

December 23, 2024

U.S. Forest Service

Swan Lake Ranger District

Attn: Christopher Dowling (Rumbling Owl)

200 Ranger Station Road

Bigfork, MT 59911

Dear Ranger Dowling,

Please accept these additional comments from me on the Rumbling Owl EA on behalf of the Alliance for the Wild Rockies, Center for Biological Diversity, Yellowstone to Uintas Connection, Council on Wildlife and Fish, and Native Ecosystems Council, collectively “Alliance”, in response to the Legal Notice dated November 22, 2024.

The environmental assessment (EA) for the Rumbling Owl Fuels Reduction Project is incomplete and inadequate due to its failure to adequately address the cumulative effects of the Rumbling Owl Fuels Reduction Project and multiple concurrent and reasonably foreseeable future Forest Service land management actions on habitat connectivity between the Swan and Mission Mountain ranges. It also fails to consider reasonable alternatives that would reduce the magnitude, geographical extent, and intensity of these cumulative impacts on habitat connectivity. Any Finding of No Significant Impact (FONSI) based on the EA will violate the Administrative Procedures Act, the National Environmental Policy Act, and Forest Ser-

vice NEPA regulations. As a result, the Flathead National Forest (FNF) must prepare an EIS to correct the serious deficiencies of the EA.

The proposed Rumbling Owl Fuels Reduction Project is located in the upper Swan Valley (south of Swan Lake) in between the Swan and Mission Mountain Ranges and associated Wilderness Complexes. The Swan Valley supports an estimated 55 mammal, 199 bird, 4 reptile, 5 amphibian and 25 fish species. It also contains numerous Montana animal Species of Concern (17 mammal, 21 birds, 1 amphibian, 3 fish and 10 invertebrates), including the following species listed as threatened under the Endangered Species Act: grizzly bear, white bark pine, Canada lynx, wolverine, *Howellia aquatilis*, and bull trout as well as bull trout and lynx critical habitat.

The Swan Valley is a unique and integral part of the Crown of the Continent Ecosystem situated between the Bob Marshall and Mission Mountain Wilderness Complexes. The Crown of the Continent is one of only two areas (Yellowstone Ecosystem is the other) in the lower 48 States that still harbors all the mammal species that existed more than 200 years ago.<sup>1</sup> Everywhere else, numerous species have been extirpated by human exploitation, development, and habitat fragmentation and loss. Due to its key location, diverse habitats, and low human density, the Swan Valley above Swan Lake is as an irreplaceable wildlife corridor providing habitat connectivity between the adjoining undeveloped Wilderness areas. This connectivity area is essential for the conservation of wildlife, particularly wide-rang-

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<sup>1</sup> The fisher (*Pekania pennanti*) may no longer occur in the Swan Valley. After being extirpated statewide by trapping, 15 fishers were translocated into the Swan Valley in the winter of 1959-60. According to the Montana Department of Fish, Wildlife and Parks' [Region 1 Furbearer Report 2022](#), "by 1990 fishers were again nearly absent from the 1959-60 reintroduction areas, and fishers appeared to only persist in the Cabinet Mountains, where they were released in 1989-1991." Since 2019, three fishers have been incidentally caught during trapping season in Lincoln and Sanders counties.

ing species (e.g., grizzly bear, Canada lynx, wolverine) within the Crown of the Continent. National Forest System lands in the Swan Valley, including the Rumbling Owl Fuels Reduction Project area, are within the federally designated “Primary Conservation Area” for the threatened grizzly bear. This designation is defined as an area of grizzly bear habitat “to be managed as a source area for the grizzly bear populations where continuous occupancy by grizzly bears would be maintained” and that receives “the most stringent protection.”<sup>2</sup>

The Rumbling Owl Fuels Reduction Project EA fails to acknowledge the extraordinary ecological context of the project area and fails to address the cumulative impacts of the proposal on the unique and imperiled wildlife communities that occur within the Swan Valley.

The Flathead National Forest forest plan acknowledges the special significance of this connectivity area in the management direction for the Swan Valley Geographic Area (GA-SV-DC-09). This forest plan desired condition direction states:

“The portion of the Seeley Clearwater connectivity area from Condon to the boundary of the Swan Valley geographic area from Condon south to the boundary of the Swan Valley geographic area and from the south end of Swan Lake to Lost and Porcupine Creek ... provide connectivity for wide-ranging wildlife species (e.g., grizzly bear, Canada lynx, and wolverine) moving between the Swan and Mission Mountain ranges.”<sup>3</sup>

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<sup>2</sup> Flathead Forest Plan Environmental Impact Statement Volume 4 (2018) (Glossary) pg. 29

<sup>3</sup> Flathead Forest Plan (2018) pg. 145

The EA completely fails to address the cumulative effects on this habitat connectivity area and wide-ranging wildlife species resulting from the proposed Rumbling Owl project combined with multiple concurrent land management activities on National Forest System lands in the Swan Valley and “Seeley Clearwater connectivity area,” in violation of the Revised Flathead Forest Plan including:

- Mid-Swan Landscape Restoration and Wildland Urban Interface Project;
- Numerous commercial recreation special use permits in the Swan Valley;
- Ongoing dispersed and developed recreation use; and
- Road maintenance and other infrastructure projects.

In addition, the EA fails to address reasonably foreseeable future actions that could contribute to the cumulative effects further degrading habitat connectivity in the “Seeley Clearwater connectivity area.” These foreseeable future actions include:

- The Mid-Swan Landscape Restoration and Wildland Urban Interface Project;
- Increased developed and dispersed recreation use;
- Expansion of commercial recreation associated with Holland Lake Lodge; and
- Future vegetation management actions (e.g., pre-commercial and commercial thinning, repeated prescribed fires, and more) necessary to complete silvicultural treatments and maintain the intended fuel reduction benefits of the Rumbling Owl Fuels Reduction Project.

These concurrent and reasonably foreseeable future actions of the Flathead National Forest will individually and cumulatively cause

extensive habitat disturbance displacing wildlife species and fragmenting available habitat. In addition, these concurrent and reasonably foreseeable future actions will increase the likelihood of human conflicts with wildlife species and human-caused animal mortality. These cumulative effects will significantly reduce habitat connectivity and ecological integrity in this wildlife corridor essential for the long-term persistence of numerous species including grizzly bears, Canada lynx, bull trout, *howellia aquatilis*, and wolverine which are designated as threatened species under the Endangered Species Act.

The Rumbling Owl Fuels Reduction Project EA utterly fails to assess the intensity, context, or significance of these cumulative effects on habitat connectivity and the ecological integrity of National Forest System lands in the Swan Valley and the Seeley Clearwater connectivity area in violation of NEPA, NFMA, and the APA.

The brief sections of the Rumbling Owl Fuels Reduction Project EA purporting to address cumulative effects on Canada lynx, grizzly bears, wolverine and forest ungulates do not mention habitat connectivity – not even once. This is despite the fact that the Mid-Swan project as described in the draft Record of Decision will include about 20,000 acres of mechanical vegetation management actions, over 30,000 acres of non-mechanical treatments, and over 240 miles of road construction and reconstruction. These activities will occur within the Swan Valley immediately north of the Rumbling Owl Project. Both proposed projects are within the “Seeley Clearwater Connectivity Area” as described in the Flathead forest plan. The FNF’s “projects” webpage indicates that implementation of the Rumbling Owl and Mid-Swan projects will occur concurrently in addition to the ongoing logging in the Glacier Loon and Beaver Creek Projects.

This massive increase in human activity, vehicle traffic, noise and other habitat disturbances affecting wildlife behavior and habitat use resulting from the Rumbling, Mid-Swan projects and other ongoing and reasonably foreseeable actions will create a 30-mile-long wall of habitat disturbance stretching nearly the entire length of the Swan Valley from just south of Swan Lake to the Swan-Clearwater hydrologic divide. These cumulative effects of these actions will significantly impede the ability of wildlife species to move and disperse between the undeveloped Wilderness areas on the east and west sides of the Valley.

The combined magnitude, geographic extent, and intensity of these and other concurrent and reasonably foreseeable future actions will significantly reduce the availability and connectivity of habitat between the Swan and Mission Mountain ranges for wide-ranging wildlife species. These cumulative actions will significantly impede the ability of wildlife species to move and disperse between the undeveloped Wilderness areas on the east and west sides of the valley; reduce dispersal and genetic interchange between populations; and increase mortality risk over a large area stretching from near Swan Lake south to the Swan-Clearwater hydrologic divide. By reducing or eliminating habitat connectivity, these cumulative actions have the potential to further isolate wildlife populations, particularly small and threatened populations in the Mission Mountains, and reduce their probability of long-term persistence. The EA fails to address any of these cumulative impacts.

Nevertheless, the Rumbling Owl Fuels Reduction Project EA contains absolutely no assessment of the cumulative impacts on habitat connectivity resulting from the Rumbling Owl Fuel Reduction proposal combined with the Mid-Swan Landscape Restoration and Wildland-Urban Interface Project or any other concurrent or reason-

ably foreseeable future actions. Despite their adjoining proximity and obvious cumulative impacts, in the entire Rumbling Owl Fuel Reduction Project EA there is only one mention of the Mid-Swan Landscape Restoration and Wildland-Urban Interface Project; a very brief and inane statement in the Appendix B table (pg. 130) that the Mid-Swan and Rumbling Owl projects do not overlap.

The EA also fails to consider reasonable alternatives that reduce the magnitude, geographic extent and intensity of actions negatively affecting habitat connectivity between the Swan and Mission Mountain ranges for wide-ranging wildlife species. Such alternatives include focusing proposed fuel treatments in the immediate vicinity of housing and other infrastructure, a.k.a. home hardening. and reduce the overall amount of habitat disturbance from Forest Service actions within upper Swan Valley and the “Seeley Clearwater connectivity area. Please find Caulkin attached which explains we housing ion hardening structures makes more sense than logging forests away from homes.

Without thorough analysis, disclosure, and consideration of these significant cumulative impacts and reasonable alternatives any FONSI for the proposed Rumbling Owl Fuels Reduction Project will be arbitrary and capricious and a violation of the Administrative Procedures Act (5 U.S.C. § 706). The failure to adequately consider the cumulative impacts on habitat connectivity or reasonable alternatives also violates the National Environmental Policy Act (42 U.S.C. § 4321) and the Forest Service’s NEPA regulations (36 CFR 220.4 and 36 CFR 220.7) and therefore an emergency declaration is not allowed.

The cumulative impacts of the proposed Rumbling Owl Fuels Reduction Project, combined with the Mid-Swan Landscape Restora-

tion and Wildland Urban Interface Project and other concurrent and reasonably foreseeable future actions, will violate Forest Service planning regulations (36 CFR 219) pertaining to ecological sustainability, ecological integrity and habitat connectivity. These regulations require that forest plans as implemented provide for ecological sustainability (36 CFR 219.8) by maintaining and restoring ecosystem integrity and habitat connectivity (36 CFR 219.9). These regulations also require that the responsible official consider habitat connectivity as part of “integrated resource management” (36 CFR 219.10).

The cumulative effects of the proposed Rumbling Owl Fuels Reduction project will create “ecological conditions” that negatively affect the diversity of animal communities.<sup>4</sup> Moreover, the cumulative impacts on habitat connectivity will significantly reduce the ecological integrity of National Forest System lands in the upper Swan Valley and the Seeley Clearwater connectivity area. The proposed Rumbling Owl Fuels Reduction Project fails to maintain or restore habitat connectivity in the upper Swan Valley and Seeley Clearwater connectivity area and thus fails to maintain or restore the ecological integrity of terrestrial ecosystems in the plan area.

These cumulative impacts of the Rumbling Owl Fuel Reduction Project will violate the ecological sustainability and integrity requirements of the Forest Service planning regulations (36 CFR 219.8 and 219.9) and the diversity requirements of the National Forest Management Act (16 U.S.C. 1604(g)(3)(B)).

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<sup>4</sup> The Forest Service’s planning regulations define “Connectivity” as “Ecological conditions that exist at several spatial and temporal scales that provide landscape linkages that permit ... the daily and seasonal movements of animals within home ranges; the dispersal and genetic interchange between populations; and the long-distance range shifts of species, such as in response to climate change.” 36 CFR 219.19.



Please prepare an EIS to adequately address the proposed Rumbling Owl Fuel Reduction Project's cumulative impacts to habitat connectivity and consider reasonable alternatives in order to comply with the Administrative Procedures Act, National Environmental Policy Act, Forest Service planning regulations and other applicable laws and regulations.

Merry Christmas!

Thank you for your time.

Sincerely yours,  
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