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Organization:

Title:

Comments: Please refer to my August 21, 2023 letter with attachments (22 pages total) uploaded.

Mr. Carlson:

Thank you for the opportunity to comment on the Kootenai National Forest Over-Snow Motorized Use Travel Plan scoping released July, 2023. I am an avid and lifelong oversnow vehicle user. I snowmobile throughout the western United States and Canada. I am a lifelong resident of Bonner County and I have continuously participated since the early 1990s in the U.S. Forest Service's management of over-snow vehicles throughout North Idaho and Western Montana, including various actions involving caribou, lynx, grizzly bear, road damage and repair projects, and snowmobile grooming and access. I am a strong advocate for multiple-use and access for all to use public lands. I have participated in the various Idaho Panhandle National Forests over-snow vehicle (OSV) planning efforts, which is after decades reaching its final decision and implementation this calendar year. I also participated fully in the Kootenai Idaho Panhandle Zone (KIPZ) Forest Plan revision process started in the early 2000s through adoption in 2015.

I make this comment in an individual capacity and also as the access chair of the Sandpoint Winter Riders, Inc. snowmobile club. I am also a member of the Idaho State Snowmobile Association and chair of the East Bonner County Snowmobile Advisory Committee.

In the Kaniksu Over-Snow Vehicle Use Designation Project on the Idaho Panhandle National Forests (IPNF), I participated in the North Idaho Working Group (NIWG) which brought together diverse interest groups and citizens. The group reached a consensus recommendation, with a single dissenting position. The recommendation was largely adopted by the IPNF (Kaniksu), and which with very slight modifications, is the action moving to implementation. The various interest groups in reaching the recommendation worked hard to understand the various wants and desires of and to provide for each specific interest. The groups each gave up aspects of their desired outcome to provide for a proposal that met the minimization criteria and other requirements of travel planning. The decision area for the Kaniksu plan shares the forest border with the Kootenai National Forest on the Three Rivers Ranger District and a portion of the Cabinet Ranger District.

Having participated in the long drawn out KIPZ Forest Plan revision process, I have specific information which directly bears on the Kootenai OSV travel planning. First, the announcement letter dated July 12, 2023 issued by the Forest Supervisor's Office indicates that the Forest is proposing to open 1,257,633 acres. This is a misstatement. I understand the Kootenai National Forest to consist of approximately 2,219,100 acres. To my knowledge there is not presently anywhere near 1,257,633 acres closed on the Kootenai to over-snow vehicle use. The process needs to correctly identify the current existing number of acres open to over-snow vehicle use (which is significantly greater than 1,257,633 acres). This is the existing condition. Then the process needs to identify the number of acres being proposed to be closed (which will end the existing access and use). This is the only way to properly identify the proposed action and collect data and information, receive comment and make a decision consistent with multiple-use management.

Next, the Draft Minimization Criteria Screening document, on page 4 states that the baseline started with is based upon the Kootenai National Forest Land Management Plan, excluding the areas identified as "unsuitable" in the plan by Management Area. This starting point is an error. Please find attached a copy of my November 13, 2013 Objection presented in the Forest Plan revision process (identified in the lower right hand corner as

14-13-00-0009) without its enclosure (resulting in 6 pages attached here). Please review on page 2 and on page 5 the portions marked regarding using MA5a, MA5b, and MA5c designations to make on the ground closures to over-snow vehicles. Next, please find attached the cover page to the APPENDICES Final Environmental Impact Statement for the Revised Land Management Plan Kootenai National Forest and pages 326 and 448 thereof. Page 326 is from Appendix G -Response to Public Comments and it identifies my letter as Unique L TR#/Number Coded as 295 where indicated. Page 448 of Appendix G sets forth Public Comment 264 (with my letter number 295 indicated parenthetically) and the Forest Service's Response. The Response provides that Forest Plan management areas do not close any existing or potential over-snow motorized use except in recommended wilderness (MA 1 b) and research natural areas (MA4) because those are the only areas that were analyzed in the decision making process. The response indicates that "No other routes or areas on the Forest will be closed to motorized access because of forest plan management direction, standards, or guidelines." To reiterate, in the Forest Plan process and adoption, there was no site specific analysis, public process, or decision made in adopting the 2015 Forest Plan that can be the basis for starting with the exclusion of over-snow vehicle use in MA5a (or MA2 or MA3). The blanket starting point exclusion of over-snow motorized vehicle use is contrary to the Forest Plan and the applicable laws and rules for this pending travel plan decision. The Draft Minimization Criteria Screening document must be started over recognizing that the MA designations, direction, standards, or guidelines are not grounds for closure to OSV use.

Therefore, the Scoping Packet and Preliminary Proposed Action Map needs revised and updated to correctly start by including all Mas and the existing condition . The various areas of existing OSV use that primarily originate from the IPNF (Kaniksu) have been ignored and proposed for closure. Those areas should be specified, added, and provide for as open. These areas include Canuck/Spread Creek, Calder/Purdy/Willard,Mt. Pend Oreille/Callahan/Estelle/Smith, and Benning/Lafoe/Moose/Lost.

Next, there has been insufficient time to review the 130 pages of the Draft Minimization Criteria Screening document, particularly given the flawed "Step 4. Develop the Preliminary Proposed Action" as identified above. A correctly prepared preliminary proposed action needs developed, and then a sufficient public review period is appropriate and necessary.

Next, a general concern that effects the ability to meaningfully review and comment is that the Preliminary Proposed Action Map fails to meaningfully identify all the lands of the Kootenai National Forest. While the project Boundary (the entire KNF) is shown with a light grey line, the lands managed by the KNF which are proposed to be closed to OSV use are shown in white along with all the private and other governmentally managed property. Lands to be closed must be specifically identifiable. There are extremely large areas proposed to be closed which have no distinguishing map identifiers (whether MA 1 a, MA 1 B, MA4, MASa MA5b, MA5c, MAB, or such). There are extremely large areas that are open to OSV use in the existing condition which are now proposed to be closed without any distinguishing map identifiers. This prevents the ability to review and provide timely specific analysis, review, and comments. A different map format needs to be used for a correctly prepared preliminary proposed action.

Next, a general concern that effects the ability to meaningfully review and comment is that the Preliminary Proposed Action Map in many areas appears to use section lines, rather than identifiable geographic features to have areas closed or open to OSV use. An OSV plan and map needs to provide users on the ground identifiable open and closed areas. Anything else fails to be useable, reasonable, or enforceable.

Next, the Minimization Criteria are used to minimize, not eliminate, avoid, or prohibit the items identified in the list of 4 objectives. Minimization itself is not a basis for closing OSV use. Minimization recognizes the multiple-use required of U.S. Forest Service managed public lands. The characterization that this plan will "open" the forest to OSV use when in actuality the existing lands are open (unless specifically closed) and this plan will close much of the existing open condition, shows an impermissible bias and predetermination to prevent multiple use by OSV.

Next, for specific on the ground comments, attached are a series of maps, labeled and described, with comments, as follows:

Map 1 (1 page) - the Kaniksu OSV Designation Project map for the pre-April 1 OSV use. The blue and green areas are the areas open to OSV use before the grizzly bear restrictions of April 1. The yellow areas are the areas closed to OSV use year round.

Comment: The plan on the Kootenai National Forest should take into account the plan on the Kaniksu portion of the IPNF and the long standing existing uses of the Kootenai Kootenai National Forest from the Kaniksu. Consistent adjacent Forest planning and mapping is fundamental to national standards and multiple-use.

Map 2 (1 page) - this is the portion of the Kaniksu map adjacent to the Three Rivers Ranger District from the Canadian border at the north to approximately Highway 2.

Map 3 (1 page) - this is the portion of the Kootenai Three Rivers Ranger District KNF map from the Canadian border at the north to approximately Highway 2.

Map 4 (1 page) - this is the portion of the Kootenai National Forest Land Management Plan Map of the approximate same area.

Comment: There are significant areas that have been long accessed and used by oversnow vehicles from the IPNF (Kaniksu) which are proposed to be closed on the Kootenai. There is a groomed route for Canuck Basin which hooks into the Spread Creek road and area and upper Hellroaring Creek. There is significant OSV use in the Spread Creek, Hellroaring Creek, Northwest Peaks, Davis Mountain, and Rock Candy Mountain areas from both the IPNF and the Kootenai that should be recognized and preserved in this OSV plan. The Preliminary Proposed Action Map would basically eliminate the vast majority of the existing and desired riding areas. I have consistently used OSVs in these areas since the 1990s. In regards to the minimization criteria, I have not observed any conduct that is identified in the list of 4 objectives. There has not been any damage, harassment, disruption, or conflicts in these areas. There are no documented impacts to justify closure or other restrictions to OSVs. These areas should remain open to provide desired public over-snow vehicle use and enjoyment.

Map 5 (1 page) - this is the portion of the Kaniksu map adjacent to the Three Rivers Ranger District from Highway 2 at the north to approximately Drift Peak (near the north end of the Scotchmans).

Map 6 (1 page) - this is the portion of the Kootenai Three Rivers Ranger District KNF map that has been labelled (erroneously) as all being the "Keeler Area." The Keeler Area is at the southern end based around the Keeler Creek Road Warming Hut and adjacent areas on the IPNF (Kaniksu) in the head end of Rattle Creek. The middle area is the "six lakes" area and the northern end is the Callahan/Mt. Pend Oreille and Willard/Purdy/Calder areas north.

Map 7 (1 page) - this is the portion of the Kootenai National Forest Land Management Plan Map of the approximate same area.

Comment: There are significant areas that have been long accessed and used by oversnow vehicles from the IPNF (Kaniksu) which are proposed to be closed. These areas provide diverse OSV terrain and opportunities from beginner to extreme riders and for snowmobilers and snowbikers. These lands are physically located in the State of Idaho and share a common divide. There is a groomed route to the Moose Lake trailhead that provides for access to the Lightning Creek Warming Hut and the "six lakes area" consisting of Moose Lake, Blacktail Lake, Lake Estelle (on the Kootenai), Gem Lake, Lake Darling, and Smith Lake (on the Kootenai). This area also includes the north and south forks of Callahan Creek, significant portions of which have been burned (whether old or new fires), and Mt. Pend Oreille. This area also includes the access from the Warming Hut at Keeler Creek

Road on the Kootenai (physically located in the State of Idaho) from Rattle Creek, East Fork of Lightning Creek, and through Benning and Lafoe Mountain. There is significant OSV use in all of these areas spanning from north of Calder Mountain all the way down to Drift Peak from the Kaniksu Forest side. These should be recognized and preserved in this OSV plan. The Preliminary Proposed Action Map would basically eliminate very significant connecting areas and routes for the Kaniksu, as well as destination riding areas on the Kootenai. I have consistently used OSVs in these areas since the 1990s. In regards to the minimization criteria, I have not observed any conduct that is identified in the list of 4 objectives. There has not been any damage, harassment, disruption, or conflicts in these areas. There are no documented impacts to justify closure or other restrictions to OSVs. These areas should remain open to provide desired public over-snow vehicle use and enjoyment.

In addition to the specific comments with maps, additional comments regarding the draft Preliminary Proposed Action Map are:

Dry Creek OSV access should be maintained in this area adjacent to the recommended Scotchman Peaks wilderness area. Additional adjacent areas should remain open as well. There is no reason to create buffers to wilderness (designated or recommended). This makes those areas defacto wilderness without congressional designation. It also limits access for those seeking to get to the wilderness or areas with restrictions by their preferred mode of transportation.

The Bloom Peak/Ninety Three Mile Lake area is recognized in the plan for its historic Idaho and Montana access from, and use of, both sides of the divide. This illustrates and supports that the existing condition in the specific areas identified above should remain open to OSV use.

The Eureka/Ten Lakes map area excludes the Ten Lakes Management Area, but proposes to close almost all remaining lands to OSV use. There is use that is both existing and significant outside of the Ten Lakes Management Area that should remain open.

Consistency for over-snow vehicle map and summer motor vehicle use maps (MVUM) routes are important. All roads and trails open under the MVUM should be open under the OSV plan and map.

The Kaniksu Over-Snow Vehicle Use Designation Project and recommendation developed by the North Idaho Work Group is considered a success at bringing decades of dispute, litigation, and disagreement to a place of agreement for a community developed OSV plan and map, taking into consideration the resources of the forest, the needs of wildlife, and addressing potential conflicts among uses and users. No group or party was able to get everything it wanted, but a solid plan that is accepted and supported was developed and adopted by the Forest Service. I request the formation of collaborative groups to develop recommendations for all of the Ranger Districts involved whether on a district by district basis, or groups of districts). I want to be a part of at least the Three Rivers and Cabinet Ranger Districts as those are the areas I am most familiar with from my decades of OSV use in the area.

The April 1, 2022 grizzly bear based closures to over-snow vehicle use on the vast majority of the forest is severe, and many are understandably upset. I look forward to continued possible refinement now and in the future of this aspect of the OSV planning and travel management map. Grizzly bear management will evolve based on its population status, further scientific research and study as to den emergence and use of spring time high elevation snow (or the lack thereof), and further understanding that there are no documented instances of any OSV use that has actually negatively impacted a grizzly bear or the viability of the bear populations in our region. The Travel Management Rule provides for minimization, not absolute avoidance, as to any actual or potential wildlife conflicts and the other values identified for consideration. The Proposed Action already does and should continue to clearly provide that the April 1 restrictions are grizzly bear based. This allows for future modifications of this aspect of an adopted travel management plan, without having to revisit the balance of the plan or start from scratch.

In conclusion, once again, thank you for the opportunity to provide analysis, information, and participation in this process in addressing the need for the National Forests to provide multiple-use including trails and areas for over-snow vehicle recreation and experiences. With an updated preliminary plan and revised map (both as to substance and format), I can have the ability to meaningfully participate in the process. I look forward to continuing to work through the process to the decision and implementation for OSV use.

Sincerely,

/s/ John Finney

Enclosures

SEE ENCLOSURES IN ATTACHED MASTER COMMENT LETTER