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Organization:

Title:

Comments: 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 [sect] 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 offroad 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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