

**Fisheries and Streamside Management;**  
**North Fork Flathead Tributaries Wild and Scenic River Eligibility;**  
**North Fork Flathead River Wild and Scenic River Corridor Recommendations; and**  
**Other Considerations**

**Introduction**

The North Fork Flathead watershed represents a unique natural resource in Montana, the nation and across international borders. Biologists describe the watershed as the most intact and healthy in the Lower 48 and it is considered a vital “stronghold” for native bull trout and west slope cutthroat trout. However, bull trout numbers continue to decline in the watershed. Historic threats to the watershed have motivated a considerable investment in water, fish, and wildlife research, as well as impressive political efforts to maintain and protect the watershed. Local citizens have sought political solutions to protect the watershed since the 1970’s when a British Columbia mining interest proposed a mountaintop removal coalmine six miles north of the border.

Efforts and accomplishments to protect the watershed include the International Joint Commission’s (IJC) “referral” in 1984 on the Cabin Creek coalmine proposal in BC; the IJC’s recommendation against that mine in 2008; the engagement of every Montana governor (both Republican and Democrat) since 1975 to obtain a cooperative agreement on watershed management with BC; the re-emergence of mining and coal bed methane proposals in the early 2000’s; the Environmental Cooperation Agreement between Gov. Martz and BC Premier Campbell; the subsequent Memorandum of Understanding (MOU) between Montana and BC in 2009; the UNESCO report on the status of threat to the Waterton – Glacier International Peace Park in 2009; the passage by the BC legislature of Bill 2 “The Flathead Watershed Area Conservation Act” in 2010 that banned mining and energy development in the BC Flathead; and the introduction of “The North Fork Watershed Protection Act” (S. 255) currently before congress that complements BC’s Bill 2.

The Whitefish Range Partnership considered large scale fires, fisheries, streamside management, wild and scenic rivers, and other measures relevant to the revised Flathead National Forest plan process to ensure the continued protection of the North Fork’s water and fisheries.

**Large Scale Fires**

The Partnership is concerned about the large-scale, high intensity forest fires that have occurred historically in the North Fork Flathead watershed. We recognize that fire has always played an important ecological role in the North Fork drainage. Fish, wildlife and vegetation have evolved and adapted to fire over time. However, fire suppression over the past century combined with forest growth and succession has led to our current situation where fires can burn with more intensity over larger areas.

“The initial changes in aquatic systems caused directly by forest fire tend to ripple through time. Direct effects of fire on soils and vegetation, for example, can influence the quantity and quality of water in these systems long after the flames have passed. These changes, in turn, influence the type and number of insects, amphibians, and fish that affected watercourses and water bodies can support in the years that follow fire.”

“Fish are sensitive to the lingering effects of forest fires. Elevated water temperatures, for example, can stress or kill cold-loving fishes like our native trout and Salmon (Riemann and Chandler 1999, Sauter et al. 2001). While heavy nutrient and sediment inputs can be toxic to all (Minshall et al. 1989). In the face of such changes, the fish are apt to seek refuge in unaffected waters, leaving burned areas poorly stocked until conditions become favorable once again (Minshall et al. 1989, Riemann and Clayton 1997, Gresswell 1999). Fish isolated from safe havens due to the extent of the burn or the lack of connectivity between affected and unaffected waters, however, must suffer any ill effects of burning on their habitat. Thus, the short-term effects of fire on fish populations are a function of both the degree and duration of fire-caused changes in water quality and quantity as well as the proportion of each inhabited stream network affected by burning. All else, equal, an isolated, or fragmented, fish population will recover far more slowly from and adverse effects of burning than will a population inhabiting a widespread and well-connected stream system.” (<http://www.northernrockiesfire.org/effects/aqshort.htm>)

The Partnership thinks that large-scale, high intensity forest fires pose the greatest risks to water and native fish health in the watershed because of the magnitude of each occurrence.

### **Fisheries and Streamside Management**

Biologists and the local community regard the North Fork Flathead River watershed as one of the most unique in the Lower 48 states. Fishery studies and management extend back to 1950 and fishing closures to protect native bull trout populations began in 1953 (MDFWP). Scientific studies have continued on fisheries and watershed issues continuously since the '50's making it one of the most thoroughly studied watersheds in North America. More recent scientific findings have recognized the importance of the North Fork Flathead and its tributaries remaining intact watershed because of its remarkably clean waters, and the assemblage and diversity of invertebrates, native bull trout and genetically pure west slope cutthroat trout, mammals, birds, and flora.

The USFS and other agencies developed the “Inland Native Fish Strategy” (INFISH) in 1995 to help conserve and restore fish habitat on federal lands in the Northwest. INFISH provides measurable standards and guidelines for stream and streamside management. For example, streamside management zones are defined as “Category 1 – Fish-bearing streams” (300 foot zone on each side of creek); “Category 2 – Permanently flowing non-fish-bearing stream” (150 foot zone on each side of creek); “Category 3 – Ponds, lakes, reservoirs, and wetlands greater than 1 acre” (150 foot zone from edge); and “Category 4 – Seasonally flowing or intermittent streams” (variable standards), among other stipulations. Flathead National Forest and Montana

Fish, Wildlife and Parks fishery biologists stated that INFISH has worked well to maintain and restore fish habitat.

### ***Fisheries and Streamside Management Recommendations***

- The Flathead National Forest should maintain a strong focus and priority on maintaining, improving and restoring native fish and their habitat.
- The Flathead National Forest should consider the implications of large-scale fires on bull trout and west slope cutthroat trout and manipulate forest cover where appropriate to help inhibit the spread of wildfire by creating fire breaks and forest mosaics using prescribed burns, mechanized thinning, and other management tools.
- For wildland fire management, “Minimum Impact Suppression Strategies” to minimize sedimentation, protect water quality and fish habitat should be used. Use of fire retardant near live streams should be avoided.
- The Flathead National Forest should work cooperatively with the state, the National Park Service and other Federal agencies to assertively suppress lake trout in the North Fork Flathead watershed.
- The Partnership recommends that the Flathead National Forest keep INFISH as its standard for streamside management.
- The Partnership recommends that the Forest Service and Montana Fish, Wildlife and Parks expand angler awareness and education to reduce angling related mortality of bull trout and westslope cutthroat trout.

### **North Fork Tributaries W&S Eligibility Candidates**

In 1993 the National Park Service conducted an inventory of North Fork Flathead River tributary creeks that had potential for listing as “eligible” under the National Wild and Scenic Rivers Act. This inventory resulted in the ‘pre-listing’ of ‘potentially eligible’ Whitefish Range creeks because of their value to bull trout and other Outstanding Remarkable Values. The Flathead National Forest decided in 2005 to “start over” with the eligibility study as part of the forest plan revision effort because the 1993 effort lacks specific documentation. The Flathead National Forest completed its most recent Wild and Scenic River eligibility proposal in 2006. This study proposed listing Trail, Nokio and Yakinikak creeks for “eligibility”. This study defined the ‘area of consideration’ as the boundary of the Flathead National Forest. Because the area of consideration was so limited, the uniqueness and cultural value of some of the North Fork Flathead tributaries to the region and the nation did not necessarily stand out. Viewed at this scale, the North Fork and its tributaries would demonstrate their uniqueness within the state and even the nation. The U.S. Flathead watershed is an integral part of the larger Crown of the

Continent conservation effort between the U.S. and Canada. The watershed acts as an essential biological and ecological refuge. Threatened bull trout and genetically pure west slope cutthroat trout and other native fish populations use the intact watershed as a whole. No other watershed in Montana encompasses the history of science, conservation, or the biological richness and examples of Outstanding Remarkable Values (ORV).

### ***Wild and Scenic River Recommendations***

- The Wild and Scenic Eligibility region of scale for the North Fork Flathead watershed should be the state of Montana because of the national significance of the North Fork Flathead watershed.
- Recommend for listing as ‘eligible’ the Trail Creek watershed including Trail, Yakinikak, Tuchuck and Nokio creeks because of important and unique bull and cutthroat trout habitat and populations, geological, and cultural Outstanding Remarkable Values. An ancient Indian trail follows Grave Creek to the upper Trail Creek watershed then across Glacier and Waterton parks to the East Side.
- Recommend that the FNF conduct the wild and scenic eligibility review in a clear and publicly transparent manner as part of the Forest planning process that allows for public comment.

### **North Fork Flathead River Wild and Scenic River Corridor**

The North Fork Flathead Wild and Scenic River corridor is a national and international treasure. Congress designated the North Fork Flathead River a Wild and Scenic River in 1976. The 1986 amendments to the act require that rivers with pre-1986 management plans be revised. The Flathead National Forest will undertake a NEPA planning effort for this Wild and Scenic corridor after the forest plan revision process. The Flathead Forest has expressed an interest in the Partnership’s suggestions for river management that may be applied to current management or to the new river management plan

### ***North Fork Flathead Wild and Scenic River Corridor Recommendations***

- The Flathead National Forest should follow the original enabling legislation that provides for public sanitation and rest stops.
- There is a clear and present need for sanitation at Sondreson Meadow. The Partnership thinks that the Wild and Scenic River Act provides clear authority and recommends that the Flathead National Forest determine a location for a vault toilet at Sondreson Meadow so that the public can raise funds to resolve this need.

## Other Considerations

In response to considerable pressure from local citizens, Montana's governor and BC's premier signed a "Memorandum of Understanding" (MOU) in February 2010. Subsequently, in 2011, the BC government passed legislation that banned mining and energy development in the Canadian reach of the North Fork Flathead (Bill 2, the "Flathead Watershed Area Conservation Act"). In 2010 Montana's U.S. Senate delegation negotiated the voluntary return from Conoco-Phillips, Chevron and other oil companies of about 80 percent of dormant oil and gas leases held on federal lands in the Whitefish Range at no cost to the taxpayer. In 2013, the Montana U.S. Senate delegation re-introduced the "North Fork Watershed Protection Act" (S. 255).

## *Other Recommendations*

In light of the history and strong public support for protecting the water, fish and wildlife of the North Fork Flathead River watershed, the Whitefish Range Partnership recommends:

- That Congress withdraw (*subject to valid existing rights*) all forms of location, entry, and patent under the mining laws of the United State, and disposition under all laws relating to mineral leasing and geothermal leasing, *on federal lands* in the Whitefish Range and vicinity.
- That the Flathead National Forest in its revised forest plan adopt an *administrative withdrawal (subject to valid existing rights)* of all forms of location, entry, and patent under the mining laws of the United State, and disposition under all laws relating to mineral leasing and geothermal leasing, *on federal lands* in the Whitefish Range and vicinity.

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**Tentatively approved by unanimous consensus of the Whitefish Range Partnership on 3/27/2013**

## **Committee Members**

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