

From: Keith Hammer keith@swanview.org

Subject: Further Concerns with 12 SUPs

Date: April 29, 2020 at 8:26 AM

To: Comments TLRD comments-northern-flathead-tally-lake@usda.gov, Comments HHGVRD comments-northern-flathead-hungry-horse-glacier-view@usda.gov, Comments SLRD comments-northern-flathead-swan-lake@usda.gov

Cc: Kurtis Steele kurt.steele@usda.gov, Rob Davies rdavies@fs.fed.us, Mulholland, Bill -FS bill.mulholland@usda.gov, Dowling, Chris -FS chris.dowling@usda.gov, Julie Gerrior julie.gerrior@usda.gov, Beth Pargman bethpargman@fs.fed.us, Cranmer, Sean M -FS sean.m.cranmer@usda.gov

KH

Dear Flathead Folks;

We've now received what SUP applications you could provide (thank you) and have the following concerns in addition to those provided in our earlier comments:

1. Action Rentals appears to be asking the Forest Service to bless unlawful ATV/UTV activities. "It is hoped to be able to create advanced and intermediate riding obstacles within a short distance of some of the current trails to enhance rider enjoyment." The law requires that motorized vehicles be kept on designated roads and trails, with the intention to prohibit off-route travel and damage.

"With this request we seek consideration of the capture of some of the trails that are already in use in the Kootenai . . . and cause them to be officially designated as ATV and UTV trails with a width of 68" maximum, for rider/user safety." The law prohibits off-trail motorized use in order to minimize impacts and prohibit "user created" routes. This appears to be a request of the Forest service to bring user-created routes into the fold and permit their use by ATVs, UTVs and the permit applicant.

Can the Forest Service trust the applicant to truly practice and teach ethical, proper and legal use of public lands with its clients - when the applicant appears to be asking to benefit from unlawful activities?

2. Kiwanis Club apparently intends no cleanup of the public roads and trails it wants to use for its fundraiser. It only proposes to cleanup its Kiwanis Lodge at Lower Bitterroot Lake. Applicant should be required to send a "sweep" rider at the rear end of or after its road and trail rides to pick up any trash or dropped objects - as intended in the Foys to Blacktail Trail Run application for example.

3. NW MT Adventure Sports intends to use "side-by-side" ATVs, which are largely and generally much more noisy than smaller ATVs. We already know how noisy they are and just this morning a North Fork resident along Red Meadow Road wrote us: "I've lived on Red Meadow Road for 41 years. I am really concerned about permits for atv road tours up the NF and especially up my road. They've been doing it for a number of years unofficially and it's terrible. The noise and air pollution is very impacting."

4. The Whitefish Shuttle application says nothing about the proposed van tours in and around the Whitefish Range and North Fork Flathead. In terms of the Tally Lake area, it says it is "REQUESTING TO BE ABLE TO RIDE THE FIREROADS." What are the fire roads being discussed? Assuming they are roads either closed to motor vehicles or abandoned non-system roads, their commercial use should not be allowed in order to maintain wildlife security, etc..

5. A number of the applications provided us are missing the Operating Plans and/or other referenced materials. Please provide those to us.

6. Information regarding how much money these permits may bring in for the applicant has been redacted. The public deserves to know what financial incentives are at stake with these permits and how much the government will gain if the permit costs are based on a percentage of the permitted income.

7. Based on your FOIA response and other information, it appears a number of these permits are simply being renewed year after year upon a verbal request to do so (Journey to Wellness, Adventure Cycling). As we said in our earlier comments, it is unlawful for the Forest Service to essentially be issuing/reissuing permits on a multi-year basis while claiming they are single, short-term permits that can be issued using a Categorical Exclusion from the prior preparation of an EA or EIS.

Keith

Keith Hammer - Chair
Swan View Coalition
3165 Foothill Road
Kalispell, MT 59901
406-755-1379 (ph/fax)
406-253-6536 (cell phone)
keith@swanview.org
<http://www.swanview.org>
<http://www.swanrange.org>
<http://www.facebook.com/SwanViewCoalition>
<http://www.youtube.com/user/swanviewcoalition>

... ..

"Nature and human nature on the same path."