

January 30, 2008

Fire Suppression Committee  
C/o Leanne Heisel; Legislative Services Division  
P.O. Box 201706  
Helena, Montana 59620-1706

Dear Ms. Heisel:

As a landowner impacted by wildfires on private, state and federal lands, I would like to provide some input on ways to improve the fire suppression efforts in our state. We have been involved in rural fire department efforts fighting fires and have a firsthand account of how suppression efforts have changed.

We would like to submit the following ideas in ways to improve efforts and lessen the impacts faced by private landowners.

1. Include local volunteer fire chiefs or assistant chiefs on Type I and Type II management teams.
2. To ensure involvement by the local rural fire departments, improve and increase training workshops for these individuals.
3. On Type I and Type II fires, rely more heavily on local fire departments. Currently the emphasis is on using contract crews. Contract crews are less motivated to extinguish fires simply because the longer the fire burns the more they get paid.

We appreciate the legislature addressing this important issue and will continue to provide input as the hearings across the state are conducted.

Sincerely,

*Richard J. Gedwell*  
*Box 834*  
*Columbus Mt. 59019*

IN THE UNITED STATES COURT  
FOR THE DISTRICT OF THE DISTRICT OF COLUMBIA

MONTANAN'S FOR MULTIPLE USE, )  
*et al.* )

Plaintiffs, )

vs. )

CATHY BARBOULETOS, *et al.* )

Defendants. )

CASE NO. **1:03-cv-01244-RWR**

Declaration of Keith Longtin

COMES NOW Keith Longtin and declares as follows:

1. I have personal knowledge of the matters stated herein and if called upon to testify could testify competently thereto. In the course of the preparation of this declaration, I have read the declaration of Mr. Donald R. Black dated May 25, 2004.

2. I reside in Kila, Montana, approximately 15 miles west of Kalispell, Montana, near the Flathead National Forest. I have read the Declaration of Donald R. Black dated 25 May, 2004 and was an eyewitness to events on July 18, 2003. My observations are in direct opposition to what Mr. Black stated in his declaration. Further, I attended a fire review meeting held November 16, 2003, where Mr. Black was on the same panel of speakers that I was. He heard my account of events as well as others, and I therefore have difficulty in understanding the statements in his declaration.

3. I have an agricultural background as I grew up on a grain and sugar beet farm near Neche, North Dakota. I moved, in 1984, from North Dakota to the Flathead Valley area near

Kalispell, MT. I was acquainted with the Flathead and North Fork of the Flathead 10 years before moving here. My wife's family lived on their property in Whale Creek, approximately six (6) miles north of Polebridge, Montana where I visited regularly in the 1980's. In 1983 I bought property in Whale Creek and later sold it and bought property in Moose Creek where I resided for seven (7) years. Moose Creek is a tributary to the North Fork Flathead River, the next drainage south of Whale Creek on the southern boundary of the Wedge Canyon fire. My father in law, Bud James still resides in Whale Creek which narrowly escaped being burned by the Wedge Canyon Fire.

4. My property, economic status, and quality of life is linked to the National Forests. My entire family and I are long time participants in outdoor recreation within the Flathead Forest. We trap, hunt, fish, hike, drive, and snowmobile for pleasure in the Flathead National Forest.

5. As a result of my long term personal experience and years of residence, I have detailed knowledge of the North Fork area, the natural resources and their condition within the Flathead National Forest and the actions and policies of the Forest Service. In addition, I am owner of Longtin Construction and my company does a lot of work for landowners in the North Fork area. Among the activities I undertake as a part of my business is assisting landowners whose properties are threatened with fire to take steps to try to protect their real and personal properties when fires occur. As a result, I have familiarized myself with the characteristics of wildfires and the techniques necessary to work around fire and to protect property from fire.

6. On July 18, 2003, I was working on a construction job on the bench about 1.5 miles north of Polebridge. After lunch I looked north and saw a huge smoke column coming up in the vicinity of Hornet Lookout. I had a radio phone and called the Flathead National Forest

fire report number 758-5260. My phone record shows my call was at 1:23 p.m., whereas Mr. Black, in his declaration, claims the fire was reported by Numa Lookout in Glacier Park at 1:50 p.m., twenty-seven (27) minutes later.

7. I told the woman who answered the phone the fire looked bad and appeared to be between Whale Creek and Trail Creek. Nothing in my conversation with the person to whom I reported the fire suggested that the Forest Service was aware of the fire at the time I called.

8. I worked at the job site until about 5:30 p.m. and therefore had the area of the fire, which was severe, and visible above the ridge line, in constant sight. I did not see or hear any planes until about 3:30-3:45 p.m. If they had been present, I would have seen them since the height of the flames would have ensured that they would be visible if they flew over the fire.

9. I was very concerned about my equipment and tools I had at the Carl Lewis job on Moose Creek, so I drove up to Moose Creek and loaded my tractor and tools to move to a safer location. It was almost dark, at approximately 9:30 p.m., when I drove out. While driving out, I encountered a couple of structure engines, including one from the Bigfork Fire Department, and a couple of government pickups which were heading north toward the fire. Given my experience in the area, I thought the limited number of vehicles were a strangely weak response considering the burning conditions and the actual fire. I expected to meet lots of heavy equipment and crews headed toward the fire, but I didn't.

10. During the course of the fire at issue, I continued to work for non-resident landowners to move things, construct fire lines, clear around buildings, set up sprinkler systems, as well as my contract jobs almost every day in the North Fork as the fire continued to burn. In all that time I observed no organized work on fighting the fire until Monday July 21. It was

impossible for me, given my experience and observations, to obtain any sense that the local Forest Service office had a response or plan to combat the fire. It instead appeared to me, based on my experience, that the Forest Service simply ordered the big fire camp team and waited for them to come and get set up.

11. As noted, my years of residence has provided me with substantial knowledge of the topography and other characteristics of the Flathead National Forest, including the roads that exist and used to exist, before their destruction and/or blocking, in the Forest. It is clear to me, based on my knowledge of the area and my experience in protecting my own property and that of others from wildfire, that road access to and around fire areas is critical to preventing and fighting fires as well as in providing people in and near fires in the forest to escape from fires which may head in their direction. I know from my own observations and experience in the area during my time in the area, that in the case of the Wedge fire that there were roads in Teepee Creek that would have permitted pumps and ground crews to get to the fire, but those roads have been made unusable by any vehicle by the Forest Service. Those roads had to be opened up by the firefighters to fight the fire and were then made unusable again after the fire, by the Forest Service, so any salvage or rehabilitation needed to prevent even more buildup of fuels (including fire damaged or killed trees and insect damaged or killed trees) could not take place with the Forest Service having to reopen them yet again. I have observed both the closing and reopening of roads in the Flathead National Forest which have had the effect of increasing fire hazard and the hampering of fire fighting efforts.

12. It was clear to me as well, based on my experience and expertise, that one reason that nothing was being done was that such personnel and people as had gathered at the camp

could do nothing on the fire until roads were opened that would allow them access to the fire area. The lack of access to the fire areas also explained, in my opinion based on my experience, why, even after the big organization and forces arrived at the staging area for the Wedge Fire, that there seemed to be little aggressive attack until roads were opened. Only when the fire neared private land, where open roads existed could bulldozers and cats be used and personnel transported in numbers sufficient to be effective.

I declare that the foregoing is true and correct to the best of my knowledge and recollection under penalty of perjury of the laws of the United States.

Dated this \_\_\_ Day of June, 2004

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Keith Longtin

IN THE UNITED STATES COURT  
FOR THE DISTRICT OF THE DISTRICT OF COLUMBIA

MONTANAN'S FOR MULTIPLE USE, )  
*et al.* )

Plaintiffs, )

vs. )

CATHY BARBOULETOS, *et al.* )

Defendants. )

CASE NO. **1:03-cv-01244-RWR**

Declaration of Sheila K. Keller

COMES NOW Sheila K. Keller and declares as follows.

1. I have personal knowledge of the matters stated herein and, if called to testify, could testify competently thereto.

2. I am a member of Plaintiff Montanans for Multiple Use ("MFMU") and have been such since its beginning. I was Chairwoman of its Forest Committee when Amendment 19 to the Flathead National Forest Plan was drafted in 1994 to 1995. I was, as a result, actively involved in the National Environmental Policy Act ("NEPA") process for that Amendment as was MFMU. I co-authored the MFMU appeal of the Environmental Assessment for Amendment 19. I have also been a member of Montana Women in Timber since 1988. I have had, and still have, therefore, an abiding interest in the Flathead National Forest and its management. My experience in timber operations goes back 13 years.

3. I, with my husband, own a small trucking business involved in loading and hauling logs for local logging contractors and mills and have done so for 13 years. Beginning

approximately 10 years ago to the present, I purchased equipment specifically for contracting to the Forest Service for fire service and have so contracted for 5 years. As a result of my occupation and experience, I am familiar with the capabilities of trucks and other heavy equipment and with the conditions existing on the Flathead National Forest pertaining to terrain, fuel loading, roads and transportation within the Forest, among other things.

3. As a result of the business activities described in paragraph 2 above, I became aware that a fire called the "Wedge Canyon fire" had first been sighted on the afternoon of July 18, 2003, and that the Flathead National Forest began mobilizing its resources to fight the Wedge Canyon fire on Saturday, July 19, 2003. I was mobilized at 2:00 p.m. on Saturday, July 19 to be part of Ground Support for the firefighting effort for the Wedge Canyon fire.

4. By early evening on July 19, 2003, experienced bulldozer operators came into the area I was at after having come on duty on Saturday morning at 5:00 a.m. They had not moved off of their lowboys which are trucks used to move bulldozers and similar equipment, because they were unable, because roads into the Wedge Canyon area, were closed and provided no access for the bulldozers and there was no crew boss for the bulldozers. Crews and some equipment continued to arrive throughout the night.

5. I attended a briefing at 6:00 a.m. on Sunday, July 20, 2003 in which an assessment of the fire and the resources available for fighting was given. The matters discussed and concerns expressed in this briefing included the lack of access, grizzly bears in the camp and on the fire line, and the presence of dense, deep fuels, with downfall as high as five feet deep. I have observed the conditions described in this paragraph personally and concurred with the concerns expressed at the briefing. Based on my knowledge and experience, it is my opinion that such factors as the high fuel loading created a hazard for those providing fire fighting

services.

6. Only one road existed which would have provided almost direct access to the fire and it had been “decommissioned” by completely obliterating the road and re-contouring the land across which it had passed. Numerous other roads which might have provided some, though less desirable access had been bermed and their culverts removed to deny their use rendering them useless for moving personnel, equipment and material to the fire area.

7. At the time of the briefing, the fire was estimated as being approximately 650 acres in size.

8. On Sunday morning, instead of being used directly for fire fighting activities, I observed the bulldozers described above being used to open and repair bermed roads in order to provide an anchor for the northwest perimeter of the Wedge Canyon fire. The only access and escape route to the North Fork Road was Hornet Creek Road on the west to Whale Creek Road on the south to the North Fork Road. Drop Point Two for fire fighters was at a switchback on the Hornet Creek Road where crews also had to open a road. As a part of ground support, I delivered two new water pumps, bags of fire hose and gasoline to Drop Point Two, arriving a little after 2:00 p.m. and leaving around 3:00 p.m. As a result, I observed the above-described activity.

9. Moments after I left, a call came over the radio ordering everyone at Drop Point Two to evacuate because their only escape route would be lost in about an hour. Since I was alone in a pickup, I considered going back with the crews who might know more of the particulars of that specific site, a call on the radio confirmed that the pickup which had just cleared the site, the one I was driving, could go down faster. I therefore did not turn back.

10. My biggest concern at the time was that I might take a wrong turn on a newly

opened road or a closed, dead-end road and might, as a result, get stuck in deep, dry powder, even in four-wheel drive, so I drove fast enough for the road conditions and at a speed that would permit me to maintain awareness of landmarks and to watch fire conditions. Although I continually monitored the radio, it was not clear to me exactly where the concern was. I thought it was closer to Drop Point Two where trees were torching with increasing frequency, or the narrower, steeper part of the road where winds were strong and erratic.

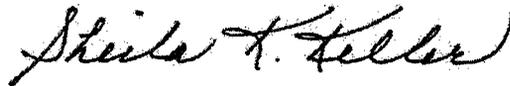
11. When I arrived at Whale Creek Road on the south side I had not seen fire for a time and had only approximately five miles of easier terrain to go when a call came over the radio that the fire had just breached the crest of Wedge Mountain in a wall of flame. I looked and saw that wall of fire immediately above me and could clearly observe black and red boiling smoke rapidly moving in my direction. I drove as fast as I could as a result, keeping an eye out for a place to deploy my safety tent if I could not escape the fire. During this time, I also worried about the bus and fire crews still behind me.

12. Based on my 10 years of experience in the Flathead National Forest and in participating in fire services and the like, I concluded that everyone on Wedge Mountain at the times described above were placed in extremely grave circumstances because there was only one escape route from the area and that escape route placed me and at least 20 fire fighters in the direct path of the fire. First, the lack of access due to closed roads ensured that a fire which might quickly have been brought under control could not be gotten to in time to prevent its becoming large and uncontrolled. In fact, it had in the space of little more than a day bloomed from approximately 35 acres (when it was discovered) to approximately 4500 acres. Second, the lack of access as a result of the road closures and other failures of Defendants in the above-captioned matter to comply with the laws and regulations described in the Complaint in this case,

caused the unacceptable build-up of fuel loading, Third, had the road on the north side of the fire where the crews were already working been open, the evacuation would likely have been uneventful. In the actual event, it is my judgment based on my knowledge and experience described above that tragedy was avoided only by minutes and great good luck or an act of God. The continual obliteration of roads without planning and compliance with applicable laws and regulations will inevitably result in the deaths of civilians and/or fire fighters and the destruction of property in my judgment.

I declare that the foregoing is true and correct to the best of knowledge and recollection under penalty of perjury under the laws of the United States.

Dated this 9th day of April, 2004.

A handwritten signature in black ink, reading "Sheila K. Keller". The signature is written in a cursive style with a large initial 'S' and a distinct 'K'.

Sheila K. Keller

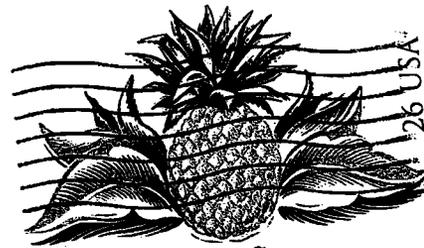


CAUTION  
ROAD CLOSED

CAUTION  
ROAD  
CLOSED

The Nature Conservancy 

Mr. Ronald Jenkins  
██████████  
Augusta, MT 59410



Fire Suppression Committee  
c/o Leanne Nessel  
Legislative Service Division  
PO Box 201406  
Helena MT 59620

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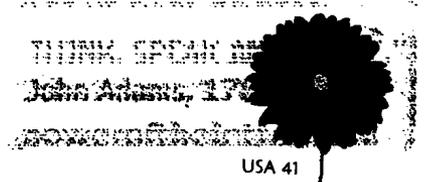


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Dear Sean  
Since I let this go until the deadline 1/30/08  
I didn't have time to write a letter as planned.  
As an outdoorsman and lifelong resident of Teton  
& Teton counties for 67 years this area is very important  
to me & how the mountains & snows of this area  
has watched the destruction of our forests in these many years  
and how very little about it. I watched the 88 fire & the  
destruction it caused, this year as they say this  
should have been a major effort to put out the fire  
7-01 week and expand it - there was not  
time to march at stake in the Sun River drainage  
to have let the crown fire burn we looked out as it  
could have been a catastrophe! Besides the watershed so  
many people depend on it could have destroyed our Sun  
River - been sure it's gone & all of Benchmark.  
USFS manager does not know how he does not  
care about this area it has to go! Sincerely,  
Ron Jenkins

Sidwell Land and Cattle Co.  
Box 834  
Columbus, MT 59019

30 JAN 2008 PM 1 L



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