

Paul Sieracki, Inland Empire Task Force
77 E. Lincoln Ave
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February 6, 2023

Request for a supplemental EA/EIS and a re-analysis of grizzly bear core habitat for the Westside Restoration EA due to new information confirming four high use trails in the Myrtle Grizzly Bear Unit, Selkirk Mountain Recovery Area from the Inland Empire Task Force, Alliance for the Wild Rockies and Friends of the Clearwater.

District Ranger Kevin Knauth, Bonners Ferry District, Idaho Panhandle National Forests

The IPNF Access Amendment requires deductions of high use trails from grizzly bear core habitat. A procedure was also put into place to measure trail use levels. Deductions of core habitat including roads and high use trails are defined in the Access Amendment. Trail use assessment procedures and the threshold level for high use are discussed in the Westside Restoration Final Biological Assessment as noted below.

(d) Core Area - An area of secure habitat within a BMU that contains no motorized travel routes or high use non motorized 11/30 (CYRZ), inclusive] and is more than 0.3 miles (500 meters) from a drivable road. Core areas do not include any gated roads but may contain roads that are impassible due to vegetation or constructed barriers. Core areas strive to contain the full range of seasonal habitats that are available in the BMU. (Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones p10).

"Nonetheless, the IPNF RLMP still contains the high-intensity use trail direction as part of the retained Access Amendment decision¹². In 2011, the IPNF developed a process that attempted to measure use levels on non-motorized trails and provide an interpretation of the IGBC direction. In brief, non-motorized groups separated by more than two minutes along the sampled point on a trail are counted as distinct "parties," and trail use is averaged during the grizzly bear "summer" season (June 15 – September 15, likely the busiest period) over three or more summers. Consistent with the IGBC Selkirk/Cabinet-Yaak subcommittee interim Access Management Rule Set (Interagency Grizzly Bear Coordinating Committee 1998, p.2), trails determined to have high levels of non-motorized use are to be buffered from Core by 500 meters " WestRestFinalBA p41

The Westside Restoration Project Wildlife Report (p25) states that a high use trail is defined as a trail receiving 20 or more parties per week:

"defines high-intensity non-motorized linear use as "receiving an average of 20 or more parties per week" (Interagency Grizzly Bear Committee 1990)"

Trail use data was requested by FOIA for the Myrtle GBMU for the years 2000 – 2022. This information was complied and trails that exceeded 20 or more parties per week for three

years running are listed in Table 1. Four trails were found to be high use and must be deducted from core habitat, Fault Lake, Harrison Lake, Middle and Upper Roman Nose.

Trail	Average Parties Per Week			High use for three years (20 parties/week)	Must deduct from core
	Use Level 2000	Use Level 2021	Use Level 2022		
Bottleneck Lake (TRL#187)	16	11	13		
Burton Peak (TRL#9)	11	6	6		
Fault Lake (TRL#59)	37	29	28	yes	X
Harrison Lake (TRL#217)	85	56	85	yes	X
Middle Roman Nose Lake (TRL#165B)	29	22	20	yes	X
Snow Lake (TRL#185)	20	9	12		
Two Mouth Lake (TRL#268)	20	3	15		
Upper Roman Nose (TRL#165)	62	26	38	yes	X

Table 1. Summation of 3 year running tally of trail use for the Myrtle GBMU.

Other trails that may be high use in the Myrtle GBMU were not monitored including Chimney Rock, McCormic Ridge, Beehive Lakes, Myrtle Creek - Pack River.

Use of the Strava Heatmap to locate high use trails.

Strava is an app used to track linear activities. The Strava heatmap is updated monthly and shows relative aggregated use displayed as a raster surface. Strava use varies from trail to trail but it is estimated at 1-12% of total trail use. The heatmap requires calibration to determine actual use levels.

Because the percentage of Strava users varies from trail to trail (est. 1 to 12%), trail counters are necessary for validation and 'truthing' purposes, as was done by Griffin and Jiao (2014) in Austin, Texas. That is, we need to be certain that Strava use reflects actual trail volumes on a variety of trails sufficiently well. Further, Strava users as a percentage total trail use can vary monthly on the same route, as Oregon data shows (1.5 to 2.5%). <https://www.trafx.net/img/insights/Using-big-data-to-understand-trail-use-three-strava-tools.pdf>

A visual comparison of the white pixels in the following closeup of the upper Pack River and Roman Nose areas show high use trails as identified by the IPNF and other trails with white pixels that may or may not indicate high use with calibration. These include the Chimney Rock Trail, Beehive Lakes, Snow Lake and a cluster of activity across all 3 Roman Nose trails. Some of these trails already have monitoring data.

The Strava data also shows dispersed travel between Beehive Lakes and Harrison Lakes indicating not only high use but a general bear year disturbance of that area.

Evaluation of three years of trail use data shows that four trails meet high use criteria and must be deducted from core habitat. The IPNF has not incorporated the four high use trails in the core deductions from the Westside Restoration project, despite requests in objection documents to do so. It is also apparent that there may be additional high use trails that the IPNF has not monitored. With this new data, a violation of the Access Amendment is revealed.

This new information indicates that the Myrtle Grizzly Bear Unit is not meeting Access Management standards and therefore violating the ESA. NEPA requires that a supplemental EA/EIS must be prepared to address this new information.

§ 771.130 Supplemental environmental impact statements.

(a) A draft EIS, final EIS, or supplemental EIS may be supplemented at any time. An EIS must be supplemented whenever the [Administration](#) determines that:

- (1) Changes to the proposed [action](#) would result in significant environmental impacts that were not evaluated in the EIS; or*
- (2) New information or circumstances relevant to environmental concerns and bearing on the proposed [action](#) or its impacts would result in significant environmental impacts not evaluated in the EIS.*

We request the following

- A supplemental EIS be prepared incorporating the new information for core deductions from known high use trails.
- All trails in the Myrtle Bear Unit be monitored for use levels.
- Potential deductions from the proposed bear year Roman Nose snowmobile play area in the Kaniksu Winter Rec EA be addressed in the supplemental EA/EIS.
- The IPNF engage the USFWS in formal consultation.
- A year by year evaluation of OMRD, TMRD and Core be presented in the supplemental NEPA Document with annual core change maps through the life of the EA.
- Additional sales in the Westside Restoration project area be put on hold until a supplemental EA/EIS is completed (Snow Low is active).
- There will be a public comment period for the supplemental EA/EIS.
- The combination of impacts to the Myrtle Bear Unit are significant and an EIS should be prepared.
- Please add this letter to the project file.

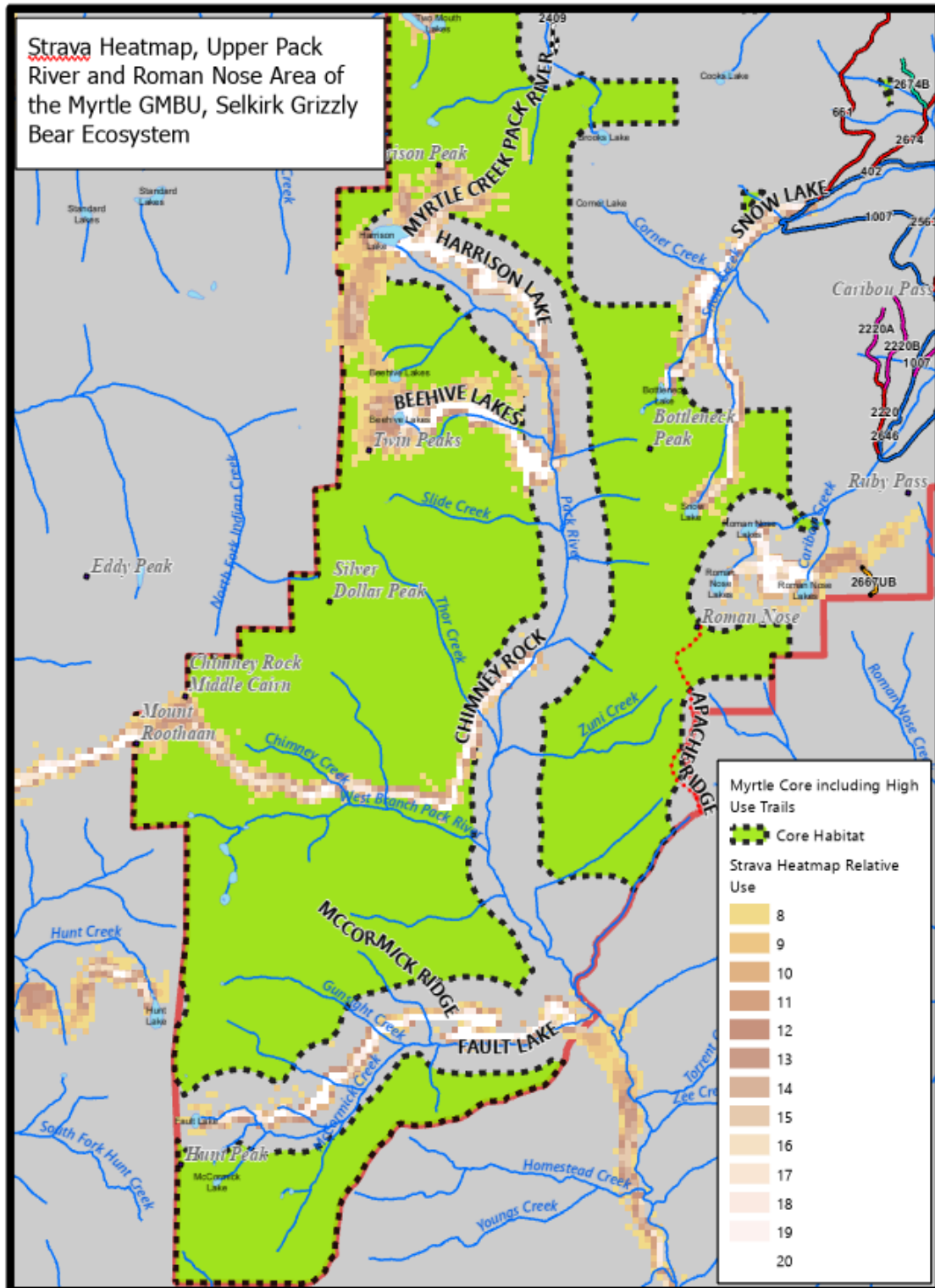
We look forward to your response. Sincerely,

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Map 1. Strava Heatmap grading from green being low use to brownish to white showing high activity. Trails were removed for clarity. This map represents relative use levels and shows some trails that may need use level evaluation, dispersed recreation between Harrison and Beehive Lakes and access to Mt. Roothan.



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July 4, 2021

Objection Reviewing Officer
USDA Forest Service, Northern Region
26 Fort Missoula Road
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Westside Restoration Project Objection

Issue:

The Grizzly Bear cumulative effects analysis is incorrect. The failure to consider 500 meter displacement buffer into core habitat from high use trails, State of Idaho and private lands is a violation of the ESA, APA and IPNF Access Amendment.

A corrected core analysis for the Myrtle GBMU and found that they are deficient by 10% or more. We find that there is 45% Core habitat, less than the required 56%. The USFS states they have an excess, 58% as of 2019. This core analysis includes high use trails and buffers around private lands as there are no restrictions on them as they could be sold, logged or developed at any time and no security agreements. See Map 1 in the Appendix.

High use trails (20 parties per week or greater) are not being counted in the Myrtle GBMU cumulative effects analysis. USFS biologists are attempting to dismiss the inclusion of high use trails for the Westside Restoration EA in order to have enough core for the Westside Restoration Project. Trails in the Upper Pack River drainage have been popular for decades, especially Beehive, Fault, Chimney Rock and Harrison Lake Trails. These areas are easily accessible from Sandpoint, ID.

The biologists attempt to circumvent the use of high use levels in an unpublished document with a file name of "high_use_trails" (enclosed) by stating that trail use should be averaged over a 3 year period, that the monitoring does not have to be consecutive, that there is/was a spike in trail use in 2020 due to covid causing a "mis-characterization".

While there is an established protocol, there is no scientific analysis of why 3 non-consecutive years should be averaged, or 4 or 2 or any number. Or a statistically based trail sampling method or what the acceptable confidence interval should be to detect change.

National visits to national forests are increasing rapidly with a large increase in visits. Using a 4 year moving average from the time step 2015-19 to 2016-20, a 12% increase of 150 to 170 million users. (USDA Forest Service, no date. U.S. Forest Service National Visitor USE Monitoring Survey Results, National Summary Report, Data Collected FY 2016 through FY 2020.

Even considering a 12% increase in forest visitor use due to covid in 2020, documented use levels of Harrison, the Roman Nose Trails and Fault Lake Trails are well above the 20 parties a week required for high use designation and are included as high use trails in the CEA for this project. Table 1 shows the percent increase above 20 parties a week.

To further justify that trail use will increase on the two Roman Nose Trails, the EA proposes that expansion of the Roman-nose parking area to increase capacity and add an additional overflow parking area.

"Expand the Roman-nose parking area to its original footprint to increase capacity.

We would also remove existing dispersed parking sites located along road #2667 and add an additional overflow parking area on the south side of Forest Road #2667. Other high use trails may occur in and adjacent to the Myrtle GBMU including Chimney Rock, popular among rock climbers, and Mt. Roothan, which gets a lot of use and is accessible from the State (Idaho Department of Lands) GBMU immediately adjacent to and west of the Myrtle GBMU. None of these trails were monitored in 2020." Westside Objection EA p 8.

Increased capacity in an area very popular with huckleberry pickers will allow additional pickers to utilize the trails and disperse off trail in search of berries.

The Fault Lake Trail, already high use for 2020 has trail maintenance planned for 2021. Idaho Trails Association states that the work includes a raised walkway and brush clearing. This disturbance will last for for 6 days. The improved trail will attract more use and disconcertingly is part of the Idaho Centennial Trail.

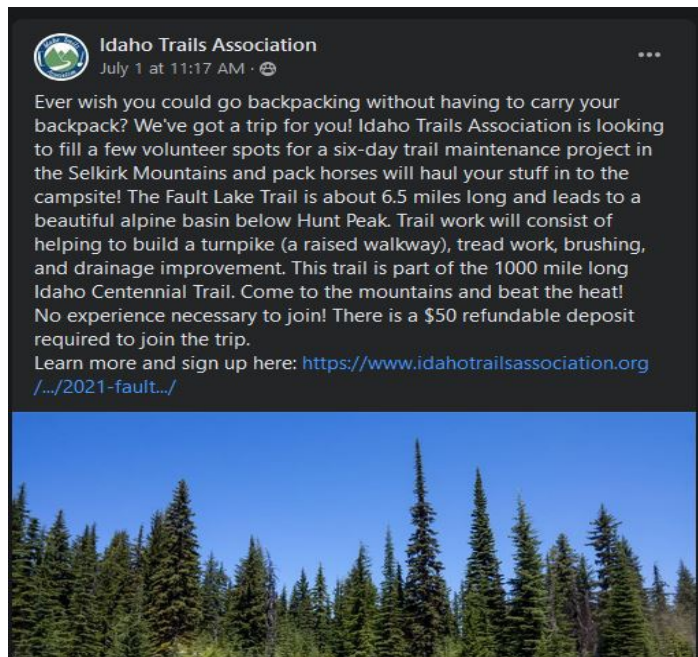


Table 1. 2020 use levels of selected IPNF trails in the Pack River BORZ.

Trail Name	2020 adjusted average use level (parties per week)	Percent above or 20 parties a week.*
Bottleneck Lake Trail	22 * not counted in the corrected cumulative effects analysis in this document	10.00%
Fault Lake Trail	27	35.00%
Harrison Lake Trail (From Pack River)	74	270.00%
Middle Roman Nose	29	45.00%
Upper Roman Nose	62	210.00%

*<https://www.calculatorsoup.com/calculators/algebra/percentage-increase-calculator.php>

Grizzly bear encounters have increased recently, documenting that grizzlies are partially utilizing the Myrtle GBMU.

On September 9, 2021.

"On the morning of Sept. 9, two archery hunters were attacked after what they described as a surprise encounter with a sow grizzly bear with cubs in the Apache Ridge area of the Upper Pack River drainage. One of the men was injured and has been released from the hospital with

stitches. " Apache Ridge is part of Roman Nose Peak.

<https://idfg.idaho.gov/press/bear-attacks-hunters-upper-pack-river-area-north-sandpoint>

This spring, 2021, grizzly tracks with a possible cub (on snow) were reported near Mt. Roothan, just east and immediately adjacent to the Myrtle Bear Unit.

Buffering State of Idaho and Private Lands.

The USFS is not consistent with buffering non USFS lands between GBMU's. In the Blue-Grass GBMU for example, private lands and the Continental Mine are buffered, removing a 500 meter buffer from core habitat. However all things being equal, they did not buffer State lands and lands in British Columbia immediately adjacent to the bear unit. All non USFS lands should be buffered because there is no guarantee that roads will be build for timber sales and or lands will be sold to developers in a ten year time step, for example for ski areas and high elevation vacation homes. The State and private land buffer approach is being used for the less restrictive "security" calculations in the IPNF BORZ areas in the latest BiOP for grizzly bears on the IPNF. Therefore they should be applied to the recovery zones because the same displacement issues arise for core habitat and there is more emphasis on grizzly bear recovery than in the BORZ. The USFS cannot count these areas as core without a habitat conservation plan. The USFS core calculation for the Myrtle GBMU does not even buffer private land in the Pack River Drainage or display if there is a habitat conservation plan, if not, the land could be roaded and logged, or developed at any time impacting existing core habitat..

Not considering high use trails and not buffering private and State of Idaho lands which do not have a *guarantee* of no activity for 10 years and therefore cannot constitute core habitat is a violation of the ESA and APA and the IPNF Forest Plan Access Amendment.

"A decision is arbitrary and capricious if the agency has relied on factors which Congress had not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise. O'Keeffe's, Inc.v. U.S. Consumer Product Safety Comm'n, 92 F.3d 940, 942 (9th Cir.1996)"

"Grizzly bear avoidance of habitat near roads and trails may lessen the opportunity for individuals obtain food and increase further intraspecific competition by bears into limited remote habitat." Kasworm and Manley. nd. Road and Trail Influences on Grizzly Bears and Black Bears in Northwest Montana. Int. Conf. Bear Res. And Manage 8:79-84.

The Westside Restoration EA has "offered an explanation for its decision that runs counter to the evidence before the agency" by not including high use trails and State and Private land buffers in the core analysis for the Myrtle GBMU.

Request for Relief:

1. A significant impact is occurring to grizzly bears, negating a potential FONSI, withdraw the EA and complete an EIS because the project is violating the ESA by negatively affecting grizzly bears.
2. Redo the cumulative effects analysis for grizzly bears using documented high use trails and buffers around IDL and private lands as they are having an impact currently.
3. Remove and convert to a trail, the portion of the Upper Pack River Road above the last bridge. To reduce very high use of Harrison Lake and Beehive Lake trails and allow grizzlies to use the productive avalanche chutes that cross the road.
4. Implement a Glacier Park like system for backpacking with eating and sleeping areas well separated and permits with bear safety education.
<https://www.nps.gov/glac/planyourvisit/backcountry.htm>

This issue is raised by the Westside EA comments dated January 4, 2021 from Paul Sieracki

"The EA does not including trails that are obviously high use in the Roman Nose and Pack River area as impacting core as required by the access amendment.

The EA does not including trails that are obviously high use in the Roman Nose and Pack River area as impacting core as required by the access amendment."

and impacts to grizzly core are discussed in The Alliance for the Wild Rockies Scoping Notice Comments.

"Is the project area in compliance with the access amendment?

In its 1993 Grizzly Bear Recovery Plan the U.S. Fish and Wildlife Service cautions that "[r]oads probably pose the most imminent threat to grizzly habitat" today and since most grizzly bears are illegally killed within 500 yards of a road it's why the Forest Service has restrictions on the total number of roads in grizzly bear habitat"

Issue

The combination of roads, legal and illegal snowmobile use is impacting grizzly bear denning habitat.

Currently there are no guidelines for the allowable impact of over snow use on grizzly bear denning and their denning habitat in the IPNF Access Amendment.

Denning Habitat has recently been modeled for the area from the US Selkirks to Glacier National Park and south to the Salmon River (Bader and Sieracki, 2021, submitted for peer reviewed publication). One of the findings is that grizzly dens are located distant to open roads and atv trails based on the National MUMV gis data.

Over snow snowmobile use can negatively affect grizzly bears denning, wolverine and Canada Lynx (Switalski, Adam. 2016. Snomobile Best Managment Practices for Forest Service Travel Planning: A comprehensive Literature Review and Recommendations for Management – Wildlife. Journal of Conservaiton Planning Vol12(2016)13-20.

"....denning habitat often overlaps with winter recreation areas, making them susceptible to disturbance, thus increasing energy expenditures and the potential of den abandonment (Linnell et al. 2000). Direct mortality is also possible if an avalanche is triggered on a slope where the bears are hibernating (Hilderbrand 2000)"

The area of the Myrtle GBMU that is "closed" to off trail snowmobiling is 32,225 acres out of a total of 63,784 acres in the Myrtle GBMU or about 51% of the bear unit.

Linnel(2000) in Switalski found that grizzlies typically select den sites one to two kilometers from human activity and that human disturbance within 1 kilometer of a den site has a significant risk of abandonment.

"snowmobiles can easily access these remote sites, posing the potential for disturbance. No systematic data set exists on how denning bears react to snowmobile disturbance, but a comprehensive review on the topic found that human disturbance within one kilometer of a den site has a significant risk of abandonment, especially early in the denning season (Linnell et al. 2000)."

Switalski also cites Heinemeyer and Squires, 2013. Who state that denning [wolverine] females move more frequently and at higher rates when in higher intensity recreation areas. They state that

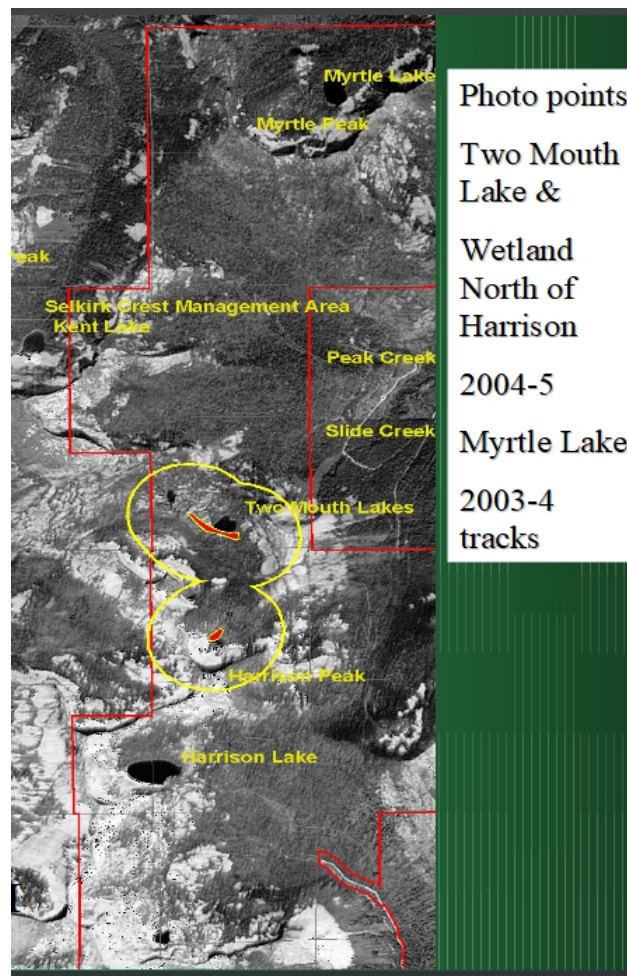
"These impacts are creating "significant additive energetic effects on wolverine during the critical winter and denning

periods" (Heinemeyer and Squires 2013, p. 5)."

Illegal oversnow use by snowmobilers occurs in the closed area. Selkirk Conservation Alliance tasked Tim Layser, former Priest Lake RD biologist to document wildlife and snowmobile use in the Selkirks in 2020 (Aerial Flight Summary.pdf, found in the objection references). Illegal snowmobile use was found at Two Mouth Lakes among many other areas in the Selkirks.

The Two Mouth Lakes area is in the Myrtle Bear unit.

Historic use of the area by over the snow users may persist as it has in the Two Mouth Lakes Area. Rampant violations in grizzly and wolverine denning habitat have been documented in the past and there is no reason to believe favorite use areas have changed. . In 2006 and 2005 Selkirk Conservation Alliance photographed numerous violations in what was called the "Snowmobile Exclusion Area" encompassing the area west of Pack River, including Harrison Lake and Chimney Rock. The image below documents snowmobile use (tracks photographed) in the Harrison, Two Mouth Lakes and Gunsight area and hi marking at Chimney Rock, all in the exclusion zone during 2005 and 6. There is no reason to assume these violations have subsided, they have likely increased.





SELKIRK CONSERVATION ALLIANCE



Request for Relief

1. Illegal use is rampant, withdraw the EA and complete an EIS for Westside Restoration.
2. Considering the effects of over snow motorized travel to denning grizzlies and wolverines, enact a moratorium, eliminating over snow travel on all areas identified as medium and high denning habitat along with a 1 -2 km buffer in Map 2 in the Appendix (red and black respectively).
3. Formal Consultation with the USFWS on effects to grizzly bears.

This issue is raised by the Westside EA Scoping comments page 3 from Paul Sieracki

Issue: Grizzly Bear, early exiting grizzly bears may be harassed by snowmobilers, on purpose or inadvertently.

and impacts to grizzly in The Alliance for the Wild Rockies draft EA Comments page 143.

Appendix.

Exhibit 1

Letter from IPNF addressing the calculation of BORZ road mileage, obtained by FOIA from the IPNF.

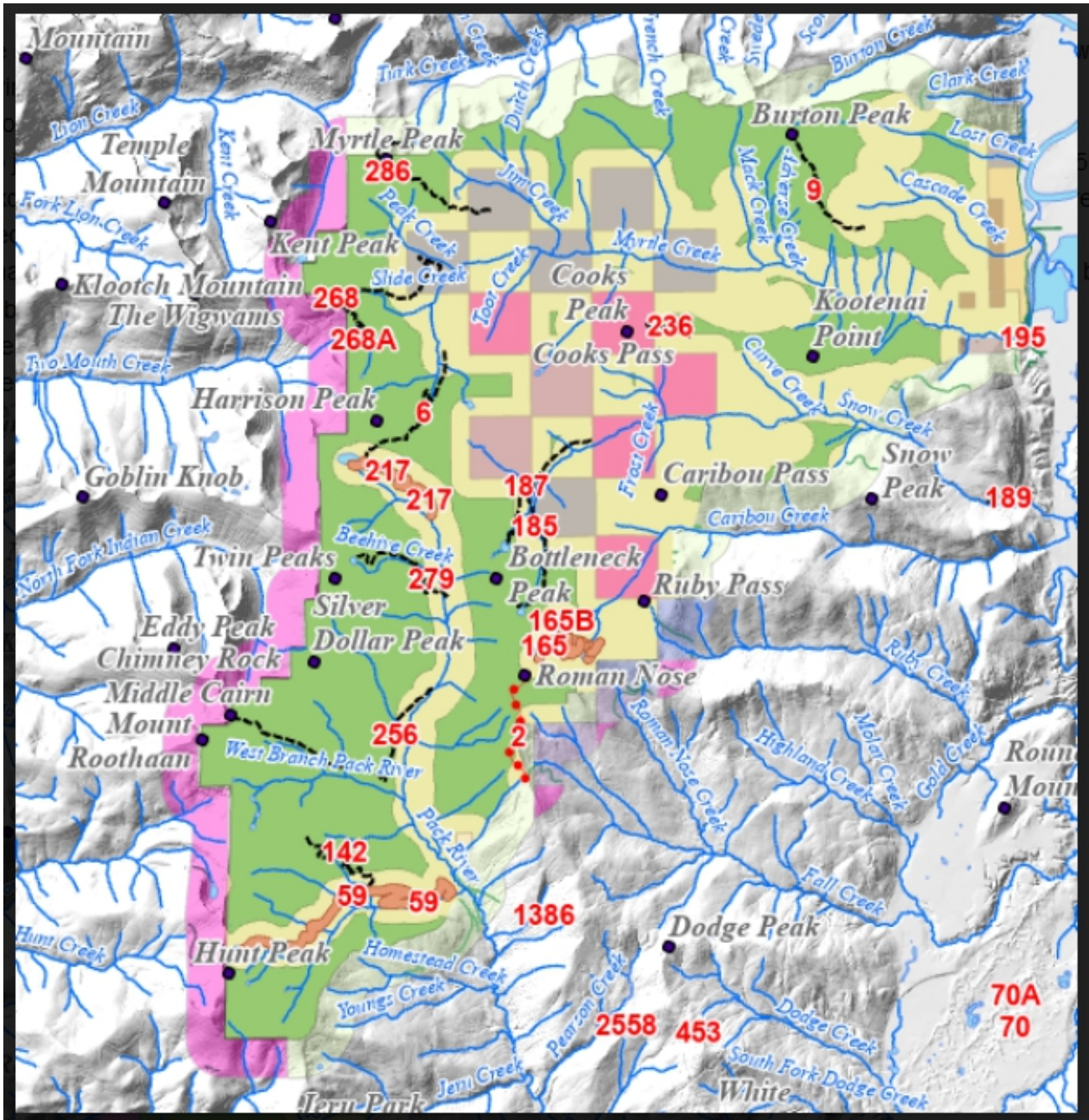
Secure Habitat in the BORZ – Mapping Rules

- Buffer all non-FS lands within the BORZ outward by 500 meters
- Buffer the entire edge of BORZ boundary inward 500 meters, except where the BORZ is immediately adjacent to a BMU:
 - Buffer all non-FS lands within the BMU along the BMU/BORZ interface outward 500 meters into the BORZ, and
 - No buffer along any BORZ/BMU interface where FS lands are adjacent.
- Buffer all motorized routes on IPNF lands within the BORZ by 500 meters. This includes open roads, seasonal/year-long gated roads, motorized trails, and railroads. (all routes with IGBC codes 2, 4, and 5)
- Secure habitat is everything within the BORZ boundary that is outside of all the buffering.
- Similar to the Selkirk/Cabinet-Yaak Recovery Zone and core habitat, there is no minimum block size for secure habitat.
- Round to the nearest acre, so the smallest block mapped would be 1 acre.

Notes: The reasoning for the 500 meter buffer around all non-FS lands is that there is no rule preventing the building of motorized routes on those ownerships right up to the BORZ boundary. Similarly, for those lands on the KNF that are outside of both the BORZ and the BMUs, roads could be built right up to the edge of the BORZ. Also, data on motorized routes is incomplete outside of the BMUs and BORZ, as well as on non-FS ownerships.

USFWS 2020 BO, Appendix. Secure Habitat in BORZ for additional information and maps.

Map 1. Corrected core habitat in the Myrtle GBMU. The Myrtle GBMU consists of green (core) and yellow (not core) habitats in the map below. The magenta color on the left is the State Bear Unit.



Map 2. Grizzly denning habitat, black is best, red is moderate. Yellow green transparent is closed to snowmobiles. Note that violations are rampant and denning habitat is affected throughout the open and the "closed area".

