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First name: Keith

Last name: Hammer

Organization: Swan View Coalition, Inc.

Title: Chair

Comments: We upload here our comments on the West Reservoir draft EA. We will hand-deliver by Sept 19 to either the Forest Supervisor's Office or the Hungry Horse Ranger District Office a companion DVD of documents that further describe the issues raised in our comment letter.

September 16, 2025

Gary Blazejewski - Environmental Coordinator

Flathead National Forest

650 Wolf Pack Way

Kalispell, MT 59901

Re: Comments on the draft West Reservoir Project EA, submitted as a pdf via  
<https://cara.fs2c.usda.gov/Public/CommentInput?Project=67436>

Dear Mr. Blazejewski;

Please accept these comments in the above matter into the public record. We incorporate by reference the comments being submitted by Friends of the Wild Swan in this matter.

We object to this being the only opportunity to comment on this DEA and the fact that the comment period is only two weeks long. The DEA provides no clear explanation of how it responds to our scoping comments dated 2/18/25 and 2/19/25. Instead, the DEA at 68 proclaims:

"Other issues identified through public scoping and internal discussions were considered but were dismissed from further analysis. These issues and rationale for elimination from further analysis are documented in project file exhibit F-001."

Such information is supposed to be in the EA. Moreover, Exhibit F-001 is nowhere to be found on the Project web page.

The single clue we can find in the DEA that our concerns have been considered is that, on page 102, PDF-TRANS-01 requires that "Impassable roads . . . Minimum treatments will include . . . Culverts aligned with stream channels will be remove." But maybe this is just a fluke or a cut-and-paste error, because the Forest Plan does not require this? Because the Forest Plan Biological Opinion (BiOp) is once again being revised due to shortcomings identified by the U.S. District Court in Missoula, we do not know whether this culvert removal requirement will be a part of the revised BiOp. We object to being asked to review and comment on this DEA before the revised BiOp is made public and sheds some guiding light on projects like West Reservoir.

Indeed, based on a reading the DEA, one would not know that the Forest Plan's lack of this culvert removal requirement has been a major issue since before the revised Plan was issued and has been faulted repeatedly by the U.S. District Court in Missoula. For this reason, among others, we include as a part of these comments our earlier scoping comments named above and ask that you read them again as a part of these comments.

We also submit with these comments a hand-delivered DVD of files documenting our many years of trying to resolve these issues via comments on, and Objections to, the revised Flathead Forest Plan and various projects implemented under the revised Plan. When we make references to those documents, we will do so in the format "DVD Folder XX, filename."

Our 2/18/25 scoping comments clearly spell out how the Forest Service needs to respond to various portions of the Court's opinions. Yet the DEA does not mention these court opinions anywhere. Period. We've included them as DVD Folder 40, 2021-06-24 Doc. 116 OPINION AND ORDER.pdf; 24-03-12-doc.-58-findings-andrecommendations- of-magistrate-judge.pdf; and 2024-06-28\_ORDER.pdf.

Our 2/19/25 scoping comments ask for specific information to be provided in a Project EIS about the condition of numerous culverts in Wheeler Creek Road 895F. The DEA provides no such information and only mentions Road 895F in Table 45, page 97. There it is listed among several roads to which undisclosed "Additional Guidance" is not applied, while it is apparently applied to several stream crossing on the main Road 895.

And, while the issue of road closure effectiveness plays a major role in our scoping comments in the above Court opinions, the DEA dispenses with the issue with one misleading sentence, on page 42: "Road closure effectiveness is monitored on the forest, and closures are generally found to be effective (project file exhibit Q-021)." The West Reservoir Exhibit Q-021, however, reports far higher forest-wide rates of road closure ineffectiveness than the earlier Cyclone Bill Exhibit Q-22 we submitted with our scoping comments. (DVD Folder 15, Q-22\_CB\_RoadClosureEffectiveness.pdf and Q021\_WR\_RdClosureEffectiveness.pdf).

From Exhibit Q-22 to Q-021, road closure ineffectiveness for 2019-2024 rose from an average of 7% to 10%, and

the range of ineffectiveness rose from 4-9% to 7-14%. We must assume this is due largely to the revision of forest-wide data marked "draft" for 2021-2024 in the Cyclone Bill Exhibit but no longer marked "draft" in the West Reservoir Exhibit? Only the 2024 project-area data is marked "preliminary" in the West Reservoir Exhibit. Neither the DEA nor West Reservoir Exhibit Q-021 provide any clue as to how the data for 2021-2013, and perhaps 2014, was revised and why it apparently leads to the increase in road closure ineffectiveness for 2021-2013 shown graphically in Figure 1 in each of the Exhibits. Those graphs are reproduced on the following page for easy comparison:

Cyclone Bill Exhibit Q-22:

See attachment: [Att1CycloneBillExhibitQ22.pdf](#)

West Reservoir Exhibit Q-021 (while 2024 lacks an asterisk as forest-wide data, it is marked as "preliminary" project-area data in Table 2 of the Exhibit):

See attachment: [Att2WestReservoirQ21.pdf](#)

In spite of the above figures and their companion Table 1 in each Exhibit, the West Reservoir Exhibit still claims that "Since 2011, the average road closure effectiveness has improved, not declined[.] Percentage of ineffective closures is summarized by year in Figure 1. Averages and ranges for 2005-2011 and 2019-2024 are summarized in Table 1." As shown in the Figures 1 above, closure ineffectiveness has risen from 2011's 4% to as high as 14% in 2022 and has been higher than 4% in 2015 and every year accounted for from 2017-2024. When averaged, the West Reservoir Exhibit's Table 1 shows that the 2005-2011 "9% Ineffective" has risen to a 209-2024 "10% Ineffective." This does not support the claimed "improvement." But the deviousness of West Reservoir Exhibit Q-021 does not end there. On page 4, it reports:

As an attempt to quantify the magnitude and frequency of unauthorized motorized bypass, the Flathead Forest deployed remote cameras 7 restricted roads in 2023. The cameras were positioned to detect unauthorized motorized use on the roads behind the closure device. Of the 7 roads monitored, two roads had documented unauthorized motorized bypass. The remaining 5 roads did not have any documented unauthorized motorized use behind the closure device. Of the two roads that had documented unauthorized motorized use, the frequency on road 9893 was one event detected. The frequency on road 1658 was 24 unauthorized events detected. When combined with road logs from Forest motorized administrative use on these roads, motorized use, authorized or unauthorized, did not exceed administrative motorized thresholds under FWSTD-01. The sample size of the effort was low, and time duration limited. However, the evidence supports that magnitude and frequency of unauthorized motorized bypass is low and spatially scattered.

This paragraph is riddled with problems. Firstly, administrative motorized use cannot be considered equal to unauthorized motorized use and the Forest Plan makes no accommodation for such, in standard FW-STD-IFS-01 or elsewhere. Administrative use is to be conducted by informed people that agree to carry out no ill will toward bears or other wildlife while performing an authorized agency activity (see Forest Plan Glossary). That is partly why the DEA, at 103, cites the Forest Plan and requires:

PDF-WL-09: Contractors, operators, and their employees will be informed of procedures for safely working and recreating in grizzly bear country and of food and wildlife attractant storage special order prior to beginning work and annually thereafter, to reduce the risk of grizzly bear-human conflicts (FW-GDLWL- 01).

The same can't be said about people engaged in unauthorized motorized use, who are already engaged in unlawful activity by violating a road or area closure order in the first place. Research shows that a disproportionate amount of poaching and other grizzly bear mortality occurs near roads. That is part of why there are limits on road densities. Regardless, the Forest Plan does not define "administrative use" to include unauthorized motorized use and the latter cannot simply be swept under the rug of the former. Attempting to do so renders Exhibit Q-021 without scientific or ethical integrity.

Secondly, the above cited paragraph from Exhibit Q-021 fails to provide adequate detail about how the road closures for remote camera placements were selected in order to eliminate sample bias, whether those road closures were already known to be violated by unauthorized motorized use or not, and for what length of time the cameras were active. The most enlightening statement in the paragraph appears to be "The sample size of the effort was low, and time duration limited."

A thorough comparison of West Reservoir Exhibit Q-021 to Cyclone Bill Exhibit Q-22 reveals too many errors and inconsistencies to be listed here and shows Exhibit Q-021 to be largely a sloppy cut-and-paste job from Exhibit Q-22. And, where new information has been added, Q-021 fails to support conclusions brought forward from Q-22 and raises more questions than answers, as described above.

Neither the DEA nor Exhibit Q-021 address the concerns raised in our West Reservoir scoping comments. Nor do they address our findings in those comments and in our 2024 Roads Revisited report, which suggest that the increases in road closure ineffectiveness from 2021-2023 are much larger than shown in Exhibit Q-22. And, while those increases have been revised upwards in Exhibit Q-021, they still do not comport with our estimates nor explain the magnitude of those revisions. Why and how was that data changed?

While we submitted our 2024 Roads Revisited report and 2023 Road Hunt report with our scoping comments, we resubmit them here for your convenience as DVD Folder 15, Roads-Revisited-2024-Hammer.pdf and Road Hunt Hammer 2023.pdf. The DVD also contains documents that shed further light on issues raised in our scoping comments.

Our Objections to the revised Forest Plan can be found in DVD Folder 00. They, among other things, describe in more detail our objections to use of the Plan's "5-3-2" Standard FW-STD-IFS-03.

Our Roads to Ruin report and its three Supplements are included in DVD Folder 04. They in turn include our

6/4/15 report "Only Decommissioned Roads Removed from the Forest Development Road System May be Omitted from Calculations of Total Motorized Density on the Flathead National Forest." These reports provide greater detail on how the revised Forest Plan came to no longer require decommissioning and the removal of stream-aligned culverts from "impassable" roads before omitting them from calculations of TMRD. This allows the road system to greatly expand over what it was in 2011 without that expansion showing up as increased TMRD. As explained in our scoping comments, "the Court agrees that the scientific evidence cited by FWS does not support the agency's decision to exclude impassable roads from TMRD calculations."

We cannot find where the DEA has addressed our concerns about the carbon that is released by logging and slash burning. Instead, it continues with the same flaws in the Forest Service accounting of the carbon cycle that we identified during scoping. While previously attached to our scoping comments, we have nonetheless included the TWS and Campbell papers in DVD Folder 41 as 01 TWS\_US-Forest-Carbon-and-Climate-Change\_2007.pdf and 02 Campbell et al 2007.pdf.

In closing we again ask that you reread our scoping letters as a part of these comments on the DEA. For the reasons we have described, we again ask for the preparation of an EIS with a wide range of alternatives and a full accounting of cumulative effects.

Sincerely,

Keith J. Hammer

Chair

See attachment: Att3ScopCmntsOtherAttachments

Attachments:

250916 SVC on West Reservoir DEA.pdf

Att1CycloneBillExhibitQ22.pdf

Att2WestReservoirQ21.pdf

Att3ScopCmntsOtherAttachments.pdf