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First name: Michael

Last name: Garrity

Organization: Alliance For The Wild Rockies

Title: Executive Director

Comments: September 26, 2022

U.S. Forest Service, Swan Lake Ranger District

Attn: Shelli Mavor (Holland Lake Lodge)?200 Ranger Station Road?Bigfork, MT 59911 ?

RE: Holland Lake Lodge Facility Expansion

Thank you for this opportunity to comment. Please accept these additional comments from me on the Holland Lake Lodge Facility Expansion Project on behalf of the Alliance for the Wild Rockies, Center for Biological Diversity, Council on Wildlife and Fish, and Native Ecosystems Council (collectively "Alliance").

According to Forest Service Special-Uses Program,

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5107240.pdf, the Forest Service has the following requirements for Special-Use permits:

Application Process

"1. Contact a Forest Service office and request an application. Application information is also available on the special uses home page at <http://www.fs.fed.us/recreation/permits>

·Is my proposal appropriate?

If an activity on NFS land involves individuals or organization with 75 or more participants or spectators."

With the expansion, the lodge could serve as many as 156 guests, therefore at a minimum an EA is required.

Please analysis wether the proposal to enlarge Holland Lake Lodge is appropriate considering that Holland Lake and Holland Creek are bull trout critical habitat, the area around Holland Lake is lynx critical habitat and grizzly bear habitat and a wildlife corridor between the Bob marshal wilderness complex and the Mission Mountain Wilderness.

"2. Your request must be consistent or made consistent with the standards and guidelines in the applicable Forest Land and Resource Management Plan."

Is the Holland Lake Lodge request consistent with the standards and guidelines of the Revised Flathead National Forest Forest Plan? The scoping notice does not demonstrate that it is. Please write an EIS to demonstrate to the public that the Holland Lake Lodge request is consistent with the Forest Plan.

"3. Your request must not pose serious or substantial risk to public health or safety."

Please analyze the increased risk of a flying, boating or traffic accident caused by more people flying and driving to Holland Lake Lodge and by more people boating in Holland Lake.

"Most commercial uses require additional information with the application. You may need business plans, operating plans, liability insurance, licenses/registrations, or other documents. A commercial use is when an applicant intends to make use of NFS lands for business or financial gain."

Please share with the public POWDR's business plans, operating plans, liability insurance, and licenses/registrations and other documents that POWDR and shared with the Forest Service.

6. The proponent must not owe any fees to the Forest Service from a prior or existing special- use authorization.

Does POWDR or the current owner of Holland Lake Lodge owe any fees to the Forest Service?

"No gambling or providing of sexually oriented commercial services can be authorized on NFS land, even if permitted under state law."

Does Holland Lake Lodge have or will they have any gambling machines in their bar or restaurant?

"Alternatives - You must first consider using nonfederal land. Lower costs or fewer restrictions are not adequate reasons for use of NFS lands. Provide alternative locations for the proposal in your application."

The scoping notice does not have an alternative that considers using nonfederal land. Please include this as an alternative.

"Other Associated Costs - You may be responsible for providing information and reports necessary to determine the feasibility and environmental impacts of your proposal; compliance with applicable laws and regulations; and terms and conditions to be included in the authorization.

Environmental Protection Plan - Include proposed plans for environmental protection and rehabilitation during construction, maintenance, removal, and reclamation of the land."

How much is POWDR paying the Forest Service to do the environmental analysis? How much will the environmental analysis cost?

Please demonstrate the project is in compliance with all applicable laws and regulations, maintenance, removal and reclamation of the land. How much is the bond that POWDR is posting to ensure the the property is maintained, and removed and reclaimed when the lease expires?

FAILURE TO REVIEW AND PROTECT CULTURAL AND HISTORICAL RESOURCES

Please Consultate with the State Historic Preservation Office and share their comments with the public and then give the public an opportunity to comment on this consultation. Please demonstrate that the required protection measures provided from SHPO will be incorpo- rated into the final decision.

Crucial to the preservation of the historical and cultural foundations of the nation, Section 106 of the NHPA and its implementing regulations, 36 C.F.R. Part 800 (PDF) (revised August 5, 2004) require Federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. Additionally, Federal agencies must provide the Advisory Council on Historic Preservation (ACHP) opportunity to comment on such projects prior to the agency's final decision.

A Federal project that requires review under Section 106 is defined as an "undertaking." An undertaking means a project, activity or program funded in whole or in part un- der the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license, or approval.

Section 110 of the NHPA

Added to the NHPA in 1992, Section 110 requires Federal agencies to emphasize the preservation and enhancement of cultural resources. Section 110 directs agencies to initiate measures necessary to direct their policies, plans, and pro- grams in such a way that federally-owned sites, structures, and objects of historical architectural or archaeological sig- nificance are preserved, restored, and maintained for the in- spiration and benefit of the public. The agencies are also encouraged to institute (in consultation with the ACHP) procedures to assure Federal plans and programs contribute to the preservation and enhancement of non-Federally owned

sites, structures, and objects of historical, architectural, and archaeological significance.

All cultural surveys need to be done before the NEPA and NHPA process can be completed. Please also consult with the various Indian tribes that occupied Holland Lake historically.

Please see a copy of a poster promoting a "Conversation" about Holland Lake Lodge with Supervisor Steele and 3 people from Holland Lake Lodge and POWDR at the Swan Valley Community Hall in Condon. This poster is giving the public the impression that the Forest Service has already decided to approve the permit for the expansion of Holland Lake Lodge in violation of NEPA. Why is the Forest Service co-hosting this meeting with employees of Holland Lake Lodge and POWDR? Will the public have an opportunity to comment on the record or is this a phony public relations meeting to promote the expansion of Holland Lake Lodge in violation of NEPA? It would be more appropriate if POWDR had a separate meeting from the Forest Service's public meeting.

Apparently this is not a public "conversation" as there is no notice on the Flathead's or HLL websites or facebook pages and only select individuals were invited.

Does the Holland Lake Lodge expansion comply with FACA? Will the Forest Service make notes of the meeting in Condon on October 4th? Who did the Forest Service, Holland Lake Lodge and POWDR invite to this meeting? Why did you invite some people but not others? Why did you not post this meeting on the Flathead N.F.'s website and publish a legal notice of the meeting?

Please make public all of the meeting notes and conversations the Forest Service has had with employees of Holland Lake Lodge and POWDR.

In the Montana Free Press, Tami MacKenzie is mentioned and quoted.

Holland Lake Lodge expansion plans raise community concerns

Locals express frustration about the project's process and size. Business owners say expansion is necessary for economic viability.

<https://montanafreepress.org/2022/09/12/proposal-to-expand-holland-lake-lodge-raises-community-concerns/>

"Tami MacKenzie, public affairs officer with the Flathead National Forest, said that while categorical exclusions may result in quicker action, an environmental review of the proposed project would still be required. MacKenzie explained that once the Forest Service thinks a categorical exclusion may be an option, it's added to the scoping document to draw comments from the public.

"It causes an inflammatory reaction, but the reason we do that is to get that reaction and to get those comments," MacKenzie said."

When did it become the Forest Service's mission to irritate the public? I have never read any where that the purpose of the Forest Service was to irritate the public. If this is the mission of the Flathead National Forest, Supervisor Steele and public affairs officer Tami MacKenzie should resign or if they refuse, they should be fired.

The mission of the USDA Forest Service is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. How will approving the proposal to expand Holland Lake Lodge sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations?

Holland Lake and Holland Creek are bull trout critical habitat and the area surrounding Holland Lake is lynx critical habitat and grizzly bear habitat. Also the roadless areas in the Holland Lake area would be declared wilderness under the Northern Rockies Ecosystem protection Act which now has 12 sponsors in the Senate, S. 1276 and 73 sponsors in the House of Representatives, H.R. 1755.

To ensure that these lands sustain the health, diversity, and productivity of the forests and meet the needs of present and future generations, please write an EIS or at least an EA.

Thank you for your time and consideration of our comments.

Sincerely yours,

Mike Garrity
Executive Director
Alliance for the Wild Rockies
P.O. Box 505
Helena, MT 59624

And for

Kristine Akland, Northern Rockies Attorney
Endangered Species Program
Center for Biological Diversity
P.O. Box 7274
Missoula, Montana 59807

And for

Sara Johnson, Director
Native Ecosystems Council
PO Box 125 Willow Creek, MT 59760

And for

Steve Kelly
Council on Wildlife and Fish
P.O. Box 4641
Bozeman, MT 59772