Kootenai National Forest
31374 US Highway 2
Libby, Montana 59923-3022

RE: Kootenai National Forest Over Snow Motorized Use Travel Plan

Dear forest planners:

Thank you for considering the following comments. Our concerns center on opening lower elevations to extended over-the-snow-vehicle (OSV) use beyond the historically stipulated period ending March 31. The proposed plan allows OSV use through May 31, which we believe could have significant impacts, particularly at lower elevations.

While our concerns extend throughout the forest, our personal experience is most extensive in the southwest portion of the Kootenai National Forest—roughly, the areas west of MT 200 from Belknap to Heron and to the Idaho border. Our comments are based on daily observations made while living, hiking, hunting, wildlife-watching, ATV and E-bike riding (yes, we use off-road motorized vehicles) within this part of the forest. We share more than a mile of property boundary with National Forest lands (the Lolo National Forest administered by the Kootenai National Forest, which is included in the proposed plan).

As detailed below, our concerns ultimately focus on impacts to wildlife, conflicts with other users, additional potential for erosion and spread of invasive and noxious plant species, as well as additional USFS resources needed to ensure the plan is implemented and enforced as intended.

1. Definitions, need for public information and education, and criteria for varying snow conditions. Because the proposed plan includes use of new types of OSV's, altered areas for their use, and different time periods for use, there is a need for public information and education regarding these plan components.

What is an OSV? The definition of OSV is unclear in the plan document. Currently, the definitions of permissible vehicles leave much open to interpretation and will undoubtedly lead to confusion—both of which translate to enforcement issues. The plan must clearly define a permissible OSV (ATV's with treads, motorcycles with treads, other new vehicles with tracks, etc.).

The code of federal regulations defines OSVs as "A motor vehicle that is designed for use over snow and that runs on a track or tracks and/or a ski or skis, while in use over snow." (36 CFR § 212.1). Will the plan stipulate sizes, widths, or other configurations for OSV's and include clear descriptions of vehicles and permitted uses?

(See attachment 1, appendix.)

Also, because shoulder season OSV use is most likely to impact lower elevation areas included in the plan, have those lower elevation areas been defined and identified? (For example, 3500' and below, etc.) We feel the potential for significant impacts in lower elevation areas warrants careful consideration and definition.

Public information and education. A plan that includes new or different definitions of permitted vehicles and new or different areas for their use must include elements to address initial and ongoing

public information/education efforts (and enforcement activities) for any hope of successful implementation. Has funding been allocated to address these needs?

Conditions for shoulder season use. The proposed plan looks at shoulder season dates for OSV use and appears to be based on adequate snow cover during those periods. In years when there is less (or no) snow at lower elevations, there is no protection from potential impacts of tracked vehicles that can run without significant snow on the ground.

Lower elevations often don't have enough snow for over-snow travel, especially in early spring months. Since many of the vehicles within the definition of OSV can travel without snow, the proposed plan will essentially open these areas to wheeled vehicles with tracks and provide access during periods of limited or no snow cover. Will the plan stipulate use restrictions when snow cover at lower elevations is below a certain threshold?

Conversely, if there is sufficient snow in the lower elevations for over-snow travel, then it is even more important to assure security to wildlife during a time of high snowpack. The stress of pushing animals off calving/fawning grounds could be significant. (See concern 2 below.)

These factors point to a need for the plan to be responsive to varying seasonal snowpack conditions.

2. Wildlife. We are concerned about the overall impact on wildlife security during times of stress, and during or immediately before calving, in particular for elk and moose in the area. Many of the areas proposed to be open *through* May 31 have historically been closed March 31 to provide "wildlife security." Was wildlife security, which is currently indicated on many of the closure signs stipulating March 31 closure, strongly considered before extending the open-until date another 60 days?

See attachment 2, appendix.

We feel it is important to note the difference between winter elk range and calving grounds, which are generally considered to be distinct and separate, even though they may overlap. Extended periods of use have potential to impact areas used for both winter range and calving at critical times.

The ability to travel by tracked vehicle will *undoubtedly* translate to more incursions on winter range by individuals seeking shed antlers. Our experience (as shed hunters ourselves) has been that snowmobiles and motorcycles are already being used for this purpose in closed areas that provide critical winter habitat, and animals are being pushed around as they come out of stressful winter months.

We also believe the expanded use has potential to impact the Montana Fish, Wildlife & Parks (FWP) study recently implemented in the area and wonder if state agency biologists were consulted.

We have been in contact with FWP, regarding their "Adaptive Elk and Carnivore Management Project," which commenced earlier this year. (We offered the agency access via our property if needed.) The project included capturing and collaring 71 elk in hunting district 121, which is located roughly in the southwest section of the Kootenai National Forest mentioned earlier in our comments.

Cow elk that were captured and collared were wintering in the lower elevations that are now proposed to be open to OSV's through May 31 by USFS. In addition to identifying wintering areas, the study also includes areas where the cows were calving, which again coincide with the areas being proposed to be

opened up to OSV's in this plan. Aside from a missed opportunity to collaborate for important wildlife and habitat information, it would seem the proposed plan and ongoing FWP study would be at cross-purposes.

See attachment 3, appendix.

3. Conflicts with other users. When bear hunting season opens April 15th, many bear hunters walk or ride horseback into the snowline. Bear hunters rely almost exclusively on hunting gated forest roads. If lower elevation areas are opened to OSV use after March 31, conflicts are inevitable.

Recreational horseback riders and packers frequently get their first rides in during April and May. Extended use by OSV's and tracked vehicles will have definite impacts to these users' experience.

4. Potential for erosion or trail damage and spread of invasive species. Treaded vehicles on bare ground, especially during periods of low or no snow cover, will lead to additional weed seed dispersal. Is the agency prepared to meet additional needs for weed control?

5. Enforcement issues. This concern is significant for us. We already see purposeful instances of trespass by motorized vehicles into restricted areas. Given the proposed changes to area and trail designations, dates of use, vehicle definitions, and the simple propensity for some people to ignore the rules, we can't help but feel this element presents a significant challenge to successful implementation.

We wonder if people will **a)** understand the definition of a permissible OSV; **b)** comprehend which roads/trails are open to OSV use; **c)** adhere to new regulations and use guidelines; and **d)** is USFS prepared to enforce the new definitions and uses outlined in the plan. This last question also makes us wonder if the agency has collaborated with other entities, such as FWP, that may have a potential stake in enforcement outcomes.

Our experience in recent years has shown increasing use of tracked vehicles and a greater variety of off-road and over-the-snow vehicles available—all paired with increased tendencies for users to trespass in closed areas in all seasons. Does the proposed plan include increased budgeting for enforcement personnel and activities to ensure inadvertent or purposeful trespasses do not occur?

We appreciate the opportunity to share our concerns and questions. We likewise understand the Forest Service's charge to serve widely varying users and needs, and appreciate the difficulties in doing so. The earlier public information sessions hosted by agency were helpful, and we look forward to more information regarding the Kootenai National Forest's Over-snow Motorized Use Travel Plan. Please feel free to contact us regarding any of our comments or questions.

Sincerely,

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Attachment 1.

DESIGNATIONS
If deemed appropriate, OSV use may be designated by:

- **Class of Vehicle**
  - Width
  - Type
- **Time of Year**
  - Dates

Photo 8: Example tracked UTV width versus snowmobile width

- Class of Vehicle will be an important decision factor for local levels if there is a desire or need to narrow down the types and width of OSVs allowed. For example a tracked Ranger is 68.5" wide while a snowmobile is generally not wider than 48" – so local maximum trail widths may dictate a need to restrict some vehicle types and/or widths due to safety issues.
- 'Snowmobile season' dates may come into play in some areas more than what's been seen in the past.
- 'Snow Depth' is not a designation criteria; it is instead addressed overarching in the final OSV Rule as 'where snowfall is adequate.' This is significant and appropriate since snow depth can be nebulous and generally inconsistent from one place to another within single sight-lines, as well as ever-changing due to wind and other uncontrollable weather conditions.

Attachment 2.

Attachment 3.

(Next pages)

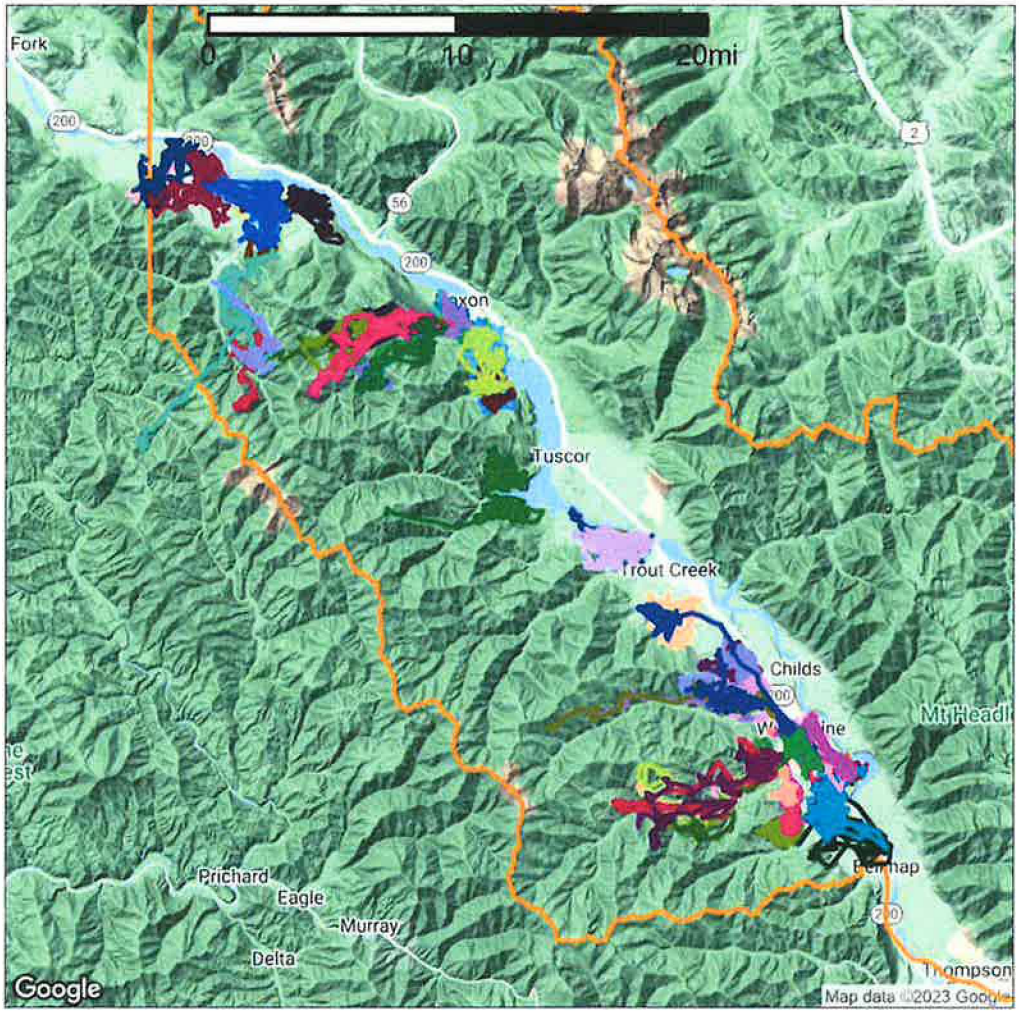

Figure 1: Map of female elk movements to date. Colors represent individual animals. The orange boundary represents Hunt District 121.

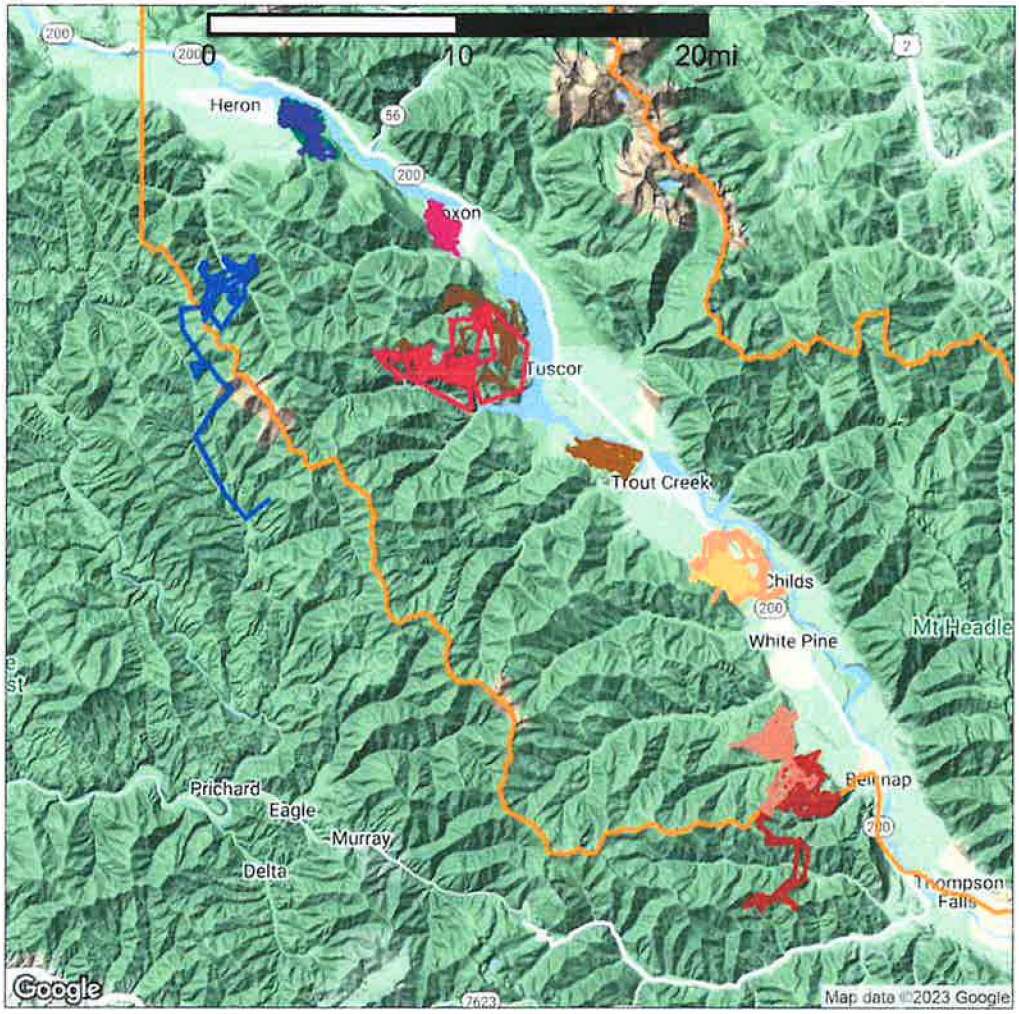

Figure 2: Map of male elk movements to date. Colors represent individual animals. The orange boundary represents Hunt District 121.

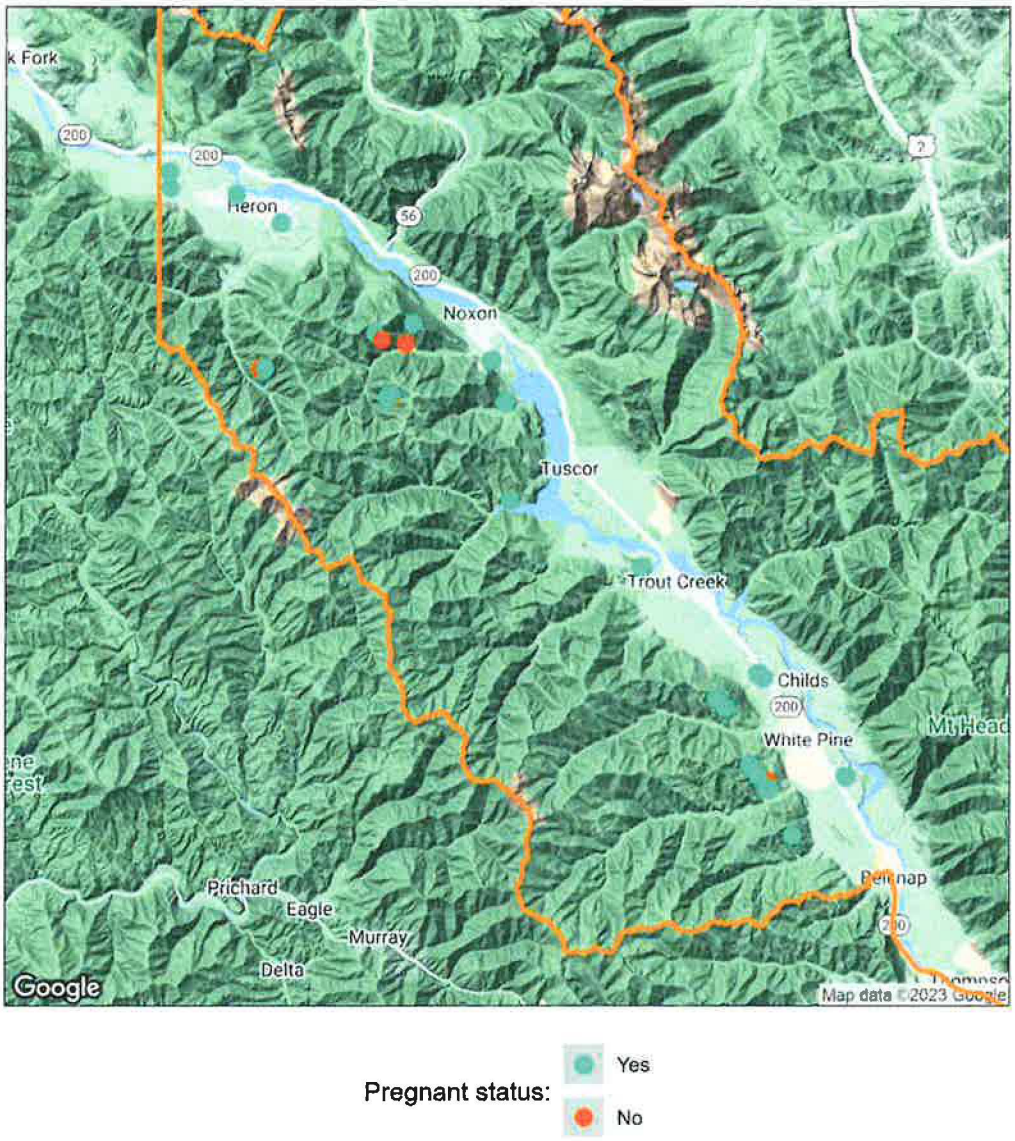

Figure 3: Adult female elk pregnancy status mapped by capture location. Some locations have overlapping pregnancy results where more than one female was captured and sampled. The orange boundary represents Hunt District 121.

Adaptive Elk and Carnivore Management

May 2023 Project Update

Background:

FWP and the Montana Fish & Wildlife Commission are statutorily obligated to manage elk population sizes within ranges specified in the Montana elk management plan. The efficacy of FWP management prescriptions and Commission decisions to meet this obligation is hampered by uncertainty about the drivers of elk populations and distributions in different ecological systems. Additionally, FWP and the Commission only have partial control over elk populations and distributions because individual decisions by landowners and hunters also affect elk populations and distributions. Therefore, the outcomes of FWP management prescriptions and Commission decisions are not always completely predictable. This project will focus on developing the necessary components for an adaptive management program focused on management of elk populations and distributions in northwest Montana, which will be used to help FWP and the Commission manage elk populations and meet statutory obligations. Adaptive management plans aim to increase knowledge and decrease uncertainty through a data driven decision-making process that incorporates new information as it becomes available.

The purpose of this five-year project is to assess how habitat treatments, carnivores and other factors impact elk population vital rates and distributions and use this information to develop recommendations for meeting elk population objectives in NW Montana. We are also developing camera-based methods to estimate elk and carnivore abundance in hunting district (HD) 121, which is a difficult district to survey due to heavy tree cover that obstructs visibility. Our goal in this first year of the project is to collect baseline data on elk vital rates, distributions, and habitat conditions, and deploy a grid of cameras. HD 121 was selected as the study area in part due to the abundance of elk and feasibility of capture, as well as the ongoing and potential forest management activities occurring in this area. Elk harvest has declined in HD 121, raising concerns from FWP and stakeholders regarding this elk population. FWP is partnering with the University of Montana to complete this project.

Results to date:

Elk collaring and monitoring

We captured and fitted 71 elk with GPS collars in the HD 121 study area during winter 2022-2023 (54 adult females, 7 adult males, and 10 calves). Captures included a combination of ground clover trapping and chemical immobilization delivered from helicopter. Clover trapping was the primary method of capturing elk on lower elevation private lands and helicopter capture was the primary method of capturing elk on higher elevation public lands. The collars are satellite-linked to allow location and mortality data to be collected remotely and are programmed to collect locations every 2 hours until dropping off the animal during winter 2026.

We have collected a total of 71987 elk GPS locations to date (Fig 1, Fig 2). There has been 1 elk collar malfunction and 1 elk mortality. The mortality was a calf that died of natural causes. We are currently monitoring the locations and survival of 69 elk (53 females, 7 males, 9 calves).

During captures, we obtained blood serum samples from 48 of the adult female elk for pregnancy testing. Of those tested, 42 (87.5%) were classified as pregnant (Fig 3), similar in percentage to the state-wide average (87%). Pregnancy tests were based on levels of a pregnancy-specific protein (PSPB) released in higher quantities when a fetus is present conducted by the Herd Health Diagnostics/BioTracking Testing Lab (Pullman, WA). We also screened adult females for exposure to *Brucella abortus* ($n = 48$), and did not detect any evidence of serological exposure.

Carnivore collaring and monitoring

Additionally, during winter 2022-2023, we worked with hound handlers to capture and collar 3 female mountain lions. Mountain lion collars are satellite-linked to allow location and mortality data to be collected remotely and are programmed to collect locations every 4 hours until dropping during winter 2026. We have collected a total of 1635 mountain lion locations to date. We currently have one wolf collared in the area and will be working to get additional collars out this spring and summer. We will also be collaring black bears. Information obtained from the carnivore collaring effort will improve population estimates in HD 121.

Acknowledgements:

We thank the landowners that allowed access to their properties for elk trapping and capture operations, and we thank the Forest Service for providing logistical support. We also thank the winter field crew (Brandon Davis, Nate Jourdonnais, Shane Petch), hound handlers (Ryan Castle, Cody Hensen, LeRee Hensen, Casey Stutzman) and Quicksilver Air capture crew for their hard work. Funding for this project was provided by a Federal Aid in Wildlife Restoration grant to Montana Fish, Wildlife, and Parks and a grant from Rocky Mountain Elk Foundation.