup> 2013, Tabor failed to keep true and accurate records by submitting inconsistent records to the Board of Outfitters and the various regulatory agencies of the Swan River. This was evidenced by Tabor's submitted records for his 2013 Swan River operations stating:

- 80 clients served on the Board of Outfitters Client logs
- 88 clients served on the Board of Outfitters Statistics Sheet
- 85 clients served on the DNRC fishing logs
- And 130 clients served on United States Forest Service

**24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT**

(1) A violation of (1)(a) through (p) or (3)(a) through (o) by an outfitter, or (2)(a) through (d) or (3)(a) through (o) by a guide or professional guide is misconduct, specified as a basis for disciplinary action under 37-47-341, MCA. Such violation is also determined by the board to be unprofessional conduct, as provided in 37-1-319, MCA, specified as a ground for disciplinary action under 37-1-312, MCA. A violation of this rule may result in any sanction provided by 37-1-312 or 37-47-341, MCA. An outfitter shall:  
(k) maintain current, true, complete, and accurate records at all times;

The foregoing statement is based upon:

- my personal observation and investigation
- Information supplied to me from my fellow officer's observation
- other (explain above)

I declare under penalty of perjury that the information which I have set forth above and on the NTA is true and correct to the best of my knowledge.

Executed on  
03/01/2014  
Date (mm/dd/yyyy)

*Frank H. Bone*  
Officer's Signature

THE LAKE COUNTY JUSTICE COURT, STATE OF MONTANA  
IN AND FOR THE COUNTY OF LAKE COUNTY  
BEFORE THE HONORABLE RANDAL L OWENS

STATE OF MONTANA

Plaintiff,

Case No: TK-2016-0000253

vs.

PHYSICAL

MAILING

Patrick M Tabor

Patrick M Tabor

Swan Lake, MT 59911

Swan Lake, MT 59911

INITIAL  
APPEARANCE/ARRAIGNMENT  
Misdemeanor

Defendant.

Swan MT Outfitter

DOB: [REDACTED]  
DL Number: [REDACTED]  
DL State: MT  
Telephone: [REDACTED]

Height: 510  
Weight: 240  
SSN:  
Tribal Member:  
Reservation:

Citing Agency: Montana Fish, Wildlife & Parks Citing Officer: Frank Bowen FG 112

- Defendant present without attorney.
- Defendant present with attorney: \_\_\_\_\_
- State represented by: \_\_\_\_\_

Offense Defendant Charged:

- CT 1) 37-47-201 [1]
- CT 2) 37-47-201 [1]
- CT 3) 37-47-201 [1]
- CT 4) 37-47-201 [1]
- CT 5) 37-47-201 [1]

- Violation Of A.R.M. Outfitters & Guides Rules
- Violation Of A.R.M. Outfitters & Guides Rules
- Violation Of A.R.M. Outfitters & Guides Rules
- Violation Of A.R.M. Outfitters & Guides Rules
- Violation Of A.R.M. Outfitters & Guides Rules

CT 1 through CT 5) Min: No Fines, No Jail; Max: \$500 (\$35 s/c), No Jail, Restitution (if applicable)  
Recommended: \$250 (\$35 s/c), No Jail, Restitution (if applicable)

[May include enhancement for subsequent conviction for the same or similar offense, court costs, costs of public defender, costs of confinement and surcharges.]

BOND TYPE: \_\_\_\_\_ \$ \_\_\_\_\_

DEFENDANT'S RIGHTS

Defendant advised of the following rights:

- 1. Right to remain silent and not incriminate self.
- 2. Right to be represented by an attorney at every stage of the proceeding, including this Initial Appearance/Arraignment.
- 3. Right to appointment of an attorney if the Defendant is unable to employ an attorney (if the Court retains imprisonment as a sentencing option).
- 4. Right to plead not guilty or to persist in that plea if it has already been made.
- 5. Right to a jury or bench trial.
- 6. Right to confront and cross-examine witnesses and present witnesses and other evidence on own behalf.

Having these rights in mind, Defendant elects to proceed with Arraignment. *WG*

Defendant wishes to speak with legal counsel prior to entry of plea.

ORDERED THIS 14 day of March, 2016.

*Randal L Owens*  
Randal L Owens, Justice of the Peace



DEFENDANT'S PLEA

Name Patrick M Tabor  
Case Number TK-16-253

Plea Not Entered. ARRAIGNMENT at 9:00 am

Not guilty to Count(s) Violation of ARM. Outfitters + Guides Rules

**OMNIBUS HEARING** on May 2, 2016 at 10:00 am

I understand my personal appearance is required at Arraignment and Omnibus Hearing's  
Attorney: Office of Public Defender (defendant to complete application for Public Defender)

- Not appointed / Defendant to retain own attorney
- Pro se Defendant (defendant given Omnibus Hearing & Discovery forms)
- Retained and present / not present / notice of appearance filed.

Bail: \$ OR

**Defendant is ORDERED:**

- No possession and/or consumption of alcohol or non-Rx drugs /No going into bars or casinos/
- Upon request of officer with probable cause shall submit to blood, breath, or urine analysis.
- No Contact  No unwanted contact either direct or indirect with alleged victim(s) described in the complaint

- Attend all scheduled court dates in person.
- Keep in contact with Court regarding Address and Phone number changes.
- Obey all laws.
- Must Keep in Contact with Your Attorney
- Complete "OPD" application within one week to Office of Public Defender
- Other \_\_\_\_\_

DEFENDANT'S ACKNOWLEDGMENT

\*I acknowledge that I am responsible for retaining an attorney if I am found not eligible for a court appointed attorney and I will to notify the Court of who my retained attorney is if I will retain my own attorney.  
 \*I further acknowledge that I waive my right to a Jury Trial if I request a Bench Trial or, if I have requested a Jury Trial and I fail to personally appear for the scheduled Jury Confirmation Hearing or Jury Trial on the date and time set for which I or my attorney have received notice.  
 \*I further understand that in the event I am found guilty of any offense at a Jury Trial I may be required to repay Lake County the cost of impaneling a jury, which may be in excess of \$800.00.

[Signature] Date 3/14/16  
Defendant

ORDERED this 14 day of March 2016  
[Signature]  
Randal L. Owens, Justice of the Peace

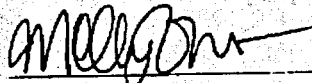
1 LAKE COUNTY ATTORNEY'S OFFICE  
2 Lake County Courthouse  
3 106 Fourth Avenue East  
4 Polson, Montana 59860-2183  
5 Telephone: (406) 883-7245  
6 Fax: (406) 883-7346  
7  
8  
9  
10

11  
12 IN THE JUSTICE COURT OF LAKE COUNTY, MONTANA

13  
14 THE STATE OF MONTANA, \* CAUSE NO. TK-16-253  
15 \*  
16 Plaintiff, \*  
17 \*  
18 vs. \* MOTION TO DISMISS  
19 \* WITHOUT PREJUDICE  
20 PATRICK M TABOR, \*  
21 \*  
22 Defendant. \*  
23 \*\*\*\*\*

24 COMES NOW, Molly Owen, Deputy Lake County Attorney, and moves the  
25 Court for an order dismissing the above-captioned cause, without prejudice, based on an  
26 insufficient likelihood of conviction.

27 DATED this 5 day of July, 2016.

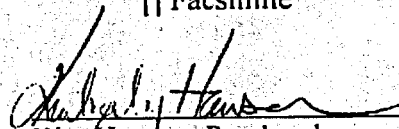
28  
29   
30 Molly Owen  
Deputy Lake County Attorney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 7<sup>th</sup> day of July, 2016, a true and correct copy of the foregoing document was served on the following individual(s) by mail, courthouse box delivery, Federal Express or facsimile as indicated below:

Quentin M Rhoades  
Nicole Siefert  
Attorneys for Defendant

- U.S. Mail
- Courthouse Box Delivery
- Federal Express
- Facsimile

  
\_\_\_\_\_  
Kim Hanson, Paralegal  
Lake County Attorney's Office

Randal L Owens  
Justice of the Peace  
Lake County Courthouse  
106 Fourth Avenue East  
Polson, MT 59860-2171

In The Justice Court of Lake County, Montana

THE STATE OF MONTANA,

Plaintiff,

vs.

PATRICK M TABOR,

Defendant.

\*  
\*  
\*  
\*  
\*  
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\*

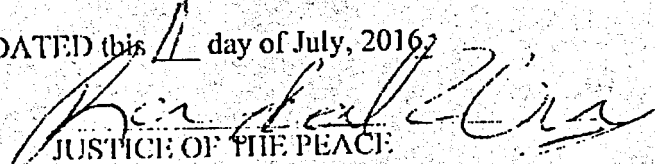
CAUSE NO. TK-16-253

ORDER

\*\*\*\*\*

Upon motion of the State to dismiss dated July 5, 2016 in the above captioned cause and good shown, therefore,

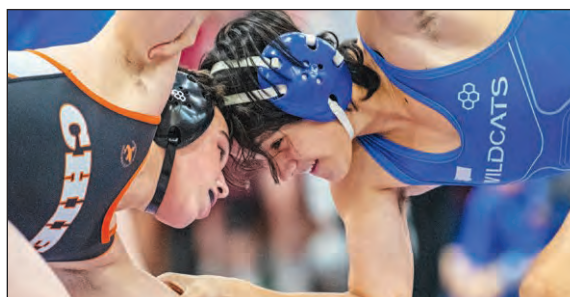
IT IS ORDERED that the Jury Trial set for December 15, 2016 be vacated and the above-captioned cause dismissed without prejudice.

DATED this 1 day of July, 2016  
  
JUSTICE OF THE PEACE  
Randal L. Owens

cc: LCAO  
Quentin M Rhoades, Nicole Steffert



Old sign sees new life, B4



Winter sports kicks off, B2

\$1.00

Wednesday, December 6, 2023

78th year, No. 20

# Hungry Horse News

The photo newspaper of Columbia Falls, Glacier National Park and surrounding communities

## Ousted Spotted Bear District Ranger speaks out

**By CHRIS PETERSON**  
**Hungry Horse News**  
The former Spotted Bear district ranger claims he was removed from his post last spring,

in part for trying to protect the Bob Marshall Wilderness' natural values. Last April, Scott Snelson was quietly

transferred from his post at the Spotted Bear District to a desk job at the Flathead National Forest headquarters at the behest of then Forest

Supervisor Kurt Steele. Snelson finished his career as a staff officer of recreation, engineering, heritage and land. He retired a few weeks ago.

Snelson had a long career with the Forest Service before being named district ranger in 2017, including a background as a fisheries

biologist. He has both his bachelor and master of science degrees from Montana State University

**See Snelson on A3**

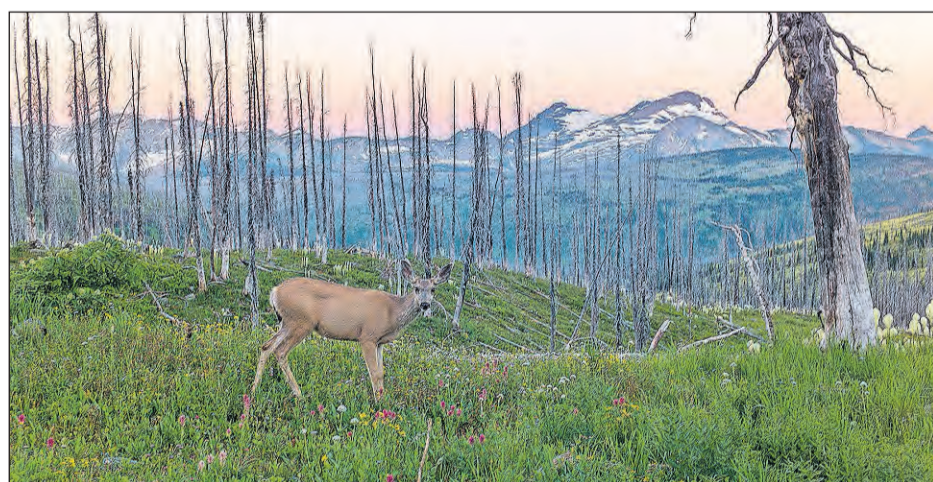
## Pig in the Parade



Teagan Flint guides her pig, Diesel, through the Night of Lights Parade. A pig in the parade was a first and a crowd favorite. More photos of the parade are throughout the newspaper. (Chris Peterson photo)



A wolverine walks through the snow in this file photo.



A deer at Fifty Mountain Camp in Glacier Park.

## Wolverine listed as threatened under the Endangered Species Act

**By CHRIS PETERSON**  
**Hungry Horse News**

The U.S. Fish and Wildlife Service Nov. 28 announced it is listing the wolverine as threatened under the Endangered Species Act in the contiguous United States, a move that has been years in the making.

The wolverine is a medium-sized carnivore found within the Northern Rocky Mountains and North Cascade Mountains in the contiguous U.S. and alpine regions, boreal forests, and tundra of Alaska and Canada. Wolverines are snow-adapted, cold-climate, territorial animals with large home ranges. The listing does not apply to Alaska.

Glacier National Park is a bastion for the species — with an estimated population of about 50 animals.

The battle over ESA protections for the species, which is a relative of the weasel and the skunk, has gone on for 20 years.

There's an estimated 300 or so wolverines left in the Lower 48 states.

The move was heralded by the Western Environmental Law Center, an environmental group that has long sought protections for the species.

"Wildlife conservation groups have twice successfully challenged the

**See Wolverine on A2**

## Glacier will use lottery for wilderness camp resos

**Hungry Horse News**

Beginning in the spring of 2024, Glacier National Park will offer early access lotteries for wilderness camping advance reservations in collaboration with Recreation.gov.

This action is consistent with public comments received in February 2023 on the transition of the park's advance wilderness camping reservation system to the Recreation.gov general on-sale system. Lessons learned after implementing the 2023 system also support this action, the park said in a release.

Last year people reportedly reserved multiple sites, even though

they had no chance of actually using them all. The end result was some popular camps would be empty, or at least not as full as they normally would be.

Two early access lotteries will be available; one lottery for standard groups of one to eight people and the second lottery will be for large groups of nine to 12 people. The new standard group size of one to eight campers will be an increase from what was allowed in 2023.

After the lotteries, visitors will also be able to use the general on-sale

**See Lottery on A2**



Weekend weather: Snowy, 30s

Visit the Horse online at  
www.hungryhorsenews.com



# Candy for you



Kids throw candy from a float during the Night of Lights parade. (Avery Howe photo)

## Lottery

from A1

system to book advance reservation campsites not booked during the early access lotteries. The general on-sale system will be the same system used in 2023 and will be available for the remainder of the booking window, from May 1 to Sept. 30.

The walk-in permit process and availability will remain the same as in 2023.

### Early Access Lotteries

1. The lotteries will be based on a fair and randomized process to provide equal opportunity for each applicant. Participants will be limited to a single reservation during the early access period but

may create additional reservations during the general on-sale period beginning May 1 or by walk-in.

2. On March 1, 2024, from 12 a.m. to 11:59 p.m. mountain time (MT), lottery applications will be accepted for a chance to secure a large group (9-12 campers) advance reservation. A total of five (5) large group advance reservations will be selected from all submissions.

3. On March 15, 2024, from 12 a.m. to 11:59 pm MT, lottery applications will be accepted for a chance to secure a standard group (1-8 campers) advance reservation. A total of 3,000 standard group advance reservations will be selected from all submissions.

4. There will be a \$10 non-refundable fee to enter each lot-

tery regardless of success. Successful lottery applicants will not have to pay an additional permit fee to book their reservations because the \$10 lottery application fee will rollover to become the permit fee for bookings.

5. There will not be an option to apply for the early access lotteries via walk-in.

### General On-Sale Period

• The general on-sale period (first come, first served online reservation system, as used in 2023) will begin on May 1 at 8 a.m. MT and run through Sept. 30 11:59 pm MT.

• Fees for the general on-sale system will remain the same as in 2023 (\$10 permit fee; \$7/person per night camping fee).

• All advance reserva-

## Wolverine from A1

Service in federal court for relying on flawed science to deny wolverines Endangered Species Act protections. The court most recently ordered the Service to make a new decision by Nov. 30 resulting in today's threatened listing determination," the organization noted in a press release.

"I'm glad the Fish and Wildlife Service finally ignored the misplaced policy concerns raised by states like Idaho, Wyoming, and even Montana over the last decade, and made a listing decision based solely on the best available science," Matthew Bishop, attorney with the Western Environmental Law Center said. "Wolverines can't wait another year or two for the long-overdue protections they deserve. That said, we are concerned about the allowances for trapping in wolverine habitat, and we will be taking a closer look at that. We doubt it's possible to trap without the risk of take. Wolverines—a crucial species for many ecosystems throughout the western U.S.—deserve the fullest protections possible. Given the small population and climate change quickly shrinking the snowy habitat wolverines rely on to survive, time is of the essence."

Wolverines are known to rob traps and in doing so, get

trapped themselves.

"We appreciate that the Fish and Wildlife Service finally listed wolverines as threatened but their 4d rule, which allows trapping in wolverine habitat, is a road map for extinction, not recovery," said Mike Garrity, executive director of the Alliance for the Wild Rockies. "Wolverines are scavengers and will continue to be taken if trapping is allowed to continue. The Fish and Wildlife Service needs to follow the law like all Americans are required to do and come up with a plan to recover wolverines."

In 2013, the Fish and Wildlife Service proposed to list the North American wolverine in the contiguous U.S. as threatened under the ESA. In 2020, after reevaluating the wolverine's status, the Service determined listing the wolverine was not warranted. In 2022, the District Court of Montana vacated that decision, requiring the wolverine to be reconsidered for listing under the ESA.

A 60-day comment period began Nov. 30 and comments must be received by Jan. 29, 2024. The proposal and information on how to submit comments can be found at <http://www.regulations.gov/> by searching under docket number FWS-R6-ES-2012-0107.

tion campsites not taken in the large and standard group lotteries will be available for online advance reservations on Recreation.gov on May 1 at 8 a.m. MT.

### Walk-in Permits

• Approximately 30 percent of wilderness campsites parkwide will be available on a walk-in basis (day before or day of a trip start date) from May 1 through Sept. 30 at Wilderness Permit Office locations through-

out the park; this is the same as the current system used for walk-in permits.

• Any advance reservation sites not booked during the early access lotteries or general on-sale period (more than 48 hours in advance of trip start date) will be added to the available pool of walk-in reservations.

Lottery, permit, and camping fees will be applied to opera-

tion of the lotteries at Recreation.gov as well as funding the wilderness management and wilderness permit programs at the park.

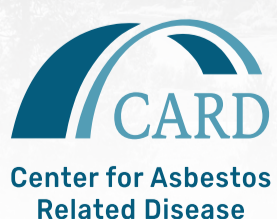
For full details, please visit the Glacier's Wilderness Camping Advance Reservations page. <https://www.nps.gov/glac/planyourvisit/backcountry-reservations.htm>



## Have you worked or enjoyed the outdoors in Lincoln County before 2013?

If so, you may have been exposed to harmful Libby Amphibole asbestos and should be screened. You may be eligible for a **free asbestos health screening**.

Call 855-891-CARD for a screening application.



**Center for Asbestos Related Disease**  
214 East 3rd Street, Libby, Montana 59923  
[www.libbyasbestos.org](http://www.libbyasbestos.org)

Grant funding provided by CDC grant for Early Detection of Certain Medical Conditions Related to Environmental Health Hazards. Grant #: NU61TS000295

# WHITEFISH CHRISTMAS STROLL

**FRIDAY, DECEMBER 8**  
**5:30-9 PM • Downtown Whitefish**

### 2023 HIGHLIGHTS

*Check our website for schedule & details!*

- Alpine Bell Ringers Hand Bell Choir Concert followed by Harp Music and The North Valley Music School Christmas Recital at First Presbyterian Church
- The Flathead Valley Community College Vocal Jazz and Chorale Ensemble
- Tree Lighting Ceremony
- Santa Arrives via Bar W Guest Ranch Wagon
- Wagon rides by Bar W Guest Ranch
- Create your own ornament at Stumptown Art Studio & just outside, vote for your favorite at The Great Whitefish Gingerbread Contest
- Entertainment and photos with Buddy the Elf at Blackstar
- Turkey Bowling with Two Sparrows Chiropractic and prizes from Pin n' Cue
- Birdland Jazz Combo playing a holiday set at FORLOH
- Meet a Gentle Giant from Clydesdale Outpost
- Explore the SnowBike Nation "Bat Cave"
- Opening Night of Whitefish Theatre Company's "A Christmas Carol"

**AND MUCH MORE!**

## SHOPPER'S DRAWING RAFFLE TICKETS

for shopping Whitefish!

*See website for details.*

Sponsored by

**Stockman Bank**

[www.WHITEFISHCHAMBER.ORG](http://www.WHITEFISHCHAMBER.ORG)

Find us on Whitefish Christmas Stroll

# Snelson

from A1

in biological sciences. Early in his career he worked as a U.S. Forest Service trail-crew foreman in the Bob Marshall Wilderness out of Spotted Bear and Big Prairie, and as a firefighter.

He expected to spend his final years of his career managing one of the most coveted ranger districts in the U.S. The Spotted Bear is more than 1 million acres, with 850,000 of those acres part of the 1.6 million-acre Bob Marshall Wilderness Complex.

But instead of being a dream job, it became increasingly difficult under Steele's leadership, Snelson told the Hungry Horse News in an interview last week.

There were myriad conflicts with Steele, he said, including a dispute over an outfitter's permit. Snelson canceled the outfitter's permit after what he claimed were multiple violations.

"If you can't follow the contract, you can't be operating" in the wilderness, Snelson said.

But Steele, he claimed, trumped him, and reinstated the outfitter. Snelson declined to name the business, noting it had apparently been sold.

But the conflicts didn't end there, Snelson said.

There were also resource management issues, including dis-



Scott Snelson in this 2018 photo.

agreements on how best to manage the South Fork of the Flathead's coveted bull trout fishery.

Snelson claimed he and his staff advocated for a conservative approach when it came to river usage and permitting in order to protect bull trout, which are listed as threatened under the Endangered Species Act. Fishermen can, however, catch and release bull trout under a special catch card program through Montana Fish, Wildlife and Parks. It is one of the few places where an angler can legally fish for the species.

Snelson claimed that Steele wanted to see hard impacts from increased pressure, rather than to be initially conservative by regulating angling on the

river. In short, Snelson claimed Steele wanted to max out pressure until they saw a decline in the fishery.

"It's a risky strategy," Snelson said, adding, "In my view, the public was best served by a conservative approach."

That went for the Comprehensive River Management plan, as well. Snelson claimed he and staff, as well as the public, put in many hours on the plan, taking a conservative approach to management of the Wild and Scenic South Fork, only to have Steele reject their ideas.

"Steele came in and ran it into the ditch," Snelson alleged.

Steele did not respond to a direct request for comment.

Flathead National Forest spokeswoman Kira Powell said the

Forest Service takes outfitter violations seriously.

"We take issues surrounding non-compliance of any special-use permit seriously. We follow the administrative process to correct any validated non-compliance issues with the permittee," she said in a statement to the Hungry Horse News.

As to the river issues, she conceded there have been delays in the river plans.

"There have been delays in completing the draft plan. Timelines have been adjusted, but we're making progress again. We hope to have a completed draft within the next few months," she said.

"This river system offers such a diverse array of recreational experiences. Planning involves consideration of potential environmental

impacts as well as the wide array of user experiences from primitive experiences with opportunities for solitude to more developed recreational opportunities."

Snelson said he is able to speak more freely of his tenure at Spotted Bear now that he is retired. But he didn't entirely blame Steele. He said it went higher up the ranks.

"He [Steele] didn't do anything controversial without checking into the regional office," Snelson claimed.

Snelson said he's not trying to be a martyr, but noted that district rangers have little recourse under Forest Service policy of "directed reassignment" — he could have either taken the job at headquarters, retire or be fired.

The Forest Service, for its part, never made a public announcement that Snelson had been removed last spring.

Forester Paul Donnelon oversaw Spotted Bear after Snelson was removed, Powell said.

A replacement for Snelson was announced this week.

Adam LaDell, from the Carson National Forest in New Mexico where he served as the Questa district ranger since 2021, will take over as Spotted Bear district ranger.

LaDell is originally from Wisconsin. He started his career with the Forest Service as a wilderness ranger on the Inyo National Forest

in California, and over the course of the last 15 years held positions in Wyoming, Arizona, and most recently New Mexico.

Steele is gone as well. He took a post as a deputy directorship position in ecosystem planning in June.

Steele's tenure came under intense scrutiny after a controversial move to allow expansion at Holland Lake Lodge just outside the Bob Marshall Wilderness, with minimal environmental review. A host of local citizens objected and later revealed that the lodge's existing septic system was leaking into the lake and is inadequate, nevermind suitable for expansion.

Steele also allowed for continued dispersed camping at Blankenship Bridge. That, too, saw significant local opposition, as the campers were getting stuck into the Middle Fork (most notably a school bus) and the river is part of the Wild and Scenic River system.

Snelson said he plans on making formal ethics complaints to the Forest Service. He also said he plans on staying active with Forest Service issues as a member of the public.

"I plan on staying engaged," he said.

His advice for the public? If they have concerns they should make them known, not only to the local offices, but the regional offices and federal lawmakers.



## RECOGNIZE AN OUTSTANDING HIGH SCHOOL STUDENT

Do you know a high school student in Flathead or Lake County who demonstrates leadership, academic excellence and commitment to their community? Each quarter during the school year, Logan Health and the Daily Inter Lake will recognize and profile a deserving student.

**NOMINATE AN EXEMPLARY STUDENT:**

[logan.org/TomorrowsLeaders](https://logan.org/TomorrowsLeaders)

**LOGAN**  
HEALTH