

Swan View's News

Winter-Spring 2009



Swan View Coalition
3165 Foothill Road
Kalispell, MT 59901

"Nature and human nature on the same path."

www.swanview.org
www.swanrange.org
swanview@swanview.org

☆☆☆ Special 25th Anniversary Issue! ☆☆☆

Our 25th year working to protect the Swan Range started off with a bang! When the Ninth Circuit Court of Appeals ruled in our favor on January 6 it ruled the Flathead National Forest must also "favor the needs of the grizzly bear when grizzly habitat and other land use values compete."

This ruling on our 1993 Moose Post-Fire lawsuit bodes well for grizzly bears, reaffirming that the Flathead National Forest must indeed comply with its Forest Plan standards and Interagency Grizzly Bear Guidelines.

This issue of Swan View's News looks at challenges and accomplishments in our 25 years of advocating for the conservation of quiet habitat for fish, wildlife and people. The chronology on pages 4 and 5 provide an outline of our accomplishments while also revealing that citizen oversight of public land and wildlife management is essential.

We'll be busy in 2009 moving necessary lawsuits forward and defending the gains we've made (page 2). We'll also be busy working to see that federal economic

stimulus money is put to work decommissioning roads and restoring watersheds on Forest Service lands, as intended (page 3).

But we'll take time this year to celebrate our 25th Anniversary in ways that also celebrate the land and water we work so hard to protect. Celebrations scheduled thus far include a concert and wilderness slide show by Walkin' Jim Stoltz on May 14, a Swan

Range photo contest and exhibit at the Bigfork Museum of Art and History August 25 - September 5, and our 200th Saturday Swan Ranger outing September 19 (page 6)!

We hope you join us in these celebrations and ask your friends to join us too (page 7)! We wouldn't be here after 25 years if it weren't for the con-

tinuing gracious support of folks like you!

Thank You and Happy Anniversary!

Keith



A mother griz and her cub cross a hiking trail.

Keith Hammer photo

Endless Pressure, Endlessly Applied: Progress Using Common Sense and the Law!

Since 1984, Swan View Coalition has relied on several key principles for managing public lands and wildlife: 1) threatened and endangered species can only be recovered by protecting their habitat and minimizing mortality 2) efforts to recover one species helps recover others, and 3) what is good for fish and wildlife is also good for people. These principles are the connective tissue for the skeleton view of our accomplishments provided in the chronology on pages 4 and 5. In short:

First we got substantial areas of grizzly bear habitat on the Flathead National Forest upgraded to Management Situation 1 so the bear would be given top priority. Then we pursued limits on the number of roads and motorized trails that can exist there and put a stop to the "legal" hunting of grizzly.

In response to our lawsuits and overwhelming public support, Flathead Forest Plan Amendment 19 was issued in 1985, setting motorized limits for the conservation of grizzly habitat. Biologists required culverts be removed from decommissioned roads to better close them and prevent blowouts that destroy water quality, benefiting both bear and bull trout.

We've had to fight several efforts by the Flathead to leave culverts in otherwise decommissioned roads. These include the 2002 Moose Post-Fire Project faulted this January by the Ninth Circuit Court of Appeals

because the Flathead left 10 culverts in decommissioned roads to facilitate snowmobiles and reopened a closed road, ignoring its duty to "favor the bear" in MS-1 habitat. This court decision should help us win our lawsuits against similar non-compliance.

As this newsletter goes out, however, we are back in court to enforce the District

Court's 2008 injunction against Flathead snowmobiling after bears emerge from their dens March 15. The Forest Service insists snowmobiling occurring on mud until the end of May is just fine for grizzly bears and bull trout.

Such overzealous use of motor vehicles needlessly harms fish and wildlife, contributes to costly public health problems, and keeps America dependent on fossil fuels. Our Saturday Swan Ranger outings continue to promote good food as the best alternative fuel, when combined with fresh air and exercise!

In spite of its belligerence, the Flathead has since 1985 decommissioned 640 miles of damaging roads, recent research shows this is indeed improving habitat security and water quality, and we are encouraged that funding for more good-paying road decommissioning jobs is again available.

What is good for fish and wildlife is also good for people. We've been working on behalf of all three for the last quarter-century and, with your generous support, we intend to continue!



Swan Rangers head into Krause Basin, sans snowmobiles . Keith Hammer photo

Economic Stimulus Money For Road Decommissioning

We joined forces with 120 other conservation groups early this year and succeeded in getting \$650 million included in the American Recovery and Reinvestment Act of 2009 for "priority road, bridge or trail maintenance and decommissioning, including related watershed restoration," on Forest Service lands. We are currently working hard to see that enough of that money makes it to the Flathead National Forest to implement its 238-mile backlog of road decommissioning projects.



Workers hand-plant native vegetation on a decommissioned road on the Flathead. *Keith Hammer photo*

These projects already have been through the National Environmental Policy Act planning process and have languished for lack of funding, some for as long as 17 years. The timber sales associated with many of these projects have long since been finished and their logs sent to the mills - proof positive that timber sales do not pay for forest restoration!

This road decommissioning work will create scores of good-paying jobs while restoring fish and wildlife habitat through the removal of culverts and reclamation of stream crossing sites. It also provides great

opportunities for youth corps jobs in the replanting of native vegetation, as encouraged by the Recovery Act.

Let the Flathead know you want this work funded by writing Flathead Forest Supervisor Cathy Barbouletos at 650 Wolfpack Way, Kalispell, MT, 59901 or by email to cbarbouletos@fs.fed.us!

Long-Time Supporter Elna Darrow Passes Away

When Swan View Coalition formed in 1984 to fight the clear-cutting of the Swan Face, its efforts were soon joined by the Echo Lake Homeowner's Association, Bigfork Chamber of Commerce and others not wanting to see the valley's visual backdrop scarred. The Bigfork Chamber's opposition to the Noisy Face Timber Sale came largely at the urging of Elna Darrow and her husband George, who live just north of Bigfork with a grand view of the Swan Range. They were outspoken in recognizing the incredible value of the Swan Range to public health and wellbeing, private property values, and business, calling for lasting protection of the Swan Range as Wilderness.

We are saddened to report that Elna passed away unexpectedly February 26 and we extend our deepest condolences to George, their children and grandchildren. Elna leaves the Bigfork community a tremendous legacy due not only to her work on behalf of the Swan Range, but through her tireless involvement in preserving water quality in Flathead Lake and the larger Flathead Basin. Elna also leaves a legacy for our enjoyment of the performing arts, having been key in establishing the Bigfork Center for the Performing Arts, Sliter's Park and the River Bend Music Concert Series.

Elna was a great lady and we will miss her dearly.

Swan View Coalition

Chronology of Major Accomplishments

1984-2009

1984: Swan Range residents formed the nonprofit Swan View Coalition to oppose Flathead National Forest's Noisy Face Timber Sale and motorized abuse of the area.

1985: Stopped permanently the Noisy Face Timber Sale, which would have carved up to 30 miles of new logging road and twelve unsightly 20-acre clear-cuts on the Swan Face between Lake Blaine and Ferndale.

1986: Secured upgraded designation of Swan Range and Swan Valley grizzly bear habitat to highest-priority Management Situation One (MS-1) in the Flathead Forest Plan.

1987: Lawsuit secured closure of 3,500 acres of MS-1 springtime grizzly bear habitat in the Krause Basin area to motorized vehicles from April 1 – July 1 pending completion of the Flathead's Noisy Face Recreation Plan.

1988: Secured spring and fall closure to motorized vehicles of MS-1 grizzly bear and elk habitat in Krause Basin from April 1 – July 1 and September 1 – November 1 in the Noisy Face Recreation Plan. The Plan also forbids traditional motorcycle races in the area, closes scores of unauthorized ATV trails and abandoned roads to motorized vehicles, and closes to motorized vehicles Echo Broken Leg, Crater Notch and several other trails leading to Jewel Basin Hiking Area. SVC inventoried and photographed 400 abandoned Forest Service roads in the Swan Valley and got them physically closed to motorized vehicles.

1989: Filed lawsuit against the Flathead Forest Plan because planning records revealed the Flathead cannot produce the promised 100 million board feet per year (MMBF /yr) of timber while complying with its grizzly bear management standards.

1991: Filed lawsuit because existing road densities on the Flathead National Forest harm grizzly bears in violation of the Endangered Species Act. Secured District Court injunction in a separate lawsuit against the hunting of threatened grizzly bears in the Northern Continental Divide Ecosystem because it was causing half of the known human-caused mortality. Fish and Wildlife Service then withdrew the hunt permanently.

1993: Filed lawsuit against the Lost Silver Timber Sale in the northern Swan Range because the area's South Fork Grizzly Bear Study shows road density standards more stringent than those in the 1986 Flathead Forest Plan are necessary. Ninth Circuit Court of Appeals rules on the 1989 lawsuit, ordering the Flathead National Forest to amend its Forest Plan after finding its 100 MMBF /yr Allowable Timber Sale Quantity arbitrary and incompatible with its grizzly bear standards.

1995: Flathead Forest Plan Amendment 19 is issued in response to the 1993 Ninth Circuit ruling and to simultaneously resolve the 1993 Lost Silver and 1991 road density lawsuits. Amendment 19 lowers the 100 MMBF/yr Allowable Timber Sale Quantity by 10 MMBF/yr to better protect grizzly bear and by another 36 MMBF/yr to better protect big game and old-growth forest habitats - to 54 MMBF/yr. It also requires strict limits on total road density and open road density be met in all grizzly bear habitat by 2005, requiring road decommissioning and culvert removal to reduce total road density and protect watersheds. This replaces the Flathead's intent to construct 75 miles of new logging roads each year, until its 4,000 miles of road reached 6,000 miles, with a road removal program and greater protection of roadless areas.

1996: Hired consultants to train Flathead National Forest in state-of-the-art road decommissioning techniques that best protect and restore water quality.

1999: Secured court order physically obliterating an unauthorized snowmobile trail illegally cut through Krause Basin and used to trespass illegally in Jewel Basin.

2003: Filed lawsuit against Moose Post-Fire Project, which would leave ten culverts in otherwise decommissioned roads to facilitate snowmobiling and reopen an already closed road, both in violation of Amendment 19 and other grizzly bear standards.

2004: Secured court order removing a snowmobile bridge installed over Lost Johnny Creek used to extend the snowmobile season and trespass illegally in Jewel Basin.

2005: Filed lawsuit against the Robert-Wedge and West Side Reservoir Post-Fire Projects for their failure to schedule the closure and decommissioning of enough roads and motorized trails to meet Amendment 19 standards. Flathead announces it is far behind fully implementing Amendment 19 standards by 2005 and asks Fish and Wildlife Service (FWS) for a relaxed time line.

2006: Filed lawsuit against the tardy implementation of Amendment 19 and the failure of FWS to provide a new firm time line to complete its implementation. Filed lawsuit against Flathead Forest Plan Amendment 24, which allows snowmobiling in grizzly bear habitat as late as May 31 in violation of Amendment 19's closure of the snowmobile season on March 15, when bears begin emerging from their winter dens but females with young cannot yet flee.

2008: Secured court injunction banning snowmobiling in Flathead National Forest grizzly bear habitat after March 15, when bears begin emerging from winter dens.

2009: Ninth Circuit Court of Appeals faults the Moose Post-Fire Project, ruling the Flathead indeed must comply with its Forest Plan and Interagency Grizzly Bear Guidelines requirement that agency decisions must "favor the bear" when its needs compete with snowmobiles, ATVs, roads, etc.. Flathead has since 1995 decommissioned 640 miles of damaging roads, made decisions to decommission another 240 miles, and is required to continue planning decommissioning in areas of grizzly habitat that remain substandard.

Join Us in Celebrating our 25th Anniversary!

Walkin' Jim's "Forever Wild" A Multi-Media Celebration!

Please join us May 14 at the Swan River Community Hall! One of America's most unique folksingers and backcountry travelers, Montana's Walkin' Jim Stoltz will present his powerful multi-media show, "Forever Wild." The mix of stunning photography, stories, and music make this one-of-a-kind concert an inspiring journey into our nation's last wilderness areas!

His show inspires and motivates the audiences to help preserve our last wild places. The show starts at 7pm and doors open at 6:30 at the junction of Hwy 83, Echo Lake and Swan River roads north of Bigfork.

Everyone can afford this wonderful show! We'll ask for voluntary donations, sell a few goodies, and perhaps raffle off a few exciting prizes to pay the bills!



Walkin' Jim Stoltz

Thomas Lee photo

Enter Our Photo Contest! "Celebrating the Swan Range"

Want to enter a Swan Range photo contest for the price of a postage stamp? And perhaps have your photo or photos shown in our "Celebrating the Swan Range" photo



Got a few good photos like this one by Edd Blackler?

exhibit at the Bigfork Museum of Art and History August 25 - September 5? And perhaps win one of sixteen great prizes donated by local businesses?

Download the rules and entry form from the "What's New" right-hand menu at www.swanview.org and enter by May 31. You can waive the entry fee if you donate us non-profit use of your photo for our newsletters and web site, like Edd did with the photo above years ago. You retain all copyright and your name will appear with your photo when used.

This is a great way for you to gain some recognition for your photos, help us in our educational work, perhaps get shown in a gallery, and even win a prize! Join us at the museum for the show opening from 5:30 - 7:30 pm on August 25!

Make a Donation Today And Receive a Free Swan Ranger Patch!



Make a donation today and we'll send you a beautifully embroidered Swan Ranger patch to sew or hang on your backpack, cap or jacket! This 2.5" by 3.5" patch is a great way to show you help restore quiet habitat for fish, wildlife and people! Here's how:

1. Send a check to Swan View Coalition at 3165 Foothill Road, Kalispell, MT 59901 and indicate whether you want a "sew-on" or "hang-loop" patch.
2. Use your credit card securely on-line at www.swanview.org or www.swanrange.org, by clicking on the Donate Now button!



Groundspring/Network for Good handles your credit card transaction for us and informs us immediately via email of your donation and whether you've asked for one of our free gifts. If you have other info you want to get to us, simply email it to keith@swanview.org or mail it to the address above.

3. If you want extra patches for friends or family, send a SASE to the address above, along with \$5 for each patch, or \$20 for 5 patches!



If there is pink on your mailing label, it means you haven't donated in nearly a year or more. Please make a donation so we can keep sending you our newsletter and continue our work!

- ☐ Here's \$25 to cover my minimum dues, newsletters, alerts, and Swan Ranger Reports.
- ☐ Here's \$50 to help restore a bit of peace and quiet to America's public lands.
- ☐ Here's \$100 to help keep forest roads from ending up in America's bull trout streams.
- ☐ Here's \$_____ to help secure grizzly, lynx and wolverine habitat for future generations.
- ☐ Here's \$_____ for _____ Gift Memberships at a minimum of \$25 each. I've included each recipient's name, mailing address, email address, and my greeting on separate paper.
- ☐ As a gift of appreciation for my donation, please send me ☐ the Swan/Flathead history booklet "The Lineage of Chief Aeneas: A History of People and Place" and/or ☐ a Swan Ranger patch (circle "hang-loop" or "sew-on").
- ☐ Save paper! Email my newsletters to _____

NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

Swan View Coalition, Inc.
3165 Foothill Road
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