



United States  
Department of  
Agriculture

Forest  
Service

Flathead  
National  
Forest

650 Wolfpack Way  
Kalispell, MT 59901  
(406) 758-5200  
Fax (406) 758-5367

**File Code:** 6270  
2016-FS-R1-01950-F  
**Date:** January 28, 2016

Keith Hammer  
Swan View Coalition  
3165 Foothill Road  
Kalispell, MT 59901

Dear Mr. Hammer,

This letter is in response to your letter dated December 29, 2015 requesting documents related to road management terminology and Burned Area Emergency Response documents for the Trail Creek and Bear Creek Fires. Specifically, you requested the following:

1. Any and all documents regarding what stream-aligned culverts may be left behind permanent/physical barriers on roads considered reclaimed/decommissioned, "waterproofed," rendered "impassable and not included in TMRD," placed into ISS, or otherwise left in a condition where annual inspection of those culverts is difficult and unlikely. Given the Forest has left such culverts in such roads, we'd expect your response to include but not necessarily be limited to some sort of culvert failure risk assessment, assessment forms and procedures, and detailed definitions of each of these road classifications/designations that include reference to the allowable status of culverts.
2. Any and all documents, as described above, for all Forest roads considered "impassable and not included in TMRD." We'd expect this to include but not necessarily be limited to completed culvert risk assessments for Raghorn Road #10802, where the Forest left several stream-aligned culverts beyond where it removed three such culverts between mileposts 0.9 and 1.43. We could find none in the files we inspected under the supervision of Michele Dragoo on 12/18/15.
3. Any and all documents regarding how to interpret Amendment 19's requirement that all stream-aligned culverts be removed from reclaimed/decommissioned roads. It would appear that some sort of direction or memoranda must have been issued since Implementation Note #13 was rescinded in 1999 as a failed/non-compliant attempt to leave stream-aligned culverts in reclaimed/decommissioned roads - especially given the Forest has since instead designated some roads "impassable" and left stream-aligned culverts in at least some of them.
4. Any and all documents regarding any NEPA and public involvement process that would change Amendment 19 or its interpretation to allow stream-aligned culverts to remain in reclaimed/decommissioned roads or roads otherwise intended to be hydrologically stable, "waterproofed," placed into ISS, or considered no longer a risk in terms of stream-aligned culvert failures. This would include but not necessarily be limited to a Forest Plan amendment, public notice, interagency consultation, and public involvement in the development of criteria alternative to the clear requirement that all stream-aligned culverts be removed.
5. Any and all documents regarding the reclassification of roads as "impassable and not included in TMRD" that were previously included in NEPA decisions to reclaim/decommission those roads. These roads include but are not necessarily limited to Raghorn #10802, Coal Dust One #5279, Coal Dust Two #5277, Coal Dust Two A #5277A, Coal Creek Connector #1684, South Coal Ridge #1604, Coal Creek Hallowat Creek #317, North Fork Parker #10626, and Lower Stopher #9716. This information should include but not necessarily be limited to amendments to



the initial NEPA documents, Fish and Wildlife Service (FWS) or other interagency consultation on changes to the initial NEPA decision, public notice and involvement in changes to the initial NEPA decision, culvert inspection forms, and culvert risk assessment forms.

6. When we met with Michele Dragoo and Rob Carlin on 8/6/15, neither were aware of any culvert monitoring programs developed to comply with Don Hair's 2/4/95 Amendment 19 Fisheries Biological Evaluation requirement that such programs be developed for culverts left behind physical barriers on roads restricted to secure grizzly bear "security core" habitat (with the exception of the 2007-2009 post-fire culvert monitoring report already provided but not necessarily developed to comply with Don Hair's BE). We specifically requested these required culvert monitoring programs in our 7/15/15 FOIA request and again request them here. If indeed no such monitoring programs were developed and do not exist, please so state in your response to this request.

7. We verbally requested of Ranger Deb Mucklow on 12/2/15 the Burned Area Emergency Response (BAER) plan for her District's 2015 Bear Creek and Trail Creek fire areas. We hereby request pursuant to the FOIA this BAER plan, any documents indicating approval and/or funding for portions of it, and all documents regarding consultation with FWS over actions considered in the BAER plan.

In response to item (1), page 21 of the Moose Record of Decision (which you have a copy) authorizes 10 stream-aligned culverts that would remain on specifically named roads and those roads would be considered as reclaimed under the Forest Plan. Additionally, page 46 of the Beaver Creek Landscape Restoration EA (which you recently received a copy) describes a proposal to place some roads into intermittent stored service and would be treated to meet the Flathead National Forest Plan's definition of reclaimed as defined in Amendment 19 of the Forest Plan.

In response, to item (2), please refer to a few of the documents provided in item (5) (specifically the Shortly Creek and Coal Creeks Stream Restoration DM, the consultation documents related to this project and an email from K.Ake).

In response, to item (3), see my response to item (1).

In response, to item (4), see my response to item (1).

In response, to item (5), I have provided several documents totaling 70 pages (Shortly Creek and Coal Creeks Stream Restoration DM and the consultation documents related to this project; North Coal updated BA and consultation; various culvert inspections for the named roads in your request; and an email from K.Ake).

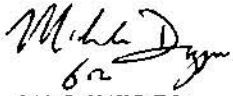
In response to item (6), I already responded to this request in my September 21, 2015 response ("In response to your fourth request, as was mentioned during our August 6th meeting, there are no monitoring plans as you requested in your July 15th request").

In response to item (7), I have provided 8 documents totaling 64 pages (BAER plans for Trail Creek and Bear Creek Fire; approval letters from the Regional Forest for BAER work; letter to the USFWS regarding consultation on BAER activities; and a response letter from the USFWS).

I have provided you the requested information in the attachments to this letter.

If you have any questions, please contact Michele Draggoo at 406-758-5269.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Draggoo". The signature is fluid and cursive, with the first name "Michele" and last name "Draggoo" clearly distinguishable.

CHIP WEBER  
Forest Supervisor

Enclosure