

To: USDA Forest Service, Flathead National Forest, Swan Lake Ranger District, Bigfork, Montana

From: Clark Family Trust

Date: December 23, 2024

The Trustees of the Clark Family Trust (the Trust) offer the following comments regarding the Environmental Assessment for the Rumbling Owl Fuels Reduction Project (the EA).

The Trust oversees the operations and management of the Clark Ranch, a 160-acre private holding located in Section 2 of T19N R16W and adjacent to units 145, 146, 261, and 308 of the Rumbling Owl Project. Forest Service Road 10121 (also known as Forbidden Lane) runs past the Owl Creek Packer Camp and ends at the Clark Ranch.

The Clark Ranch is not currently under a Wyden Agreement, but it is the Trustees' view that such an agreement would be beneficial to the Forest Service as well as the Clark Ranch. The Trustees are willing and eager to discuss entering into a Wyden Agreement with the Service to extend and enhance the project's work. Fred Clark, one of the Trustees, will serve as coordinator between the Forest Service and the Clark Family Trust. Please contact him by email (amdurclark@yahoo.com) or by phone (414-866-0582) to discuss further. He has already sent a note to Clayton Cornwell, Acting District Ranger, to identify the Trust's interest in talking about a Wyden Agreement.

The EA rightfully notes that small private forested areas are often not managed at all, and those forests are densely stocked stands with large quantities of dead trees. These sites are highly vulnerable to both insect and disease outbreaks and wildland fire. While the Clark Ranch has completed some forest management over the past decade, it has also been affected by changes to overall forest health along with the rest of the Swan Valley. The EA identifies only 240 acres of private lands in four treatment units with owners willing to work with the Forest Service through Wyden Agreements to treat additional acres under the project's purpose and need: Reduce wildfire risk to loss of life, property damage, and ecosystem function within the wildland-urban interface. The Clark Ranch was not contacted about a potential Wyden Agreement, so the EA severely underrepresents the private acres likely available in the project area. It appears the Forest Service did not contact the full slate of private land owners about potential Wyden Agreements. We suggest that you contact all landowners within the project area directly to see if they are interested in Wyden Amendment agreements to have their lands treated as part of this project. At the very least, analyze which private lands in the project area would be most beneficial to accomplishing the project's goals if included in project activities under a Wyden Agreement.

The EA notes the importance of Bull Trout habitat in the project area. A significant portion of Owl Creek passes through the Clark Ranch, so the Ranch lies at the center of Bull Trout habitat. A substantial investment was made in Bull Trout habitat on Owl Creek several years ago when the course of Owl Creek was put back in its original channel and an old pond was removed and restored to natural vegetation. Work on the Rumbling Owl Project could further benefit this habitat by enhancing the forest health conditions on the Clark Ranch.

In addition to treatments directly on the Clark Ranch, we believe it is in the Forest Service's interest, as well as that of the Clark Ranch, to establish a new additional gate near the existing gate that controls access to private property at the Holland Creek Ranch. This would further enhance the Forest Service's ability to influence access and use on NFS lands between the Packer Camp and the Clark Ranch. The most expeditious time to accomplish this would be during Rumbling Owl project operations, as there will likely be appropriate machinery and resources in the area. Our neighbors' existing gate is on NFS lands, a right-hand turn off about a thousand feet uphill from the turn off to the Owl Creek Packer Camp. It is

immediately past (uphill) from where Owl creek passes under Forbidden Lane. Perhaps we could include the new gate as part of the Wyden agreement or through another mechanism.

The Clark Ranch had, until recently, an emergency egress track extending from the east boundary to the Owl Loop Road. The Forest Service excavated an earthen berm and placed boulder barriers at Owl Creek Road in 2024, obstructing the entrance to this track without any notification to those at the Clark Ranch that use the road. The Forest Service identified that track as an historic temporary road, an assertion that we disagree with. It is indeed historic (likely dating to 1914 or before) but not temporary, since it has been in continuous use since well before Charley and Bernice Clark bought the property in the late 1960s. The Trustees, hunters in the valley, and likely older Forest Service personnel, can attest to the continuous use of this road. Blocking this egress route reduces evacuation options in the event of uncontrolled wildfire for those of us who live at or visit the Clark Ranch, and for people who may be on Forbidden Lane or Holland Lake Road. It is our position that the safety needs far outweigh the Forest Engineer's assessment, an assessment that we, again, heartily disagree with. Further, the EA identifies 1,218 acres of natural fuels and an additional 1,728 acres associated with harvest activity for prescribed burns. These nearly 3,000 acres of prescribed burns combine with the ongoing danger from wildfires greatly raise the potential for fire spreading from NFS lands to the Clark Ranch. With the continued increase of wildfire danger, the increase of project activity and increase of public use of the land around the Clark Ranch, blocking the emergency egress could result in disaster. Should fires arise from the west of the Clark Ranch and close off Forbidden Lane or the Holland Lake Road, people at the Clark Ranch or others in the area could be trapped. If the historic track were opened, we could in an emergency make that route available for people who live down the road, people visiting Holland Lake, and others. The Forest Service has other options for limiting access to that track, including a locked gate with the Clark Ranch having a key for emergency use.

Please make restoring our emergency egress a priority during (or before) Rumbling Owl project operations.

Our additional comments about the Rumbling Owl EA include the following:

- We expect the Forest Service to act in full transparency with all available sources of information to keep us – and all of the Swan Valley residents – fully informed about planned actions, when those actions will take place, their duration, and any other aspects about the project that will allow us to be better prepared for when those actions actually start.
- We expect the Forest Service to treat private landowners as partners in the proposed actions and to keep Forest Service activities and those of their contractors within NFS boundaries unless specifically authorized by adjoining land owners.
- We expect the Forest Service to revisit its decision not to fully analyze additional action alternatives if new information becomes available that suggests or identifies alternative actions.
- Monitoring, in close cooperation with the US Fish and Wildlife Service and other organizations, should be continuous and adjustment to treatments should be made in areas where monitoring indicates.
- Appendix C of the EA shows “undetermined roads”. However, it does not show which of these miles will be obliterated and which will be added to the NFS roads system. In addition, 2.8 (miles to be obliterated) plus 5.4 (miles to be added to NFS) adds up to 8.2. Your analysis jumps between generality (approximately) to more specific (and yet undetermined as to exact location) terms. Where are these roads?
- Many of the roads used as haul routes are public and are access routes to private properties. Leaving those roads - including Forbidden Lane - in as good a condition as possible is essential.

Keep in mind that those roads will be co-occupied by local residents, visiting recreation and special forest product users, and others, so public safety is paramount. In particular, please ensure that, where possible, emergency egress routes from private property, such as from the Clark Ranch, are not blocked.

- Road planning, design, and maintenance must be conducted in a way that ensures that first responders can gain efficient access to the properties along and at the end of these roads. Being at the end of Forbidden Lane, we are very aware of this need.
- All prescribed burns should be advertised widely and well in advance of burning, along with information about expected duration and expectations of smoke levels. We need to be prepared in case prescribed burns get out of control. This comment goes toward the Rumbling Owl project in specific but also applies to notification and other communications with local organizations, individuals, and information outlets. Too often we see firefighters show up throughout the Swan Valley at prescribed burns because of lack of prior communication.
- The proposed actions will impact local streams and therefore aquatic habitat for many species, including Bull Trout. That is why we encourage active and consistent monitoring in cooperation with private land owners as well as federal, state, and local governments and other organizations equipped to help. “Best management practices” are not always the best, but rather an approximation of desirable actions. Those practices must be modified on the basis of new knowledge or capabilities.
- The inventory heritage resource inventory completed for this project located several significant sites that will be protected or maintained and will not be adversely impacted by project activities. If the inventory conducted by staff was solely a records search, ground truthing of the identified sites should be completed and the extent of those sites verified. In addition, there may be multi-site or heritage district aspects that could be explored. For example, we are aware of historic trails used by indigenous people from the Flathead valley to access the Swan Valley. It appears logical that an associated trail to access what is now the Bob Marshall Wilderness from the Swan Valley could occur in the project area, especially in the area around Holland Lake and the current pack trails on either side of the lake. We are aware of and could help identify an historic trail that leads from the Clark Ranch and connects to the existing trail that goes from the Packer Camp to the Bob Marshall Wilderness.
- The economic analysis depends on PNV and therefore makes little sense to the people who live, work and play here. The real question of economic effects to people in the Swan Valley and Seeley Lake is brought up in the Environmental Justice portion of the EA, but even that does not give readers an idea of what the effects will be on local’s economic situation.
- A public presentation of what the landscape would look like from a variety of locations over time would be beneficial in evaluating the effects on the viewshed. Such a presentation would allow community members to gain a better feel for short- and long-term visual effects, whether or not the actions will be positive or disruptive.
- The Environmental Assessment does not address the impacts of noise from roadwork, logging operations, or anything else. Impacts on wildlife, local residents, and visitors could be substantial in specific places during relatively short periods of time, and across larger landscapes for longer periods. That should be disclosed in the Environmental Assessment.

Fred P. Clark

Fred Clark, Trustee