EAST–WEST ACCESS AROUND CONTINENTAL MOUNTAIN

SCOPING REPORT

Prepared for

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1.0 INTRODUCTION

1.1 Background

The United States (U.S.) Customs and Border Protection, Spokane Sector (CBP) in cooperation with the U.S. Forest Service (Forest Service) is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the U.S.–Canadian border across the Selkirk Mountains, via Bog Creek Road (the proposed action). This area is managed by the Idaho Panhandle National Forests.

The primary road that provides east-west access around Continental Mountain is the Bog Creek Road. Historical records are incomplete, but appear to indicate that Bog Creek Road was originally constructed primarily as a logging road sometime between 1934 and 1956. The road was closed on both ends in the late 1980s for grizzly bear security and was maintained on a limited basis after that time. The road experienced minor failures in the mid-1990s, with a large failure occurring around 2000–2001, when a large culvert at approximately milepost 35 failed due to heavy surface water runoff. At that time, the road became impassable to most vehicles. Currently, the road is gated at the north end and barricaded at the south end. In recent years the road has been used by Forest Service and CBP personnel traveling on all-terrain vehicles (ATVs) and horseback at use levels consistent with the road's current designation as an administratively restricted road; but using ATVs requires a winch system to traverse the large culvert failure. Survey work conducted in September 2012 provides photographic and narrative documentation that the entire length of this section of Bog Creek Road is now overgrown—approximately three-quarters of the road is heavily overgrown (nearly blocked) or moderately overgrown (partially obstructed) with alder brush, small trees, and other vegetation.

Without access to the border area via Bog Creek Road, CBP is required to detour using State highways in Washington and Idaho and other Forest Service roads to get to the border. This alternative route includes Highway 31/20 South, Highway 2 East, Highway 95 North, Highway 45 West, and Forest roads 2254, 1009, and 1011. This trip is approximately 180 miles and adds approximately 4 hours one way (8 hours total) to the mission time.

The Bog Creek Road is located in the Blue-Grass Bear Management Unit (Blue-Grass BMU) within the Selkirk Grizzly Bear Recovery Zone, which is currently not meeting Forest Plan standards for motorized access in grizzly bear habitat as included in the *Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones*[1] (Forest Service 2011). The Bog Creek Road is classified as a "restricted" road, which allows for limited motorized access for administrative use. The proposed project does not include a change to the current road designation.

1.2 Purpose

The purpose and need of the proposed action is to provide improved east-west access across the Selkirk Mountains on National Forest System lands, to enable CBP to execute its statutory mission to protect the U.S. northern border and for the safety of CBP and other law enforcement officers in carrying out their duties.

[1] USDA Forest Service 2011. Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones. Kootenai, Lolo, and Idaho Panhandle National Forests.

1.3 Location

The proposed project is located in the Selkirk Mountains in Boundary County, Idaho, within approximately 2 miles of the Canadian border. It is located within portions of Sections 8, 9, 10, 15, 17, 18, and 19, Township 65 North, Range 4 West, and Section 24, Township 65 North, Range 5 West (Figures 1 and 2).

1.4 Description

CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass BMU of the Selkirk Grizzly Bear Recovery Zone of the Idaho Panhandle National Forests.

To rehabilitate the road, DJ&A, the survey and design contractor, recommends replacement of nine of the existing 67 corrugated metal pipe culverts located along the length of the roadway because they have partially rusted through, otherwise exceeded their usable life, or do not meet current design standards for width and capacity. Other issues proposed to be remedied by road reconstruction include grading and resurfacing to correct areas that have been heavily eroded by surface water flows, infill of potholes, and removal of protruding boulders. The road will not be widened, but limited areas which no longer meet minimum width requirements may require cut-and-fill work to achieve the desired road operating and safety standards. Trees and other vegetation within the roadway and to either side would be grubbed or cut back to facilitate safe vehicle passage.

The proposed action would include gathering and transport of fill materials (riprap, mixed soil/rock, and crushed aggregate) from two existing “borrow” pits to use in general resurfacing/fill and in installation of the corrugated metal pipe culvert replacements. One proposed borrow pit is an existing pit located near mile post 18.89 on FR 1013. The other is located near the east end of the Bog Creek Road rehabilitation area. Equipment to be used in road reconstruction includes: dozer, grader, hydraulic excavator, and dump truck. In addition, several pickup trucks or SUVs would transport construction personnel to and from the area. Construction is currently anticipated to begin in July 2014 and last approximately 10 weeks. Upon completion, locking gates would be installed at either end of the 5.6-mile route and the road will be signed “Administrative Use Only – No Motorized Access” by the Forest Service. The road would be available for non-motorized public use (foot, bicycle or horseback).

1.5 Document Organization

This document contains summary descriptions of the following:

- scoping meetings, including public notices and advertising for the meetings;
- opportunities for public comment during the scoping period;
- the scoping content analysis process, including how individual letters and comments were coded and recorded; and
- comments received during the scoping period (February 6–March 8, 2013), organized by resource or issue.

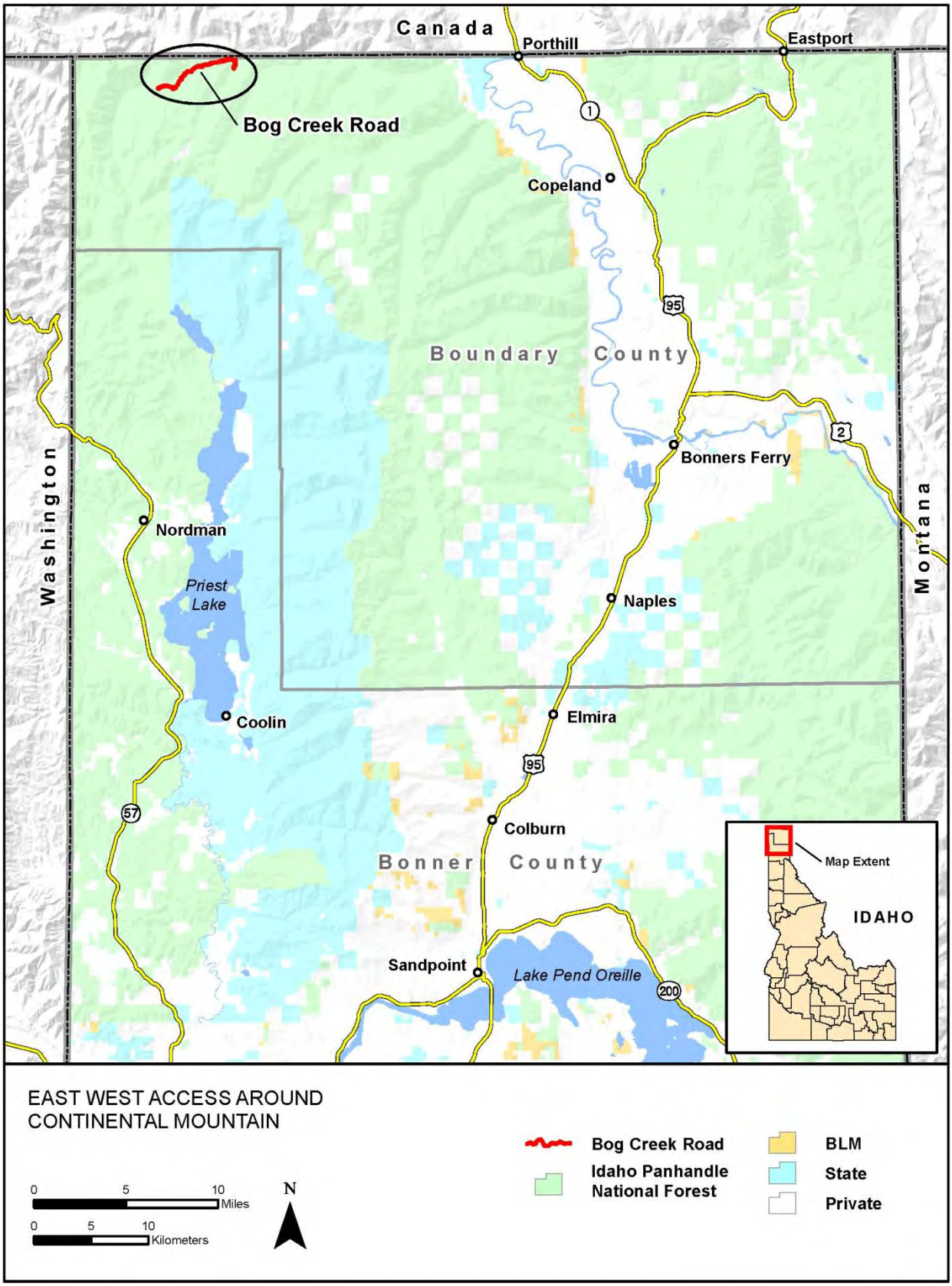


Figure 1. General project area map.

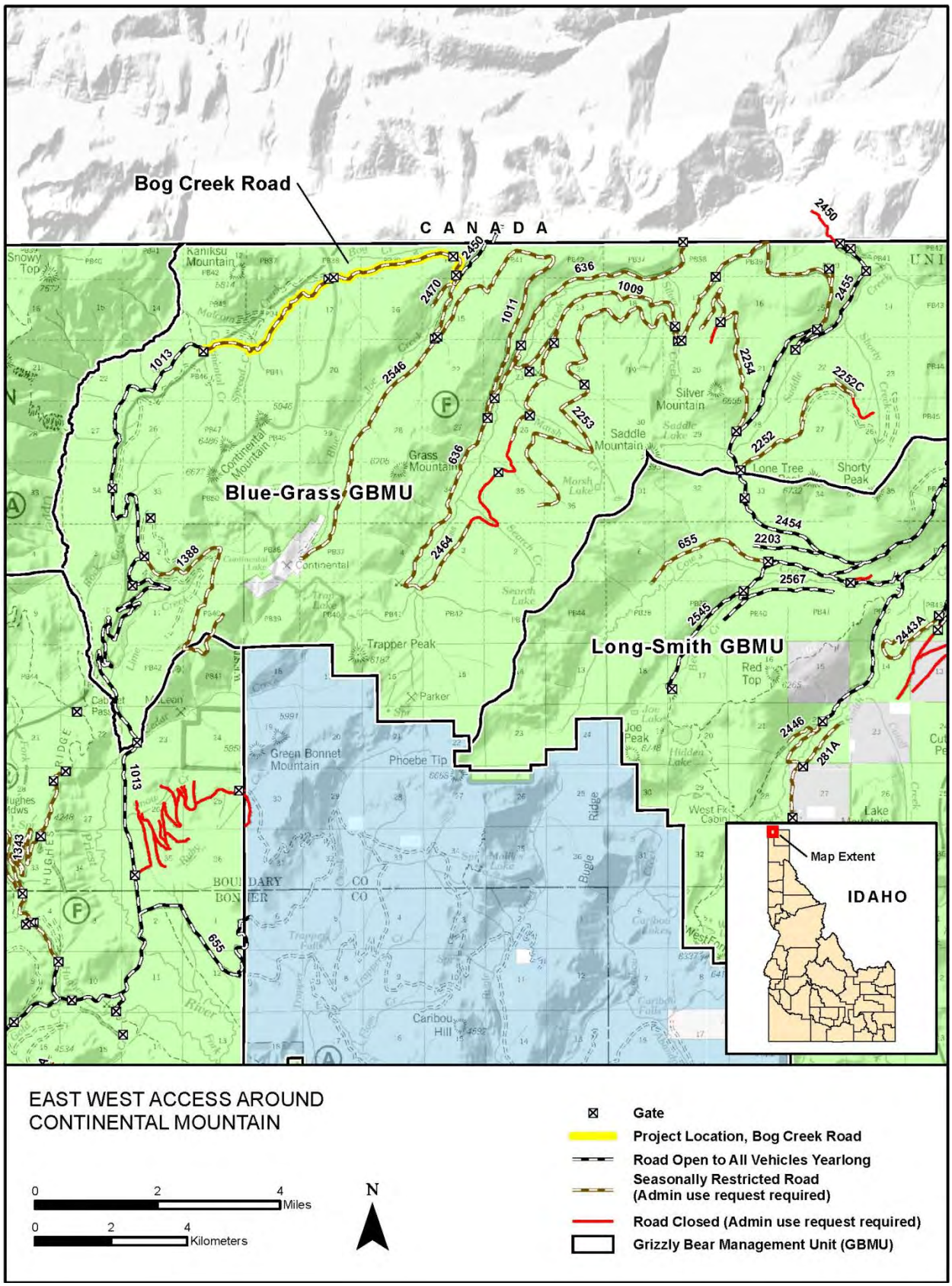


Figure 2. Project location map.

2.0 SCOPING PROCESS

The purpose of scoping is to provide an opportunity for members of the public to learn about the proposed action and to share any concerns or comments they may have. Input from the public scoping process is used to help the CBP identify issues, concerns, and potential alternatives to be considered in future National Environmental Policy Act (NEPA) process. In addition, the scoping process helps identify any issues that are not considered relevant and can therefore be eliminated from detailed future analysis. The list of stakeholders and other interested parties is also updated and generally expanded during the scoping process.

The scoping process used for this proposed project was initiated by mailing the proposed action (Appendix A) to the mailing list on February 6, 2013. The 30-day period for submitting scoping comments was from February 6, 2013 to March 8, 2013. Although the official scoping period ended on March 8, 2013, CBP will continue to accept comments throughout the NEPA process.

2.1 Objectives

Scoping is the first step and an integral part of the NEPA process. It is an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action (40 Code of Federal Reguations 1501.7). The objectives of the scoping process are to:

- increase public awareness and understanding of public lands stewardship through meaningful and productive constituent and local stakeholder involvement;
- engage federal, state, local, and tribal governments and the public in the early identification of concerns, potential impacts, and possible alternative actions;
- determine the scope and the significant issues to be analyzed in depth in the NEPA process;
- identify potentially significant issues related to the Proposed Action;
- identify and eliminate issues that are not significant or that have been covered by prior environmental review;
- identify the scope of issues to be addressed and integrate analyses required by other environmental laws (e.g., Endangered Species Act, National Historic Preservation Act); and
- identify technical studies needed to adequately address the potential impacts of the proposed project.

2.2 Advertising of Public Meetings

Pursuant to NEPA requirements, the scoping meetings were advertised in a variety of formats, beginning at least 2 weeks prior to their scheduled dates (Table 1). In each format, the advertisements provided logistics, explained the purpose of the public meetings, gave the schedule for the public comment (scoping) period, outlined additional ways to comment, and provided methods for obtaining additional information (Appendix B).

Table 1. Meeting Notification Methods and Dates

Publicity Item	Venue and Date
Proposed Action Scoping Mailing (see Appendix A)	CBP and Forest Service stakeholder list - February 6, 2013
Legal advertisement (see Appendix B)	*Priest River Times*—February 6 and 13, 2013 *Bonner County Daily Bee*—February 6 and 13, 2013 *Bonner Ferry Herald*—February 7 and 14, 2013 *The Newport Miner*—February 6 and 13, 2013 *The Coeur d'Alene Press*—February 6 and 13, 2013 *The Spokesman Review*—February 6 and 13, 2013
CBP Project Website	http://www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml

2.3 Public Scoping Meetings

CBP and the Forest Service hosted two public meetings in February 2013, as shown in Table 2. At the meetings, the project leaders provided brief summaries about the proposed project. The open house format was designed to allow attendees to view informational displays, ask specialists about the proposed project and NEPA process, and submit written comments on-site. Members of the public were provided with comment forms, fact sheets, and visual displays to learn about the proposed project details. Participants were also encouraged to join the mailing list. Copies of the meeting posters are provided in Appendix C. The visual displays provided information about the following:

- proposed action description
- project location maps
- Grizzly Bear Recovery Zones
- Forest Service road network
- NEPA process

Table 2. Public Scoping Meeting Dates, Locations, and Attendance

Meeting Location	Meeting Date	Time of Meeting	Number of People Who Signed In
Bonners Ferry, Idaho	February 20, 2013	4:00 p.m. – 8:00 p.m.	12
Priest Lake, Idaho	February 21, 2013	4:00 p.m. – 8:00 p.m.	17

2.4 Opportunities for Public Comment

Members of the public were afforded several methods for providing comments during the scoping period:

- Comments could be recorded on comment forms at the scoping meetings. Comment forms (see Appendix A) were provided to all meeting attendees and were also available throughout the meeting room, where attendees could write and submit comments during the meeting.
- Emailed comments could be sent to a dedicated email address: E-WAccessContinentalMtn@cbp.dhs.gov.
- Individual letters and comment forms could be mailed via U.S. Postal Service to P.O. Box 843, Flagstaff, Arizona, 86002-0843.

All comments were given equal consideration, regardless of method of transmittal.

2.5 Agency Coordination

CBP has contacted key federal, state, county, and local agencies, as well as American Indian tribes, to initiate coordination throughout the NEPA process. Table 3 lists the agencies and American Indian tribes that CBP has contacted as of the date of this report.

Table 3. Agencies Contacted to Initiate Coordination

Federal	U.S. Forest Service, Idaho Panhandle National Forest
	U.S. Fish and Wildlife Service
	U.S. Environmental Protection Agency, Region 10
	Natural Resource Conservation Service State Office
State	Idaho Department of Fish and Game
	Idaho Department of Parks and Recreation
	Idaho Department of Environmental Quality
	Idaho State Historic Preservation Office
	Idaho Department of Lands
	Washington Department of Fish and Wildlife
Local	Bonner County Commissioners
	Boundary County Commissioners
Tribal	Kootenai Tribe of Idaho
	Kalispel Tribe

Tribal Consultation

CBP is planning to conduct formal consultation with interested Tribes on a government-to-government level. CBP began informal coordination with the Kootenai Tribe of Idaho and the Kalispel Tribe through meetings prior to the public scoping meetings. Formal tribal consultation will begin as the NEPA analysis begins and will be ongoing throughout the NEPA process. A summary of this tribal consultation process will be included in the NEPA documentation.

3.0 SCOPING CONTENT ANALYSIS

There are four phases to the process used to analyze comments received during public scoping: 1) developing an issue coding structure, 2) importing into and organizing all submittal content in a comment database, 3) carefully reading each submittal and assigning codes to relevant comments, and 4) preparing a narrative report of the results of the analysis. It is important to note that the comment analysis process is not and should not be considered a vote. Every effort was made to qualify the intensity of the public's expressions, and all comments were treated evenly and were not weighted by number, organizational affiliation, "status" of the commenter, or other factors. Emphasis was on the content of a comment, rather than on who wrote it or the number of submitters who agreed with it.

3.1 Development of the Coding Structure

Initially, a coding structure was developed to help sort comments into logical categories and subcategories by issue, specifically resources and planning processes applicable to the project area. The issue coding structure was derived from an analysis of the range of issues uncovered during background research and evolved as submittals were read and relevant comments identified. The use of these codes allows for quick access to comments on specific topics. Table 4 shows the issue categories that were determined to be most inclusive of the substantive comments received during public scoping.

Table 4. Resource Issue Identification

Resource Issue	Resource Category
Access	ACCESS
Border Security	SECUR
Fisheries Resources	FISH
Hunting	HUNT
Miscellaneous	MISC
National Environmental Policy Act	NEPA
Roads	ROADS
Threatened and Endangered Species	T&E
Vegetation Resources	VEGE
Water Resources	WATER
Wildfire	FIRE
Wildlife Resources	WILD

3.2 Database Analysis

The second phase of the analysis process involved creating submittal records in a comments database for every submittal received. The commenter information and comment text were entered into the database manually. Each submittal was recorded in the database, where it was assigned a unique number and was then labeled with a commenter type code that indicated the entity from which it was received (i.e., ‘I’ for individual; ‘G’ for government agency; ‘O’ for organization; ‘B’ for business; or ‘T’ for tribe). Submittals that included only a person’s name and any address information were coded as having been received from an individual. If an affiliation with a business, government (federal, state, or local), tribe, or organization was included in the commenter information of a submittal, the submittal record was assigned to the corresponding commenter type category. The submittal mode of delivery is also identified (e.g., public meeting comment form).

3.3 Identification and Coding of Comments

Once submittal records were coded for commenter and submittal types, each submittal was read carefully to identify preliminary issues that will be addressed during the NEPA process. Each individual statement identified as a relevant comment was assigned a resource category (see Table 4). Each comment was then further described using a specific descriptive resource code (numeric), as illustrated in Table 5. Each submittal may include multiple coded comments. This form of analysis allows for specific comments to be captured and then grouped under the umbrella of a general resource issue. It also allows for cross-referencing and comparison.

Table 5. Resource Code Identification

Resource Category	Resource Code	Description
ACCESS	01	Illegal
	02	Public Access
	03	Non-Motorized
	04	Administrative Use
	05	Trip Numbers
	06	Legal
SECUR	01	Importance
	02	Safety
FISH	01	General
HUNT	01	General
MISC	01	General Support for Proposal
	02	General Non-support for Proposal
NEPA	01	Purpose and Need
	02	EIS
	03	Alternatives
ROADS	01	Closures
	02	Cost / Maintenance
	03	Traffic
	04	Current Degraded Condition
	05	Condition
T&E	01	Grizzly Bear
	02	Core Habitat / BMU
	03	General
	04	Caribou
	05	Lynx
	06	Wolverine
	07	Monitoring
	08	Bull Trout
VEGE	01	Noxious Weeds
	02	Botanical Survey
	03	Sensitive Plants
WATER	01	Sediment / Water Quality
FIRE	01	General
WILDLIFE	01	General

3.4 Preparation of Scoping Report

The final phase included identifying statements of public concern and preparing this narrative report. The statements of concern are a compilation of comments received from the public and various agencies during public scoping. The intent of this compilation is to provide representative statements that capture, with minimal repetition, all major concerns expressed during the public comment period. The statements are not necessarily verbatim iterations of comments received but in many cases include similar or exact phrasing.

4.0 SUMMARY OF PUBLIC SCOPING COMMENTS

4.1 Submittals Received

In total, 25 submittals were collected during public scoping, none of which were identified as duplicate submittals. Table 6 illustrates the types of submittals received and their corresponding comment totals and percentages.

Table 6. Distribution of Comments by Submittal Type

Submittal Type	Submittal Total	Comment Total	Percent of Total (Comments)
Electronic	12	93	74%
Comment Form	10	21	17%
Letter	3	11	9%
Total	**25**	**125**	**100%**

Table 7 lists the number of submittals and comments by submitter type (individual, government, organization, or tribal). It also lists the agencies, organizations, and tribes that submitted comments.

Table 7. Agencies and Organizations that Submitted Scoping Comments

Submitter Type	Name	Submittal Count	Comment Count
Individual	See Appendix D	19	73
Government	Boundary County Commissioners	1	6
Organization	The Lands Council; Alliance for the Wild Rockies; Priest Community Forest Connection; Kinnikinnick Native Plant Society; Idaho Conservation League	5	46
Tribal	—	0	0
Total		**25**	**125**

4.2 Comments Identified

In total, 125 comments were identified in the submittals received during public scoping (Appendix D). Table 8 shows the distribution of individual comments received by resource category and resource code.

Table 8. Distribution of Public Scoping Comments by Resource Category

Code	Description	Comment Count
ACCESS	**Access**	
01	Illegal	9
02	Public Access	6
03	Non-Motorized	4
04	Administrative Use	4
05	Trip Numbers	1
06	Legal	1
Subtotal		*25*
SECUR	**Border Security**	
01	Importance	2
02	Safety	2
Subtotal		*4*
FISH	**Fisheries Resources**	
01	General	1
Subtotal		*1*
HUNT	**Hunting**	
01	General	1
Subtotal		*1*
MISC	**Miscellaneous**	
01	General Support for Proposal	8
02	General Opposition of Proposal	5
Subtotal		*13*
NEPA	**National Environmental Policy Act**	
01	Purpose and Need	7
02	EIS	3
03	Alternatives	5
Subtotal		*15*
ROADS	**Roads**	
01	Closures	7
02	Cost / Maintenance	6
03	Traffic	1
04	Current Degraded Condition	3
05	Condition	1
Subtotal		*18*

Table 8. Distribution of Public Scoping Comments by Resource Category (Continued)

Code	Description	Comment Count
T&E	**Threatened and Endangered Species**	
01	Grizzly Bear	8
02	Core Habitat / BMU	10
03	General	4
04	Caribou	4
05	Lynx	1
06	Wolverine	2
07	Monitoring	4
08	Bull Trout	2
Subtotal		*35*
VEGE	**Vegetation Resources**	
01	Noxious Weeds	2
02	Botanical Survey	2
03	Sensitive Plants	2
Subtotal		*6*
WATER	**Water Resources**	
01	Sediment / Water Quality	4
Subtotal		*4*
FIRE	**Wildfire**	
01	General	1
Subtotal		*1*
WILD	**Wildlife Resources**	
01	General	2
Subtotal		*2*
Total		**125**

4.3 Theme and Concern Summary

Individual comments were assigned to one of 12 resource categories (see Table 5) on the basis of the overall theme and public concern of the comment. Below is a summary of these themes and public concerns. Not all comments coded were considered substantive. The primary issues and concerns within each theme are discussed below.

Access

Comments coded **ACCESS-01 (ILLEGAL)** contained concerns about the potential for illegal use of the road by the public. Comments pointed out potential illegal use and activity of smugglers and terrorists and also illegal recreational activity by snowmobilers, and ATV and off-road vehicle users. The concerns included questions about how the Border Patrol will monitor the road for illegal activity and how, if the road is open to non-motorized use, they will differentiate between legal and illegal use of the road. Comments requested that the NEPA document consider that opening the road might facilitate more access

for those illegally crossing the border in either direction and consider that reconstructing the road might lead to general increased use by the public.

Comments coded **ACCESS-02 (PUBLIC ACCESS)** included concerns that the reconstructed road would not be open to the public for motorized access and make the request for removal of all gates and opening the road to the public. The use of taxpayer dollars to improve the road with no public access is a concern and it was requested that the road be open for at least a 2-month period during the summer, and possibly during the winter. Continental Lands requested unimpeded access to their property year-round with no trip limitations.

Comments coded **ACCESS-03 (NON-MOTORIZED)** presented concerns about the Scoping Notice statement that the road will be signed "Administrative Use Only – No Public Access." Comments were strongly opposed to this and request that the road remain open to non-motorized use for biking, hiking, etc.

Comments coded **ACCESS-04 (ADMINSTRATIVE USE)** stated that the road is currently classified as administrative use and that the classification will not change. Comments also requested that the road remain administrative use and that this designation can be successfully monitored by law enforcement officials for activity and use.

Comments coded **ACCESS-05 (TRIP NUMBERS)** requested that there be no limitations on trip numbers for CBP or the owners of Continental Lands.

Comments coded **ACCESS-06 (LEGAL)** pointed out a court settlement between the United States and Boundary County, Idaho, dated October 2, 2002, that states the "prism of Bog Creek Road shall be substantially retained for future use" (see comment in Appendix D for more details).

Border Security

Comments coded **SECUR-01 (IMPORTANCE)** included concerns about the importance of border security and that it is more important than it has been in the past, based on recent illegal drug trafficking. Comments stated that security of the United States should have the highest priority regarding management actions and access of our public lands.

Comments coded **SECUR-02 (SAFETY)** stated the importance of providing safe conditions for border patrol to conduct their patrols.

Fisheries Resources

Comments coded **FISH-01 (GENERAL)** expressed concerns about impact to fisheries resources from road reconstruction activities that will deliver sediment to tributaries and decrease water quality. Specific concerns include construction activities on the Bog Creek Road and the impact to the tributaries of Continental Creek and Malcom Creek (tributaries to Upper Priest River) and Spread Creek (tributary to Malcom Creek). Additional concern about construction work on FR 1013 and impacts to tributaries to the Upper Priest River was also expressed.

Hunting

Comments coded **HUNT-01 (GENERAL)** expressed concerns about the impact that reconstructing Bog Creek Road would have on unique hunting opportunities in the area. The Blue Grass BMU Grass Creek area is currently used for hunting and accessed by bicycle/trailer. Concern that increased traffic would impact hunting opportunities were included in the comments.

Miscellaneous

Comments coded **MISC-01 (GENERAL SUPPORT OF PROPOSAL)** directly stated general support of the proposal.

Comments coded **MISC-02 (GENERAL OPPOSITION OF PROPOSAL)** directly stated general opposition of the proposal.

National Environmental Policy Act

Comments coded **NEPA-01 (PURPOSE AND NEED)** included concerns about the purpose and need for the project as presented in the Scoping Notice. Comments requested additional information regarding the need for increased border patrols that includes what has changed, in addition to the unmaintained road, which makes this project necessary (i.e., national security threats). Comments inquired about how the border patrol is currently conducting patrols and if the need can be met by other means. Comments questioned the additional travel time required for CBP patrols without reconstructing the Bog Creek Road, as presented in the Scoping Notice, and how often such a trip would be necessary. A request was made to clarify that the access is needed for both the Bonners Ferry and Metaline Falls stations.

Comments coded **NEPA-02 (EIS)** included concerns that this proposed action includes a level of impact that needs to be covered by an Environmental Impact Statement, not an Environmental Assessment. Rationale included the detrimental effect on a threatened species, the virtually impassable condition of the road changing to allow significant administrative use for the first time since the 1980s, and the 10-week summer construction season impacts to grizzly bear summer range.

Comments coded **NEPA-03 (ALTERNATIVES)** included suggested alternatives to the proposed action. Suggestions included:

- Build a tunnel instead
- Instead of driving back and forth multiple times between Bonners Ferry and Priest Lake, agents could spend several nights camping out when they are on missions. While at their camps they could 'clock out' but still be on call for immediate action should the border be broached.
- One possible way the CBP could compensate for the inevitable adverse impacts of the proposed action on threatened wildlife species is to purchase the Continental Mine property and transfer it back to the Idaho Panhandle National Forest. If this were to occur, opportunities for managing (closing) roads that access the private property would open up, giving the Forest Service several options for increasing secure wildlife habitat for both grizzlies and caribou in the Blue-Grass BMU.
- If the Border Patrol is determined to move forward with some iteration of the proposed action, then we suggest developing, analyzing, and adopting a modified version of the proposed action, based on the following:
    - The Bog Creek Road should remain classified as “restricted” to administrative use. Gates should be installed and monitored at both ends to ensure that unauthorized use does not occur. This is essential to keeping the number of vehicle trips within the confines of the Access Amendment.
    - Administrative use by Border Patrol and Forest Service officials should be limited to 57 vehicle trips per active bear year as required by the Access Amendment. Trips must be apportioned as follows: 19 or fewer trips during the spring (April 1 through June 15); 23 or fewer trips during the summer (June 16 through September 15); and 15 or fewer

trips during the fall (September 16 through November 15). If the number of trips exceeds any of these seasonal limitations, then the Bog Creek Road must be considered an "open" road for analysis and reporting purposes.

- The amount of core habitat (50%) in the Blue Grass BMU is below the minimum standard of 55%. Similarly, the total motorized route density (28%) exceeds the maximum allowable density of 26%. A modified version of the proposed action should be developed that results in more than 55% core habitat and a total motorized route density of less than 26%. In other words, the approved action should result in compliance with the Access Amendment's standards for the Blue Grass BMU and result in a net gain of the total amount of effective core grizzly bear habitat.
- The Forest Service should perform a habitat analysis of the Blue Grass BMU to determine which roads, if decommissioned or stored, would result in the maximum benefit to grizzly bears. If possible, core habitats should represent the full range of seasonal habitats that are available in the Blue Grass BMU. Moreover, the comment recommended minimum core habitat blocks of 2 to 8 square miles.
- Roads above 5,000 feet elevation should also be given special attention. According to the caribou telemetry data collected by Kinley and Apps (2007), caribou tend to utilize habitats above 5,000 feet more than 90% of the time. Reducing motorized access in areas above 5,000 feet would benefit caribou. Wakkinen and Slone's caribou movement corridor analysis (2010) is also informative.
- Snowmobile and other "over-snow" vehicles should be prohibited due to concerns about caribou and other wildlife that are sensitive to motorized access during the winter months.

Roads

Comments coded **ROADS-01 (CLOSURES)** expressed concerns that reconstructing the Bog Creek Road will require closing other roads in the Blue Grass BMU to meet the BMU required standards. Concerns included decreased funding for maintenance for other roads, decreased access to the National Forest in an area that already has limited road access, and decreased opportunities for wood collection, food gathering, and recreation. Comments stated that no roads should be closed and that this decision should not apply to the Road Density Standards. Boundary County officials request to be notified of any action to change road classifications in order to participate in those discussions.

Comments coded **ROADS-02 (COST/MAINTENANCE)** included concerns about the costs of building and maintaining the road and the potential impact to the Forest Service's already limited road maintenance budget. A detailed cost-benefit analysis was requested that includes the costs to build and maintain the road and other alternatives to road reconstruction. Comments questioned who will maintain the road and suggested only minimal, if any, upgrades to FR 1013.

Comments coded **ROADS-03 (TRAFFIC)** included concerns about increased traffic on Westside Road by border patrol agents and associated impacts that include: fast driving speeds that endanger pets, livestock, and wildlife; increased noise; and increased interactions with border patrol agents.

Comments coded **ROADS-04 (CURRENT DEGRADED CONDITION)** included concerns that the current condition of the Bog Creek Road is degraded and causing impact to forest lands. It was suggested that repairing the road will help restore best management practices to meet the state Forest Practices Act requirements that will help the habitat for species protected by the Endangered Species Act, and other wildlife that use the area.

Comments coded **ROADS-05 (CONDITION)** included concerns that the administrative status of the road does not represent the current, on-the-ground condition of the road as impassible and unused for many years.

Threatened and Endangered Species

Comments coded **T&E-01 (GRIZZLY BEAR)** included concerns about potential impact to grizzly bear in the project area. Comments included concerns that the grizzly bear population in the area has improved and therefore Endangered Species Act protections need to be removed. Comments stated that historic use of the road for logging, forest management, and fire protection had no impact to the grizzly bear population.

Other concerns regarding grizzly bears included:

- The area is very important summer habitat for grizzly bears and that the elevation and aspect supply an important summer food source.
- Road construction during the summer months could lead to conflicts with seasonal grizzly bear use.
- The area provides other important habitat features that include secluded areas, meadows, wetlands, a water body, and limited motorized traffic that are important for grizzly bear.
- Increasing the road use increases the potential for hunters to access areas frequented by bears. This could lead to illegal kills or mistaken-identity kills of grizzly bears.
- The Idaho Panhandle National Forest is not currently consistent with the Forest Plan, laws, and policies in regards to grizzly bears (*Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones*).

Comments coded **T&E-02 (CORE HABITAT / BMU)** include concerns about the core habitat and other requirements for the Blue-Grass BMU as defined in the *Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones*. Comments and concerns include:

- The proposal will limit management options and make it difficult for the Forest Service to meet their core habitat standards, as the BMU already consists of mostly closed roads. Closing this road would move the BMU toward achieving these standards.
- The road has gone unused by motorized traffic for more than 10 years and is currently functioning as core habitat, regardless of the administrative use designation. Core habitat, as defined in the *Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones*, includes those areas beyond 500 meters of an open motorized route. It is estimated that there are approximately 1,820 acres of National Forest System lands in the Bog Creek Road corridor that are essentially functioning as core habitat, even if this area has not been counted as official core habitat in the Blue-Grass BMU. It would be difficult to close enough roads to all traffic, including administrative use, to compensate for the loss of grizzly bear security along the Bog Creek Road.
- The amount of core habitat (50%) in the Blue Grass BMU is below the minimum standard of 55%. The total motorized route density (28%) exceeds the maximum allowable density of 26%. CBP should present a modified proposed action that results in more than 55% core habitat and a total motorized route density of less than 26%. The approved action should result in compliance with the standards for the Blue Grass BMU and result in a net gain in the total amount of effective core grizzly bear habitat.

- The Forest Service should perform a habitat analysis for the Blue Grass BMU with recommendations that core habitat consists of 2– to 8–square mile blocks representing the full range of available habitats.
- The road should be classified as "open" during reconstruction activities because of truck traffic and the use of heavy equipment. The road should also be classified as open after the road is reconstructed and being used by the border patrol. This will increase the Open Motorized Road Density (OMRD) in the Blue-Grass BMU.

Comments coded **T&E-03 (GENERAL)** included general concerns about impacts to threatened and endangered species and how they are evaluated in the analysis process. Comments described the proposed project area as being in the middle of one of the most critical wildlife corridors that connects wildlife habitats in the United States and Canadian Selkirk Mountains, and that the proposed road would bisect the area and impose a migration barrier. Comments requested that the proposal go through the Endangered Species Act Section 7 process with U.S. Fish and Wildlife Service because of the potential for adverse effects on threatened and endangered species. Specific species mentioned in the comments include grizzly bear, mountain caribou, and bull trout.

Other comments stated that the limited activity that agents would have on this road would have no impact on endangered or other species.

Comments coded **T&E-04 (CARIBOU)** contained concerns about the proposal's impact on mountain caribou. Specifically, the comments requested that the environmental analysis include potential impacts to caribou in the decision to reconstruct the road by giving special consideration to roads at about 5,000 feet elevation, because caribou use these habitats 90% of the time. Reducing motorized access at this elevation would reduce impacts to caribou. Other requested protections include prohibiting the use of snowmobiles along the road.

Comments coded **T&E-05 (LYNX)** requested that impacts to lynx, a listed species, be analyzed in the NEPA document.

Comments coded **T&E-06 (WOLVERINE)** requested that impacts to wolverine, a listed species that benefits from the isolated location of the Bog Creek Road area, be analyzed in the NEPA document.

Comments coded **T&E-07 (MONITORING)** requested that CBP and the Forest Service develop a cooperative monitoring plan for the Bog Creek Road and the Blue Grass BMU as part of the proposal that monitors how the requirements of the access amendment are carried out. The plan should include the following items:

- Monitoring of at least 30% of the closure devices in the BMU on an annual basis, including gates, berms, or other closure methods or devices. It was recommended that closures be monitored on a rotating basis so all closures are monitored within 3-year intervals.
- Monitoring the Bog Creek Road for closure violations on an annual basis using road counters and cameras.
- CBP and Forest Service maintaining regular coordination to ensure that collective trips made on the Bog Creek Road do not exceed the maximum allowable trips during the active bear year.
- Incorporation of the monitoring results into the annual reports submitted to the U.S. Fish and Wildlife Service by April 15 of each year.

Comments coded **T&E-08 (BULL TROUT)** asked that the proposal's impacts relative to bull trout, a listed species, be considered in the resource analysis. Comments noted that sediment delivery to streams in the area has occurred in the past because of lack of road maintenance and existing culvert failures and that this could be improved by reconstructing the road. Other comments suggested that the culvert failure sediment delivery is not ongoing and has healed itself; road reconstruction could result in additional sediment delivery and decreased water quality in the Upper Priest River that contains bull trout habitat.

Vegetation

Comments coded **VEGE-01 (NOXIOUS WEEDS)** requested that the environmental analysis for the project consider vegetation impacts of control and management of noxious weeds and consider project timing in consideration of preventing the spread of noxious weeds.

Comments coded **VEGE-02 (BOTANICAL SURVEY)** asked that a complete botanical survey be conducted in the project area prior to any reconstruction work to identify the location of sensitive plant populations. The Idaho Natural Heritage Program's database lists 31 species within about 10 miles of the project site. See comment in Appendix D for species list.

Comments coded **VEGE-03 (SENSITIVE PLANTS)** pointed out that this region has Idaho's highest density of sensitive and rare plant species and requested that sensitive plant habitats remain undisturbed.

Water Resources

Comments coded **WATER-01 (SEDIMENT / WATER QUALITY)** include concerns about impacts to water quality from sediment caused by road reconstruction on waterways in the project area. Comments noted the possibility that water quality is being degraded because of past culvert failures and could be improved through road reconstruction. Other comments state that water quality could be further degraded through road reconstruction activities that deliver sediment to waterways in the project area. Specific tributaries in the area include Malcom Creek, Bog Creek, Continental Creek, Spread Creek, and the Upper Priest River.

Wildfire

Comments coded **FIRE-01 (GENERAL)** stated that the road could provide a beneficial use to firefighters needing to gain access to the area to control wildfires.

Wildlife Resources

Comments coded **WILDLIFE-01 (GENERAL)** requested that wildlife species analyzed for impacts include the Idaho Panhandle National Forest's sensitive species list and the management indicator species listed in their Forest Plan[2].

5.0 FUTURE STEPS IN THE NEPA PROCESS

CBP will use the comments collected during scoping to define issues and to develop a range of alternatives to address those issues, which will then be analyzed in the future NEPA process. The impacts that could result from implementing the alternatives will be analyzed and documented in a future NEPA document. Upon completion of the NEPA document, it will be made available for public review and public comment.

[2] USDA Forest Service 1987. Idaho Panhandle National Forest Plan, Vol. 1 and 2. Coeur d'Alene, ID.

APPENDIX A

Scoping Notice

1300 Pennsylvania Avenue NW
Washington, DC 20229

U.S. Customs and
Border Protection

February 6, 2013

Subject: East-West Access Around Continental Mountain Scoping Notice

Dear Interested Party:

The United States (U.S.) Customs and Border Protection, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the U.S. and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service).

The purpose of this notice is to inform interested parties of the existing conditions in the area and to identify the purpose and need and proposed action that would meet the project objective. Please review this notice and provide us with your comments. Your input will help us identify potential issues and concerns that should be analyzed in any environmental document prepared pursuant to the National Environmental Policy Act (NEPA) for this project. We look forward to hearing your thoughts about this proposed project.

Project Location
The project is located in the Selkirk Mountains in Boundary County, Idaho, within approximately two miles of the Canadian border. It is located within portions of T65N R4W Sections 8, 9, 10, 15, 17, 18, 19 & T65N R5W Section 24 (see attached maps).

Project Background
The primary road that provides east-west access around Continental Mountain is the Bog Creek Road. Historical records are incomplete, but appear to indicate that Bog Creek Road was originally constructed primarily as a logging road sometime between 1934 and 1956. The road was closed on both ends in the late 1980s for grizzly bear security and was maintained on a limited basis after that time. The road experienced minor failures in the mid-1990s with a large failure occurring around 2000-2001when a large culvert at approximately milepost 35 failed due to heavy surface water runoff. At that time, the road became impassable to most vehicles. Currently, the road is gated at the north end and barricaded at the south end. In recent years the road has infrequently been used by Forest Service and CBP personnel traveling on all-terrain vehicles (ATVs) and horseback, but using ATVs requires a winch system to traverse the large culvert failure. Survey work conducted in September 2012 provides photographic and narrative documentation that the entire length of this section of Bog Creek Road is now overgrown, approximately three-quarters of the road is heavily (nearly blocked) or moderately overgrown (partially obstructed) with alder brush, small trees, and other vegetation (DJ&A 2012).

Without access to the border area via Bog Creek Road, CBP is required to detour using state highways in Washington and Idaho and other forest roads to get to the border. This alternative route includes Highway 31/20 South, Highway 2 East, Highway 95 North, Highway 45 West, and Forest roads 2254, 1009, and 1011. This trip is approximately 180 miles and adds approximately four hours one way (eight hours total) to the mission time.

The Bog Creek Road is located in the Blue-Grass Bear Management Unit within the Selkirk Grizzly Bear Recovery Zone, which is currently not meeting Forest Plan standards for motorized access in grizzly bear habitat (USDA Forest Service 2011). The Bog Creek Road is classified as a "restricted" road, which allows for limited motorized access for administrative use. The proposed project does not include a change to the current road designation. To mitigate potential impacts associated with reconstruction and subsequent use of Bog Creek Road, other roads within the Blue Grass Bear Management Unit may need to be closed to motorized access. Consideration will be given to existing use agreements.

Purpose and Need

The purpose and need of the proposed action is to provide improved east-west access across the Selkirk Mountains on National Forest System lands to enable CBP to execute its statutory mission to protect the U.S. northern border and for the safety of CBP and other law enforcement officers in carrying out their duties.

Proposed Action

CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit (BMU) of the Selkirk Grizzly Bear Recovery Zone (SRZ) of the Idaho Panhandle National Forests.

To rehabilitate the road, DJ&A, the survey and design contractor, recommends replacement of 9 of the existing 67 corrugated metal pipe (CMP) culverts located along the length of the roadway because they have partially rusted through, otherwise exceeded their usable life, or do not meet current design standards for width and capacity. Other issues proposed to be remedied by road reconstruction include grading and resurfacing to correct areas that have been heavily eroded by surface water flows, infill of potholes, and removal of protruding boulders. The road will not be widened, but limited areas which no longer meet minimum width requirements may require cut and fill work to achieve the desired road operating and safety standards. Trees and other vegetation within the roadway and to either side would be grubbed or cut back to facilitate safe vehicle passage.

The proposed action would include gathering and transport of fill materials (riprap, mixed soil/rock, and crushed aggregate) from two existing "borrow" pits to use in general resurfacing/fill and in installation of the CMP culvert replacements. One proposed borrow pit is an existing pit located near mile post 18.89 on FR 1013. The other is located near the east end of the Bog Creek Road rehabilitation area. Equipment to be used in road reconstruction includes: dozer, grader, hydraulic excavator, and dump truck. In addition, several pickup trucks or SUVs would transport construction personnel to and from the area. Construction is currently anticipated to begin in July 2014and last approximately 10 weeks. Upon completion, locking

gates would be installed at either end of the 5.6-mile route and the road will be signed "Administrative Use Only – No Public Access" by the Forest Service.

Environmental Resources / Issues
Some of the issues that we anticipate analyzing in the project include the potential effects to grizzly bear habitat, caribou habitat, other wildlife habitat, water resources, and cultural resources.

Known resource issues in the area of the Bog Creek Road include:

- Threatened and Endangered Species –
  - Grizzly bears (listed as threatened under the Endangered Species Act) and their habitat in the project area;
  - Selkirk Mountain woodland caribou, (listed as endangered under the Endangered Species Act and their habitat in the project area;
  - Bull trout (listed as threatened under the Endangered Species Act) and their habitat;
- Sensitive Species
  - Gray wolf

Decision Framework
CBP and Forest Service expect to prepare an environmental document in conformance with the NEPA for this proposed action. This document will include any reasonable alternatives that are developed, and an analysis of the environmental consequences to enable an informed decision. The CBP and Forest Service will sign separate NEPA decisions. CBP will be authorizing the expenditure of funds to implement the selected alternative; the Forest Service will be authorizing implementation of the selected alternative. The Executive Director, Facilities Management & Engineering, CBP, is the deciding official for CBP and the Forest Supervisor, Idaho Panhandle National Forests, is the deciding official for the Forest Service. Based on the purpose and need for action, the findings of the environmental document, and the best available science, the possible options are:

- Select and implement the proposed action as described in the environmental document or an alternative to the proposed action developed to address other resource conflicts; or
- Choose not to take action at this time.

This is the first step in the scoping process under NEPA, which requires Federal agencies to consider the potential physical, biological, social, and economic effects of their actions on the environment.

Page 4

Public Involvement
Open houses to present the proposed project, answer questions, and accept public comments will be held in the following locations. **Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.**

February 20, 2013 - Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho
February 21, 2013 - Hills Resort, 4777 West Lakeshore Road Priest Lake, Idaho

Public Comments
We are inviting your comments on this proposal. A comment form has been enclosed for your convenience. The comment form also provides the opportunity to choose whether you would like to have your name kept on the list to receive future mailings regarding this proposed project.

We can best use your comments if they are received no later than **March 8, 2013**. Please mail your written comments to East-West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to: E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

An individual or representative from each organization submitting substantive comments must either sign the comments or be prepared to verify the comments upon request. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record and will be available for public inspection.

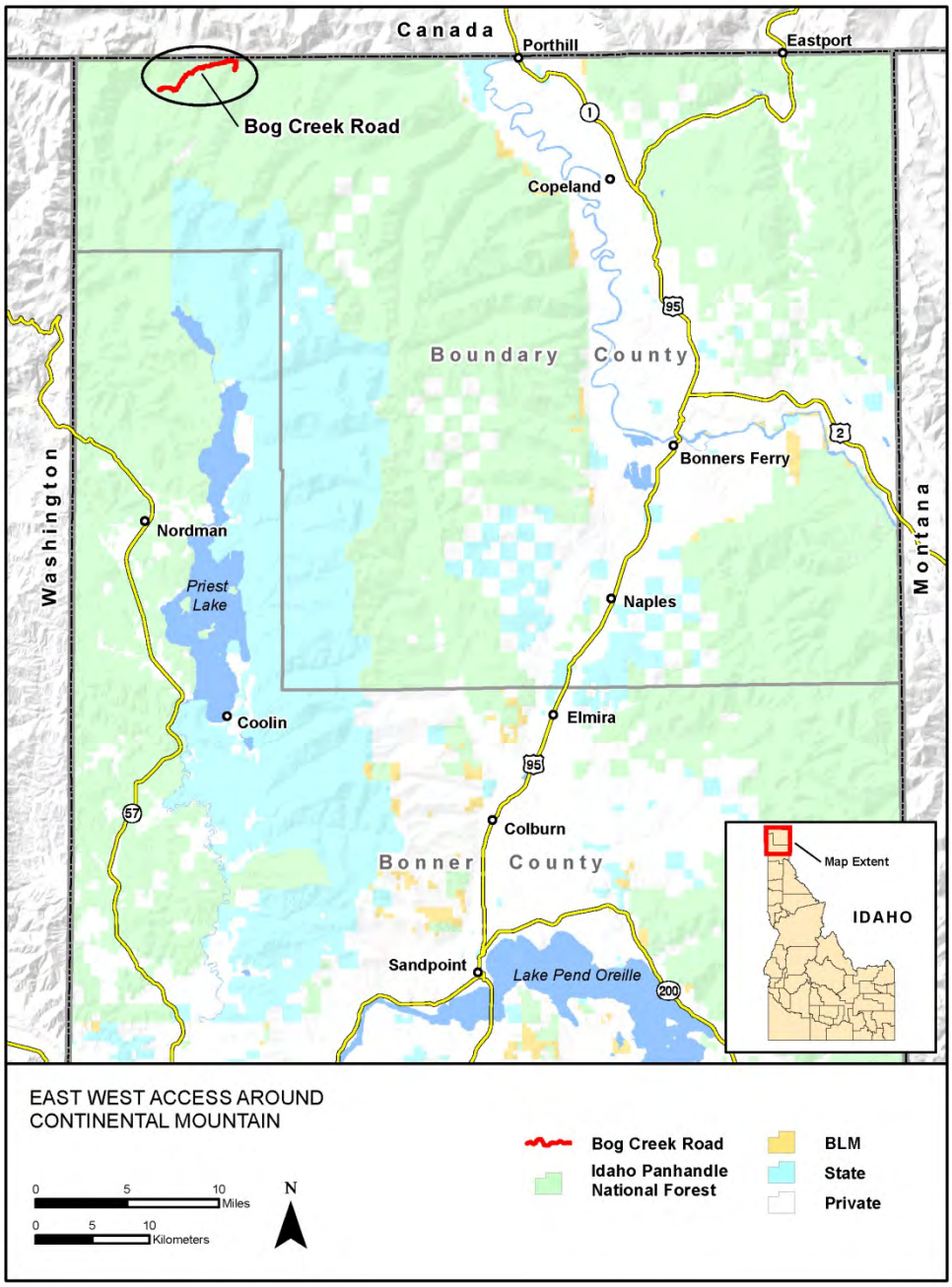
If you have questions regarding this proposal, please contact Mr. Barry Woelfel at (509) 446-1037 or via email at (Barry.R.Woelfel@cbp.dhs.gov).

We look forward to receiving your comments and thank you for your participation in the NEPA process for this project.

Sincerely,

Christopher J. Colacicco
Director
Real Estate and Environmental Services Division
Border Patrol Facilities and Tactical Infrastructure
Program Management Office

Enclosures


Canada
Porthill
Eastport
Bog Creek Road
Copeland
Boundary County
Bonners Ferry
Washington
Montana
Nordman
Priest Lake
Naples
Coolin
Elmira
Colburn
Bonner County
Sandpoint
Lake Pend Oreille
Map Extent
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EAST WEST ACCESS AROUND CONTINENTAL MOUNTAIN
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Idaho Panhandle National Forest
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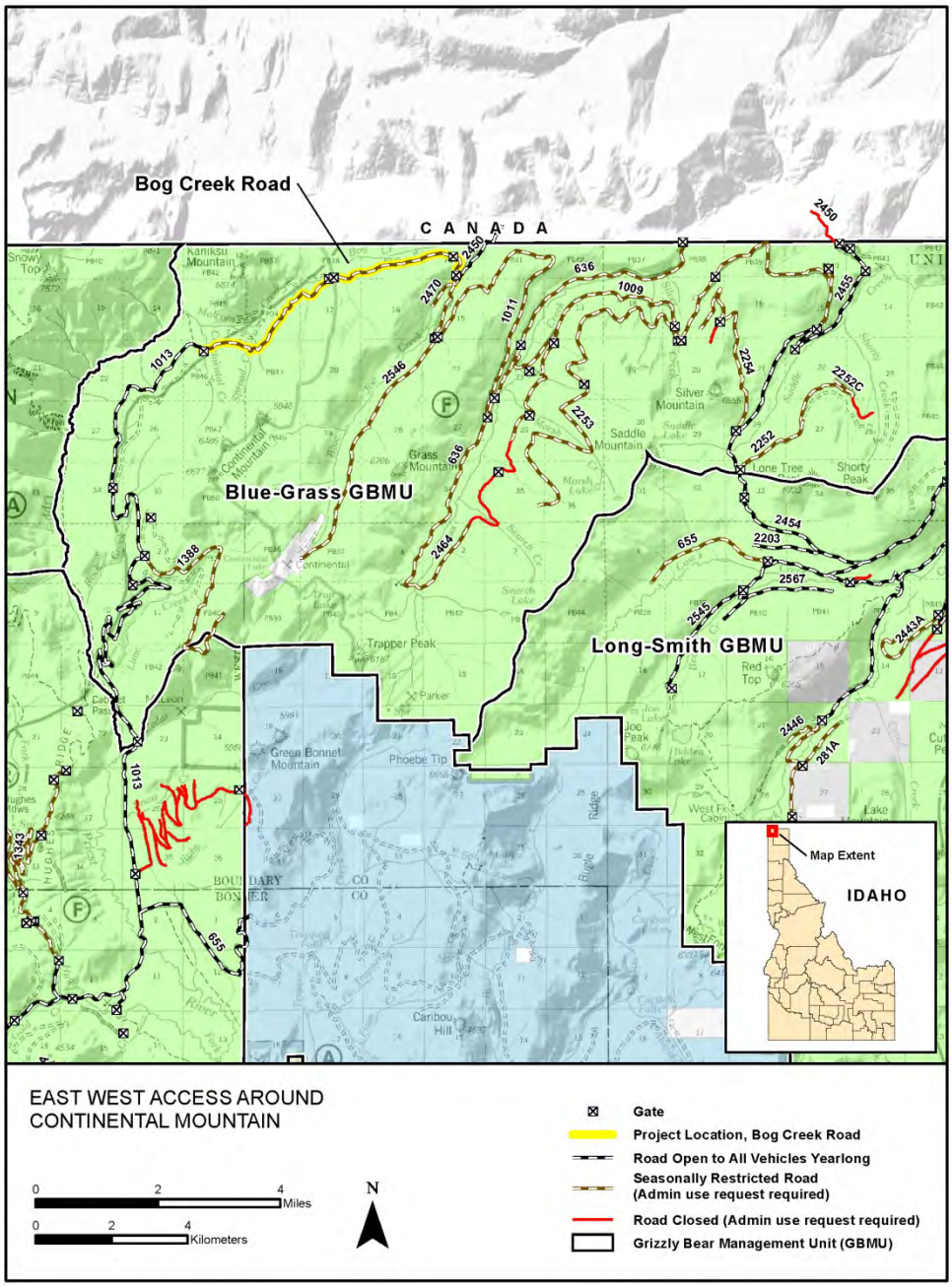
Bog Creek Road
CANADA
Blue-Grass GBMU
Long-Smith GBMU
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EAST WEST ACCESS AROUND
CONTINENTAL MOUNTAIN
0 2 4 Miles
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N
Gate
Project Location, Bog Creek Road
Road Open to All Vehicles Yearlong
Seasonally Restricted Road
(Admin use request required)
Road Closed (Admin use request required)
Grizzly Bear Management Unit (GBMU)

Public Comments
for the
Proposed East-West Access Around Continental Mountain Project

If you would like to make a comment or be added to our mailing list, please fill out this form and mail it to the address provided. You are also welcome to write a letter or send an e-mail to E-WAccessContinentalMtn@cbp.dhs.gov. Please submit your comments by **March 8, 2013**. Thank you!

COMMENT:

NAME: _____

EMAIL: _____

ADDRESS: _____

_____

☐ **Please add me to the mailing list to receive future mailings regarding this project.**

☐ **Please remove my name from the mailing list for this project.**

Please return this form to:
East-West Access Around Continental Mountain Project
P.O. Box 843
Flagstaff, AZ 86002-0843

First Class Stamp Here

East-West Access Around Continental Mountain Project
P.O. Box 843
Flagstaff, AZ 86002-0843

Fold Here

APPENDIX B

Legal Advertisements

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terri Ivie

being first duly sworn on oath deposes and says that he/she is Managing Editor of the Priest River Times, a newspaper printed and published at Priest River, Bonner County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Opportunity to Comment - East/West Access around Continental Mtn Project

as it was published in the regular and entire issue of the said newspaper for a period of 1 consecutive weeks, commencing on the 6th day of February, 2013 and ending on the 6th day of February, 2013 and that said notice was published in said newspaper.

On this 6th day of February in the year of 2013, before me, a Notary Public, personally appeared Terri Ivie, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

SHANNON M. FOOTE NOTARY PUBLIC STATE OF IDAHO

Shannon M Foote
Notary Public for Idaho
Residing at Priest River
My commission expires: 10.9.13

LEGAL NOTICE
Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: **February 20, 2013** at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and **February 21, 2013** at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

PRT legal 2554
February 6, 2013

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terri Ivie

being first duly sworn on oath deposes and says that he/she is Managing Editor of the Priest River Times, a newspaper printed and published at Priest River, Bonner County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Opportunity to Comment - East/West Access around Continental Mtn. Project

as it was published in the regular and entire issue of the said newspaper for a period of 1 consecutive weeks, commencing on the 13th day of February, 20 13 and ending on the 13th day of February, 20 13 and that said notice was published in said newspaper.

On this 13th day of February in the year of 2013, before me, a Notary Public, personally appeared Terri Ivie, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shannon M. Foote
Notary Public for Idaho
Residing at Priest River
My commission expires: 10-9-13

SHANNON M. FOOTE NOTARY PUBLIC STATE OF IDAHO

LEGAL NOTICE.
Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone. For more information on the project visit the website www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: February 20, 2013 at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and February 21, 2013 at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

PRT legal 2556
February 13, 2013

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Ambre Chapman, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Opportunity to comment
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 1x consecutive weeks, commencing on the 13 day of February, 2013, and ending on the 13 day of February, 2013.

Ambre Chapman

State of Idaho, county of Bonner ss.
On this 13 day of Feb, in the year of 2013, before me, Sherilyn Jones, Notary Public, personally appeared
Ambre Chapman, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he
(or they) executed the same.

Sherilyn Jones
Notary Public
Residing at: Sandpoint
Comm. Exp.: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

#1982

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone. For more information on the project visit the website www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: **February 20, 2013** at the Kootenai River Inn Casino, 7169 Plaza St, Bonners Ferry, Idaho, and **February 21, 2013** at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

SNP Legal 1982
February 13, 2013

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Andre Chapman, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached opportunity to comment
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 1x ~~consecutive weeks~~, commencing on the 6 day of February, 2013, and ending on the 6 day of February, 2013.

Andre Chapman

State of Idaho, county of Bonner ss.
On this 6 day of Feb, in the year of 2013 before me, Sherilyn Jones, Notary Public, personally appeared
Andre Chapman, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he
(or they) executed the same.

Sherilyn Jones
Notary Public
Residing at: Sandpoint
Comm. Exp.: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

#1962

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: **February 20, 2013** at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and **February 21, 2013** at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

SNP Legal 1962
February 6, 2013

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Linda Johnson

being first duly sworn on oath deposes and says that he/she is book keeper of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Opportunity to Comment

as it was published in the regular and entire issue of the said paper for a period of 1 ~~consecutive~~ weeks, commencing on 7th day of Feb, 2013 and ending on the 7th day of Feb, 2013 and that said notice was published in said newspaper.

Linda Johnson

SUBSCRIBED AND SWORN TO before me, this 7th day of February 2013.

Sherilyn Jones

Notary Public-State of Idaho

Residing at: Sandpoint

My Commission Expires: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

8700

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: **February 20, 2013** at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and **February 21, 2013** at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

BFH Legal 8700
February 7, 2013

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Linda Johnson

being first duly sworn on oath deposes and says that he/she is book keeper of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Opportunity to Comment

as it was published in the regular and entire issue of the said paper for a period of 1 ~~consecutive~~ weeks, commencing on 14th day of Feb, 2013 and ending on the 14th day of Feb, 2013 and that said notice was published in said newspaper.

SUBSCRIBED AND SWORN TO before me, this 14th day of February 2013.

Sherilyn Jones

Notary Public-State of Idaho

Residing at: Sandpoint

My Commission Expires: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO 8705

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone. For more information on the project visit the website www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: **February 20, 2013** at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and **February 21, 2013** at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

BFH Legal 8705

February 14, 2013

201340
PUBLIC NOTICE

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submit-

E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: February 20, 2013 at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and February 21, 2013 at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

Published in The Newport Miner February 6, 2013. (1)

INVOICE

The Newport Miner

421 S. Spokane Ave. • Newport, Washington 99156
(509) 447-2433 or (208) 437-4275
www.pendoreillerivervalley.com

No. 201340 Date February 6, 2013

STATE OF WASHINGTON, Pend Oreille County

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Newport Miner, a weekly newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in Newport, Washington, and it is now and during all of said time was published in an office maintained at the aforesaid place of publication of this newspaper. The Newport Miner was on the 24th day of June, 1941 approved as a legal newspaper by the Superior Court of said Pend Oreille.

The notice in the exact form annexed, was published in regular issues of The Newport Miner, which was regularly distributed to its subscribers during the below stated period. The annexed notice, (Attached) was published February 6, 2013

The fee charged for the aforegoing publication is: $ 114.00

Late Charge	
New balance due	
Late charge	
New balance due	

Subscribed and sworn to before me on February 6, 2013

Notary Public in and for the State of Washington, Residing in Newport

201345
PUBLIC NOTICE

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is ɔosing a project in the tinental Mountain area ne Idaho Panhandle onal Forests within the ners Ferry and Priest e Ranger Districts. The n project objective is to ide safe east-west ac- s to this section of the ed States and Cana- border across the Sel- Mountains. This area anaged by the Idaho handle National For- (Forest Service). CBP oposing to reconstruct pproximately 5.6-mile ion of the existing Bog ek Road between For- Road (FR) 1013 and FR 0 within the Blue-Grass r Management Unit of Selkirk Grizzly Bear overy Zone. For more rmation on the project the website www.cbp. /xp/cgov/border_secu- ti/ti_projects/ew_aacm.

The CBP and Forest vice expect to prepare environmental docu- nt in conformance with National Environmental icy Act for the proposed ion. This notice initiates e scoping process by viting comments from e public and interested gencies on the proposed oject to help identify is- sues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013.

Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

Open houses to present the proposed project, answer questions, and accept public comment will be held in the following locations: February 20, 2013 at the Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho, and February 21, 2013 at the Hills Resort, 4777 West Lakeshore Road, Priest Lake, Idaho. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

Published in The Newport Miner February 13, 2013. (2)

INVOICE

The Newport Miner

421 S. Spokane Ave. • Newport, Washington 99156
(509) 447-2433 or (208) 437-4275
www.pendoreillerivervalley.com

No. 201345 Date February 13, 2013

STATE OF WASHINGTON, Pend Oreille County

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Newport Miner, a weekly newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a weekly newspaper in Newport, Washington, and it is now and during all of said time was published in an office maintained at the aforesaid place of publication of this newspaper. The Newport Miner was on the 24th day of June, 1941 approved as a legal newspaper by the Superior Court of said Pend Oreille.

The notice in the exact form annexed, was published in regular issues of The Newport Miner, which was regularly distributed to its subscribers during the below stated period. The annexed notice, (Attached) was published February 13, 2013

The fee charged for the aforegoing publication is: $118.00

Late Charge	
New balance due	
Late charge	
New balance due	

Charmaine Henry

Subscribed and sworn to before me on February 13, 2013

Notary Public in and for the State of Washington, Residing in Newport

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } SS.

Amber Tice being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Wed issue of said newspaper for consecutive week commencing on the 6th day of February 2013, and ending on the 6th day of February 2013, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. Amber Tice

On this 6th day of February in the year of 2013, before me, a Notary Public, personally appeared Amber Tice, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Katrina George
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

KATRINA GEORGE NOTARY PUBLIC STATE OF IDAHO

MY COMMISSION EXPIRES 8/29/17

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

The CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act for the proposed action. This notice initiates the scoping process by inviting comments from the public and interested agencies on the proposed project to help identify issues and alternatives to be examined in the environmental document. The 30-day scoping period for this proposed action begins February 6, 2013, and closes on March 8, 2013. Submit written comments to East West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Electronic comments may be submitted to E-WAccessContinentalMtn@cbp.dhs.gov. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

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For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.
Legal 7903
February 6, 2013

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } SS.

Amber Tice being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Wed issue of said newspaper for 1 consecutive Week, commencing on the 13th day of February 2013, and ending on the 13th day of February, 2013, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Amber Tice

On this 13th day of February in the year of 2013, before me, a Notary Public, personally appeared Amber Tice, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Katrina George
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

KATRINA GEORGE NOTARY PUBLIC STATE OF IDAHO

MY COMMISSION EXPIRES 8/29/17

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone. For more information on the project visit the website www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

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For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.
Legal 7940
February 13, 2013

*Federal Tax ID No. 68-0617327

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone.

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Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

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For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

SR25622

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON
County of Spokane} ss

Name:	SWCA Environmental Consultants	Client ID:	9013803
PO No.	SR25622	No. Lines:	76
Total Cost:	$324.46	Order No.	113724

I, E. Jean Robinson
do solemnly swear that I am the Principal Clerk of ***The Spokesman-Review***, a newspaper established and regularly published, once each day in the English language, in and of general circulation in the City of Spokane County, Washington; and in the City of Coeur d'Alene, Kootenai County, Idaho; that said newspaper has been so established and regularly published and has had said general circulation continuously for more than six (6) months prior to the 23rd day of July, 1941; that said newspaper is printed in an office maintained at its place of publication in the City of Spokane, Washington; that said newspaper was approved and designated as a legal newspaper by order of the Superior Court of the State of Washington for Spokane County on the 23rd day of July, 1941, and that said order has not been revoked and is in full force and effect; that the notice attached hereto and which is a part of the proof of publication, was published in said newspaper **one** time(s), the publication having been made once each time on the following dates:

February 6, 2013

That said notice was published in the regular and entire issue of every number of the paper during the period of time of publication, and that the notice was published in the newspaper proper and not in a supplement.

E. Jean Robinson

Subscribed and sworn to before me at the City of Spokane, this 6th day of February, 2013.

Joni L. Vincent

Notary Public in and for the State of Washington, residing at Spokane County, Washington

JONI L VINCENT
COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 17, 2014
STATE OF WASHINGTON

Notary Stamp

Paper Affidavits

Opportunity to Comment on East West Access Around Continental Mountain Project

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service). CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit of the Selkirk Grizzly Bear Recovery Zone. For more information on the project visit the website www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

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Please indicate the name of the project East-West Access Around Continental Mountain on the subject line.

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For further information regarding this proposal, please contact CBP representative, Barry Woelfel, at (509) 446-1037 or Barry.R.Woelfel@cbp.dhs.gov.

SR25659

*Federal Tax ID No. 68-0617327

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON
County of Spokane} ss

Name:	SWCA Environmental Consultants	Client ID:	9013803
PO No.	SR25659	No. Lines:	79
Total Cost:	$337.09	Order No.	114311

I, Jean Robinson
do solemnly swear that I am the Principal Clerk of ***The Spokesman-Review***, a newspaper established and regularly published, once each day in the English language, in and of general circulation in the City of Spokane County, Washington; and in the City of Coeur d'Alene, Kootenai County, Idaho; that said newspaper has been so established and regularly published and has had said general circulation continuously for more than six (6) months prior to the 23rd day of July, 1941; that said newspaper is printed in an office maintained at its place of publication in the City of Spokane, Washington; that said newspaper was approved and designated as a legal newspaper by order of the Superior Court of the State of Washington for Spokane County on the 23rd day of July, 1941, and that said order has not been revoked and is in full force and effect; that the notice attached hereto and which is a part of the proof of publication, was published in said newspaper **one** time(s), the publication having been made once each time on the following dates:

February 13, 2013

That said notice was published in the regular and entire issue of every number of the paper during the period of time of publication, and that the notice was published in the newspaper proper and not in a supplement.

Jean Robinson

Subscribed and sworn to before me at the City of Spokane, this 13th day of February, 2013.

Joni L. Vincent

Notary Public in and for the State of Washington, residing at Spokane County, Washington

JONI L VINCENT
COMMISSION EXPIRES
NOTARY
PUBLIC
SEPTEMBER 17, 2014
STATE OF WASHINGTON

Notary Stamp

Paper Affidavits

APPENDIX C

Scoping Meeting Handouts and Display Boards

Project Information

East West Access Around Continental Mountain

Scoping Meeting – February 2013

U.S. Customs and Border Protection

Introduction

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests (Forest Service).

Proposed Action

CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit (BMU) of the Selkirk Grizzly Bear Recovery Zone (SRZ) of the Idaho Panhandle National Forests. The road is located in the Selkirk Mountains in Boundary County, Idaho, within approximately two miles of the Canadian border (see attached map).

To rehabilitate the road, DJ&A, the survey and design contractor, recommends replacement of 9 of the existing 67 corrugated metal pipe (CMP) culverts located along the length of the roadway because they have partially rusted through, otherwise exceeded their usable life, or do not meet current design standards for width and capacity. Other issues proposed to be remedied by road reconstruction include grading and resurfacing to correct areas that have been heavily eroded by surface water flows, infill of potholes, and removal of protruding boulders. The road will not be widened, but limited areas which no longer meet minimum width requirements may require cut and fill work to achieve the desired road operating and safety standards. Trees and other vegetation within the roadway and to either side would be grubbed or cut back to facilitate safe vehicle passage.

The proposed action would include gathering and transport of fill materials (riprap, mixed soil/rock, and crushed aggregate) from two existing "borrow" pits to use in general resurfacing/fill and in installation of the CMP culvert replacements. One proposed borrow pit is an existing pit located near mile post 18.89 on FR 1013. The other is located near the east end of the Bog Creek Road rehabilitation area. Equipment to be used in road reconstruction includes: dozer, grader, hydraulic excavator, and dump truck. In addition, several pickup trucks or SUVs would transport construction personnel to and from the area. Construction is currently anticipated to begin in July 2014 and last approximately 10 weeks. Upon completion, locking gates would be installed at either end of the 5.6-mile route and the road will be signed "Administrative Use Only – No Public Access" by the Forest Service.

Purpose and Need

The purpose and need of this proposed action is to provide improved East-West access across the Selkirk Mountains on National Forest System lands to enable CBP to execute its statutory mission to protect the U.S. northern border and for the safety of CBP and other law enforcement officers in carrying out their duties.

Background

The primary road that provides east-west access around Continental Mountain is the Bog Creek Road. Historical records are incomplete, but appear to indicate that Bog Creek Road was originally constructed primarily as a logging road sometime between 1934 and 1956. The road was closed on both ends in the late 1980s for grizzly bear security and was maintained on a limited basis after that time. The road experienced minor failures in the mid-1990s with a large failure occurring around 2000-2001when a large culvert at approximately milepost 35 failed due to heavy surface water runoff. At that time, the road became impassable to most vehicles. Currently, the road is gated at the north end and barricaded at the south end. In recent years the road has infrequently been used by Forest Service and CBP personnel traveling on all-terrain vehicles (ATVs) and horseback, but using ATVs requires a winch system to traverse the large culvert failure. Survey work conducted in September 2012 provides photographic and narrative documentation that the entire length of this section of Bog Creek Road is now overgrown, approximately three-quarters of the road is heavily (nearly blocked) or moderately overgrown (partially obstructed) with alder brush, small trees, and other vegetation (DJ&A 2012).

Without access to the border area via Bog Creek Road, CBP is required to detour using state highways in Washington and Idaho and other forest roads to get to the border. This alternative route includes Highway 31/20 South, Highway 2 East, Highway 95 North, Highway 45 West, and Forest roads 2254, 1009, and 1011. This trip is approximately 180 miles and adds approximately four hours one way (eight hours total) to the mission time.

The Bog Creek Road is located in the Blue-Grass Bear Management Unit within the Selkirk Grizzly Bear Recovery Zone, which is currently not meeting Forest Plan standards for motorized access in grizzly bear habitat (USDA Forest Service 2011). The Bog Creek Road is classified as a "restricted" road, which allows for limited motorized access for administrative use. The proposed project does not include a change to the current road designation. To mitigate potential impacts associated with reconstruction and subsequent use of Bog Creek Road, other roads within the Blue Grass Bear Management Unit may need to be closed to motorized access. Consideration will be given to existing use agreements.

Environmental Resources / Issues

Some of the issues that we anticipate analyzing in the project include the potential effects to grizzly bear habitat, caribou habitat, other wildlife habitat, water resources, and cultural resources.

Known resource issues in the area of the Bog Creek Road include:

- Threatened and Endangered Species –
  - Grizzly bears (listed as threatened under the Endangered Species Act) and their habitat in the project area;
  - Selkirk Mountain woodland caribou, (listed as endangered under the Endangered Species Act) and their habitat in the project area;
  - Bull trout (listed as threatened under the Endangered Species Act) and their habitat;
- Sensitive Species
  - Gray wolf

NEPA Process

CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act (NEPA) for this proposed action. This document will include any reasonable alternatives that are developed, and an analysis of the environmental consequences to enable an informed decision. The CBP and Forest Service will sign separate NEPA decisions. CBP will be authorizing the expenditure of funds to implement the selected alternative; the Forest Service will be authorizing implementation of the selected alternative. The Executive Director, Facilities Management & Engineering, CBP, is the deciding official for CBP and the Forest Supervisor, Idaho Panhandle National Forests, is the deciding official for the Forest Service. Based on the purpose and need for action, the findings of the environmental document, and the best available science, the possible options are:

- Select and implement the proposed action as described in the environmental document or an alternative to the proposed action developed to address other resource conflicts; or
- Choose not to take action at this time.

This is the first step in the scoping process under NEPA, which requires Federal agencies to consider the potential physical, biological, social, and economic effects of their actions on the environment.

Scoping Comments

The scoping comment period began on February 6, 2013, and will continue through March 8, 2013. Please review the proposal information and provide us with your comments. Your input will help us identify potential issues and concerns that should be analyzed in any environmental document prepared pursuant to the NEPA for this project. We look forward to hearing your thoughts about this proposed project. Comments received during the official scoping period are most helpful. However, comments on the proposal will be considered throughout the NEPA process.

Comments may be submitted using the comment form provided, sent electronically to E-WAccessContinentalMtn@cbp.dhs.gov, or by mail to East-West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843. Please indicate the name of the project East-West Access Around Continental Mountain on the subject line. Project information and updates are located on the website: www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

Following the closing of the scoping comment period, CBP and the Forest Service will review the comments to determine the relevant issues and conduct analysis of the proposed project. Upon completion of the analysis, the public will have additional opportunities to comment on the project.

Public Meetings

Open houses to present the proposed project, answer questions, and accept public comments will be held in the following locations. Meetings will take place between 4:00 p.m. and 8:00 p.m. with a short presentation on the project at 5:30 p.m.

- February 20, 2013 - Kootenai River Inn Casino, 7169 Plaza St. Bonners Ferry, Idaho
- February 21, 2013 - Hills Resort, 4777 West Lakeshore Road Priest Lake, Idaho

For more information or if you have questions regarding this proposal, please contact:

Mr. Barry Woelfel
(509) 446-1037
Barry.R.Woelfel@cbp.dhs.gov

Introduction

The U.S. Border Patrol, Spokane Sector (CBP) in cooperation with the U.S. Forest Service is proposing a project in the Continental Mountain area of the Idaho Panhandle National Forests within the Bonners Ferry and Priest Lake Ranger Districts. The main project objective is to provide safe east-west access to this section of the United States and Canadian border across the Selkirk Mountains. This area is managed by the Idaho Panhandle National Forests.

Proposed Action

CBP is proposing to reconstruct an approximately 5.6-mile section of the existing Bog Creek Road between Forest Road (FR) 1013 and FR 2450 within the Blue-Grass Bear Management Unit (BMU) of the Selkirk Grizzly Bear Recovery Zone (SRZ) of the Idaho Panhandle National Forests. The road is located in the Selkirk Mountains in Boundary County, Idaho, within approximately two miles of the Canadian border.

Purpose and Need

The purpose and need of this proposed action is to provide improved East-West access across the Selkirk Mountains on National Forest System lands to enable CBP to execute its statutory mission to protect the U.S. northern border and for the safety of CBP and other law enforcement officers in carrying out their duties.

Current Road Condition

- Historical records are incomplete, but appear to indicate that Bog Creek Road was originally constructed primarily as a logging road sometime between 1934 and 1956.
- The road was closed at both ends in the late 1980s for grizzly bear security and was maintained on a limited basis after that time;
- Major culvert failure occurred sometime during 2000-2001 at milepost 35 due to heavy surface water runoff. The road became impassable to most vehicles;
- The road is currently gated at the north end and barricaded at the south end;
- Infrequently used by Forest Service and CBP personnel traveling on all-terrain vehicles (ATVs) and horseback, using ATVs requires a winch system to traverse the large culvert failure;
- Survey work conducted in September 2012 provides photographic and narrative documentation that the entire length of this section of Bog Creek Road is now overgrown, approximately three-quarters of the road is heavily (nearly blocked) or moderately overgrown (partially obstructed) with alder brush, small trees, and other vegetation (DJ&A 2012).
- Without access to the border area via Bog Creek Road, CBP is required to detour using state highways in Washington and Idaho and other forest roads to get to the border. The detour is approximately 180 miles and adds approximately four hours one way (eight hours total) to the mission time.

Proposed Action

EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN

U.S. Customs and Border Protection

Road repair work would include:

- Replacement of 9 of the existing 67 corrugated metal pipe culverts located along the length of the roadway because they have partially rusted through, otherwise exceeded their usable life, or do not meet current design standards for width and capacity;
- Grading and resurfacing to correct areas that have been heavily eroded by surface water flows, infill of potholes, and removal of protruding boulders;
- Limited widening where the road no longer meets minimum width requirements, may require cut and fill work to achieve the desired road operating and safety standards;
- Grubbing or cutting back trees and other vegetation within and to either side of roadway to facilitate safe vehicle passage;
- Gathering and transport of fill materials (riprap, mixed soil/ rock, and crushed aggregate) from two existing "borrow" pits to use in general resurfacing/fill and in installation of the culvert replacements;
- One proposed borrow pit is an existing pit located near mile post 18.89 on FR 1013. The other is located near the east end of the Bog Creek Road rehabilitation area;
- Construction is currently anticipated to begin in July 2014 and last approximately 10 weeks. Upon completion, locking gates would be installed at either end of the 5.6-mile route and the road will be signed "Administrative Use Only – No Public Access" by the Forest Service.

Example of Roadway Requiring Heavy Grubbing - Project Total 16,500 Linear Feet

Example of Roadway Requiring Medium Grubbing - Project Total 6,350 Linear Feet

Example of Roadway Requiring Light Grubbing - Project Total 6,650 Linear Feet

Spread Creek Culvert Failure and Road Washout

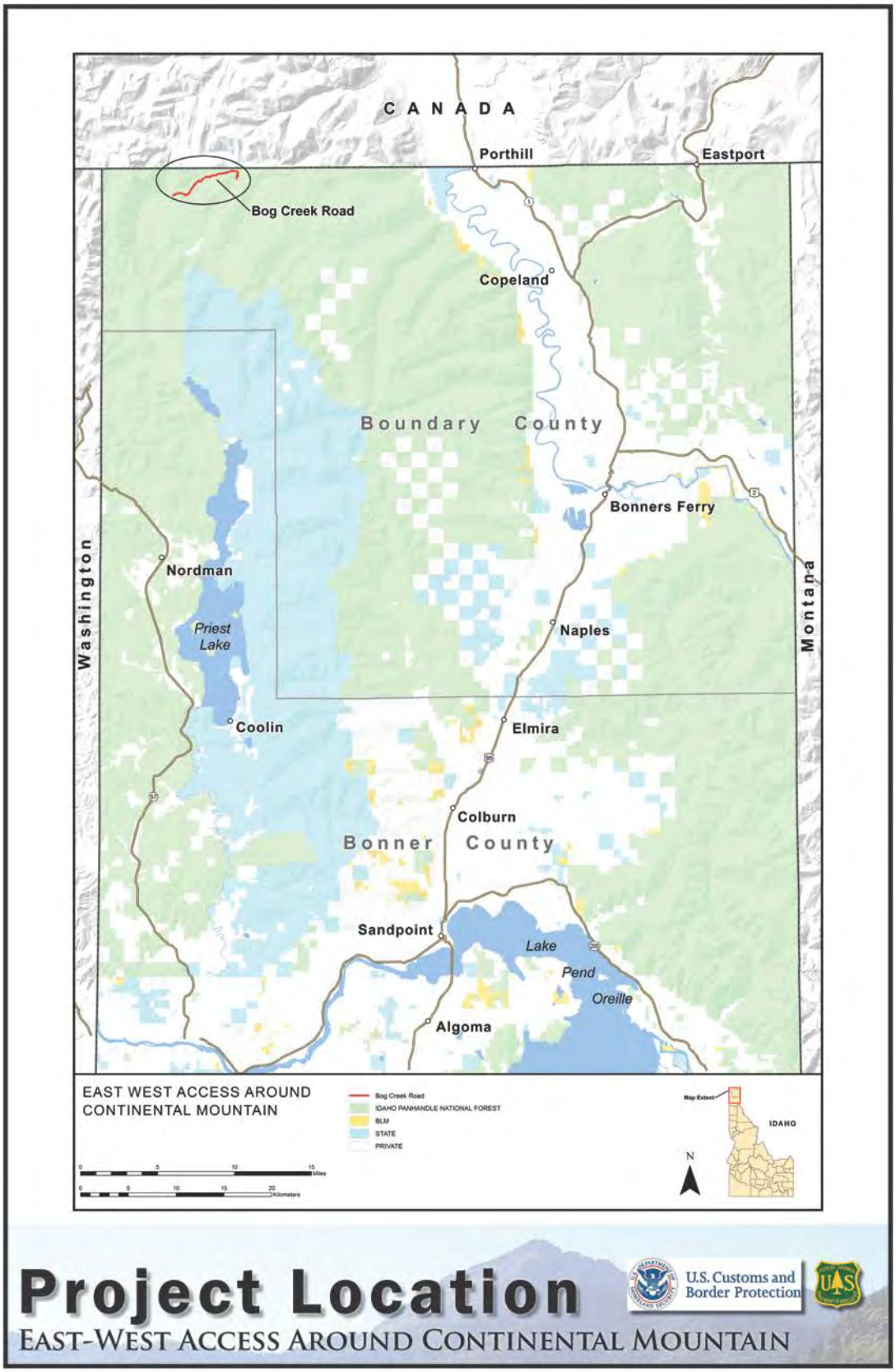
Proposed Borrow Pit Location - Priest Lake Side (west road entrance, on road 1013)

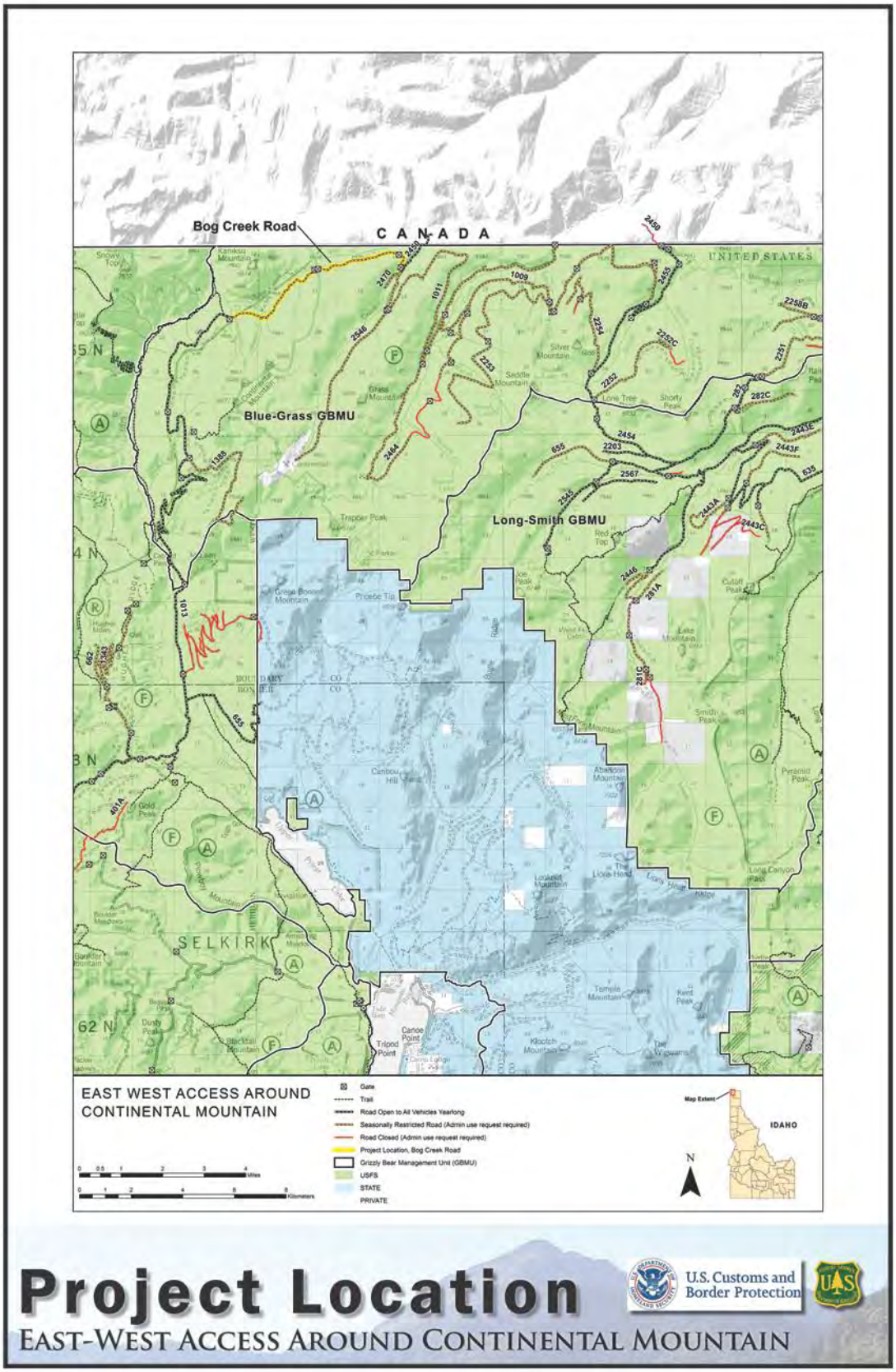
Proposed Borrow Pit Location - Bonners Ferry Side (east road entrance)

Proposed Action

EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN

U.S. Customs and Border Protection


CANADA
Porthill
Eastport
Bog Creek Road
Copeland
Boundary County
Bonners Ferry
Washington
Nordman
Priest Lake
Naples
Montana
Coolin
Elmira
Colburn
Bonner County
Sandpoint
Lake Pend Oreille
Algoma
EAST WEST ACCESS AROUND CONTINENTAL MOUNTAIN
Bog Creek Road
IDAHO PANHANDLE NATIONAL FOREST
BLM
STATE
PRIVATE
Miles
Kilometers
Map Extent
IDAHO
N
Project Location
EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN
U.S. Customs and Border Protection


Bog Creek Road
CANADA
UNITED STATES
Blue-Grass GBMU
Long-Smith GBMU
SELKIRK
EAST WEST ACCESS AROUND CONTINENTAL MOUNTAIN
Gate
Trail
Road Open to All Vehicles Yearlong
Seasonally Restricted Road (Admin use request required)
Road Closed (Admin use request required)
Project Location, Bog Creek Road
Grizzly Bear Management Unit (GBMU)
USFS
STATE
PRIVATE
Map Extent
IDAHO
N
Project Location
EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN
U.S. Customs and Border Protection

NEPA Process

CBP and Forest Service expect to prepare an environmental document in conformance with the National Environmental Policy Act (NEPA) for this proposed action. This document will include any reasonable alternatives that are developed, and an analysis of the environmental consequences to enable an informed decision. Based on the purpose and need for action, the findings of the environmental document, and the best available science, the possible options are:

- Select and implement the proposed action as described in the environmental document or an alternative to the proposed action developed to address other resource conflicts; or
- Choose not to take action at this time.

This is the first step in the scoping process under NEPA, which requires Federal agencies to consider the potential physical, biological, social, and economic effects of their actions on the environment.

Following the closing of the scoping comment period, CBP and the Forest Service will review the comments to determine the relevant issues and conduct analysis of the proposed project. Upon completion of the analysis, the public will have additional opportunities to comment on the project.

Scoping Comments

Scoping period continues through **March 8, 2013**.

Your input will help us identify potential **issues and concerns** that should be analyzed in any environmental document prepared pursuant to the NEPA for this project.

Submit comments by:

- filling out the comment form provided and leaving it here at the meeting or mailing it at a later time,
- emailing electronically to **E-WAccessContinentalMtn@cbp.dhs.gov**,
- or mailing to **East-West Access Around Continental Mountain, P.O. Box 843, Flagstaff, Arizona, 86002-0843**.

Project website:

www.cbp.gov/xp/cgov/border_security/ti/ti_projects/ew_aacm.xml.

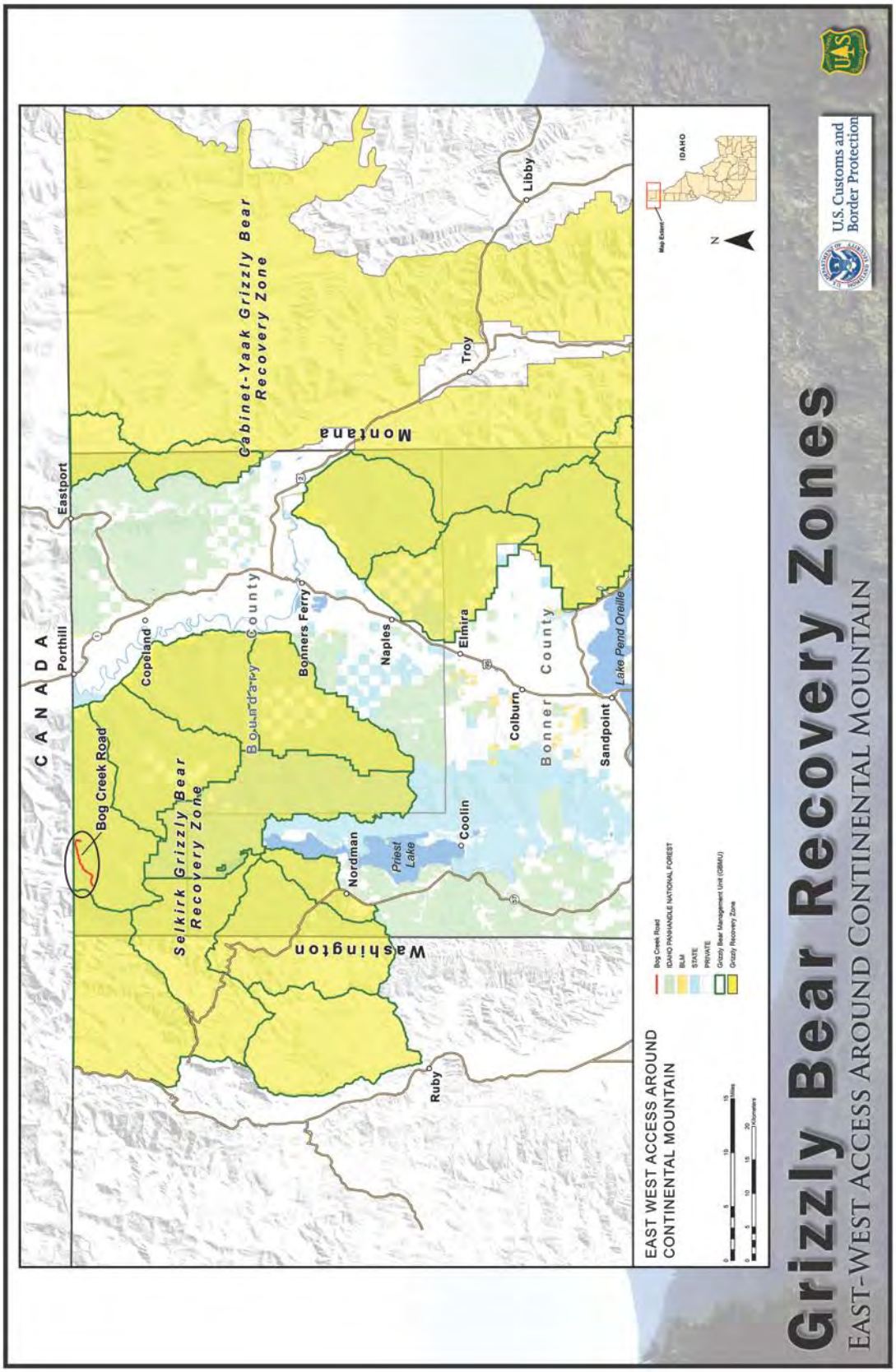
For more information or if you have questions regarding this proposal, please contact:

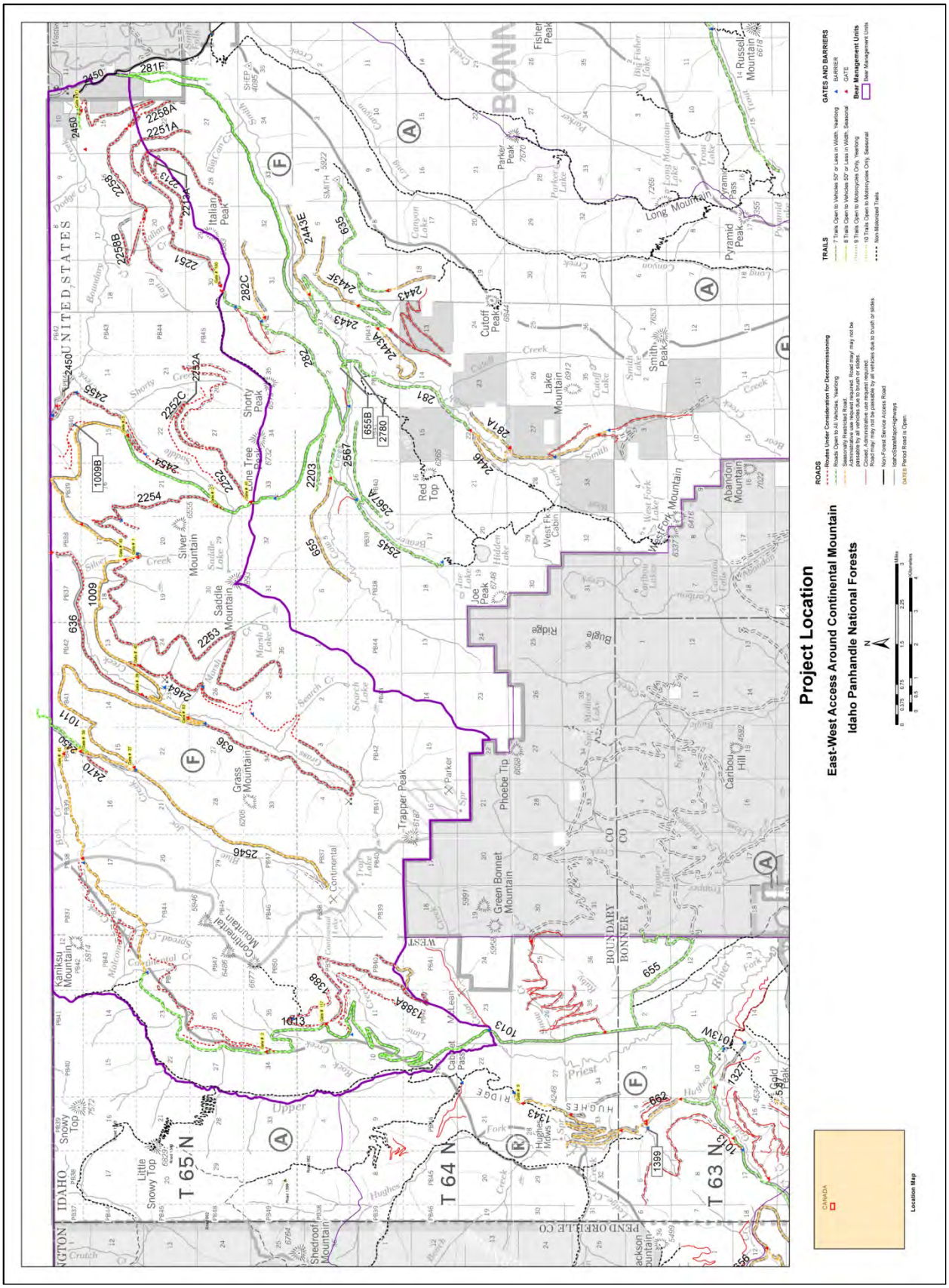
Mr. Barry Woelfel
(509) 446-1037
Barry.R.Woelfel@cbp.dhs.gov

NEPA Process

EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN

U.S. Customs and Border Protection


Grizzly Bear Recovery Zones
EAST-WEST ACCESS AROUND CONTINENTAL MOUNTAIN
U.S. Customs and Border Protection
CANADA
Eastport
Porthill
Bog Creek Road
Selkirk Grizzly Bear Recovery Zone
Cabinet-Yaak Grizzly Bear Recovery Zone
Boundary County
Bonner County
Copeland
Bonners Ferry
Naples
Elmira
Troy
Libby
Colburn
Sandpoint
Lake Pend Oreille
Coolin
Priest Lake
Nordman
Ruby
Montana
Washington
IDAHO
Map Extent
N
EAST WEST ACCESS AROUND CONTINENTAL MOUNTAIN
Bog Creek Road
IDAHO PANHANDLE NATIONAL FOREST
BLM
STATE
PRIVATE
Grizzly Bear Management Unit (GBMU)
Grizzly Recovery Zone
Miles
Kilometers


Project Location
East-West Access Around Continental Mountain
Idaho Panhandle National Forests
ROADS
Routes Under Consideration for Decommissioning
Roads Open to All Vehicles, Yearlong
Seasonal Roads
Administrative use request required. Road may not be passable by all vehicles due to brush or slides.
Open to Highway Legal Vehicles Only, Yearlong
Road may not be passable by all vehicles due to brush or slides.
Non-Forest Service Access Road
IdahoStateMajorHighways
DATES Period Road is Open.
TRAILS
7 Trails Open to Vehicles 50" or Less in Width, Yearlong
8 Trails Open to Vehicles 50" or Less in Width, Seasonal
10 Trails Open to Motorcycles Only, Yearlong
Non-Motorized Trails
GATES AND BARRIERS
BARRIER
GATE
Bear Management Units
Bear Management Units
Location Map
CANADA
T 65 N
T 64 N
T 63 N
UNITED STATES
IDAHO
BONNER CO
BOUNDARY CO
PEND OREILLE CO
Kaniksu Mountain
Snowy Top
Little Snowy Top
Shedroof Mountain
Jackson Mountain
Continental Mountain
Grass Mountain
Trapper Peak
Green Bonnet Mountain
Phoebe Tip
Caribou Hill
Abandon Mountain
Russell Mountain
Fisher Peak
Long Mountain
Pyramid Peak
Pyramid Pass
Smith Peak
Lake Mountain
Cutoff Peak
Parker Peak
Italian Peak
Shorty Peak
Lone Tree Peak
Saddle Mountain
Silver Mountain
Red Top
Joe Peak
West Fk Cabin
West Fork Mountain
Bugle Ridge
Hughes Meadows
Priest
Cavanaugh Pass
Upper
Hughes
Lime
Rock
Crutch
Dodge
Boundary
Fall
Silver
Shorty
Saddle
Search
Grass
Continental
Joe
Bob
Blue
Marsh
Mud
Lake
Cutoff
Smith
Beaver
Hidden
Carbou
Mullan
Spit
Trapper
Priest
Hughes
Lean
Big Fisher Lake
Parker Lake
Long Lake
Trout Lake
Cutoff Lake
Smith Lake
West Fork Lake
Carbou Lake
Hidden Lake
Joe Lake
Search Lake
Marsh Lake
Saddle Lake
Continental Lake
Trapper Lake
Canyon Lake
Big Fisher Lake
2450
281F
2258A
2251A
2213
2213A
2258
2258B
2251
282C
2252A
2252C
2455
2454
2254
2252
2253
2464
1009B
1009
636
1011
2470
2490
2546
696
2203
2567
2567A
655B
2780
655
2442
2443
2443A
2443B
2434
282
281
281A
2446
2545
1388
1388A
1013
1013W
1343
662
132
1399
56

APPENDIX D

Public Scoping Comments

Table D1. Coding Structure

Resource Category	Definition	Resource Code	Description
ACCESS	Access	01	Illegal
		02	Public Access
		03	Non-Motorized
		04	Administrative Use
		05	Trip Numbers
		06	Legal
SECUR	Border Security	01	Importance
		02	Safety
FISH	Fisheries Resources	01	General
HUNT	Hunting	01	General
MISC	Miscellaneous	01	General Support for Proposal
		02	General Non-support for Proposal
NEPA	NEPA	01	Purpose and Need
		02	EIS
		03	Alternatives
ROADS	Roads	01	Closures
		02	Cost / Maintenance
		03	Traffic
		04	Current Degraded Condition
		05	Condition
T&E	Threatened and Endangered Species	01	Grizzly Bear
		02	Core Habitat / BMU
		03	General
		04	Caribou
		05	Lynx
		06	Wolverine
		07	Monitoring
		08	Bull Trout
VEGE	Vegetation Resources	01	Noxious Weeds
		02	Botanical Survey
		03	Sensitive Plants
WATER	Water Resources	01	Sediment / Water Quality
FIRE	Wildfire	01	General
WILDLIFE	Wildlife Resources	01	General

Table D2. Public Scoping Comments

Letter number	Name	Organization	Resource Category	Resource Code	Comment
1	No Name		ACCESS	04	The road is currently an admin road anyway and Border Patrol will "foot the bill" to retain the road to a useful condition while the USFS has not done. It would still remain admin!
1	No Name		SECUR	01	Border security is more important than it has been in the past. In fact, a bust was made at the location of the road last winter with illegal entry/cocaine trafficking.
1	No Name		T & E	02	Grizzly bear habitat should not be affected as the road is admin already. Core habitat will be difficult to reach even with most of the GBU consisting of closed roads!
2	Biannon, Ree		NEPA	01	I would suggest you clarify in your purpose and need that the access if needed for both bases - Bonners Ferry and Metaline Falls.
3	Yasny, Wesley W.		ACCESS	04	No access to the public can be still be monitored and enforced by both US Border Patrol Agents, in addition to current USFS law enforcement officials.
3	Yasny, Wesley W.		MISC	01	I support the U.S. border Patrol with their proposal in usage and access of the Bog Creek Road system.
3	Yasny, Wesley W.		ROADS	04	Road re-construction even on a limited scale, can minimize further degrading of the current road system.
3	Yasny, Wesley W.		WILDLIFE	01	This re-construction and US Border Patrol usage will not change or threaten the protected wildlife that habits this geographical area. No measureable impact will be recognized or compromised with this project and usage.
4	Perione, Jim		ACCESS	02	This road really should be able to be used by local folks as well as law enforcement.
4	Perione, Jim		FIRE	01	It would make it easier for fire personnel to access the area.
4	Perione, Jim		SECUR	02	This is a common sense issue. The have unsafe conditions for Border Patrol personnel to contend with is not reasonable.
5	Faulkner, Bob		ACCESS	02	It is now time to reverse this trend and open up the lands to the people who enjoy them.
6	Davis, Bob		MISC	01	Great! Do it!
7	Butler, Debbie		ACCESS	03	Make sure to clarify the signage on the road closure for "administrative use only" that this closure is for motorized use. Should not preclude the public from hiking, mountain bike, horseback riding.
8	Ekler, Robert		ACCESS	04	It should remain for Administrative Use Only.
8	Ekler, Robert		MISC	01	This project must be approved.
8	Ekler, Robert		SECUR	02	To ask the US Border Patrol to man this area in the condition it is in is wrong. If they are currently patrolling this area and will continue to be patrolled it needs to be safe.
9	Ruffle, Rick		ACCESS	02	I would support removal of all gates and opening all closed roads.
9	Ruffle, Rick		MISC	01	I am in support of this project.
9	Ruffle, Rick		T & E	01	This will need to work in conjunction with removing the grizzly bear closures as the area has reached quotas and restrictions need to be removed.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
10	Hill, Craig		MISC	01	I have no problem with an upgrade to the road in the north end. The road is already there and should be kept in working order to be used by any authority requesting it.
11	Cegnar, Robert		ACCESS	02	Continental wants unimpeded access to our property year around with no trip limitations.
11	Cegnar, Robert		MISC	01	I support your project.
11	Cegnar, Robert		ROADS	01	No other roads should be impaired due to repair of Bog Creek Road.
11	Cegnar, Robert		ROADS	04	The Bog Creek Road should not have been left to deteriorate such as it has by poor USFS practices in road maintenance.
12	Paulson, Steve		MISC	02	You don't need another road in grizzy bear and caribou habitat.
12	Paulson, Steve		NEPA	03	Why not build a tunnel instead?
13	Weitz, Tom		ACCESS	01	the following issues should be addressed in the environmental assessment (EA) for the project: Public use of the reconstructed road.
13	Weitz, Tom		ACCESS	03	I strongly oppose the proposal that the road be signed "Administrative Use Only - No Public Access". I don't have a problem with installing locked gates and restricting motorized use - such as automobiles, ATV's, motorcycles and snowmobiles. I do believe the public should be able to hike or mountain bike on the road, as we are now able to do. I think this project would have more public support if the gate was signed "Restricted Access - No Motorized Vehicles Allowed".
13	Weitz, Tom		ROADS	02	Upgrades, if any, to the Forest Road 1013 up to the current gate. To discourage overuse of the 1013 road, I think only minimal improvements should be made to this road.
13	Weitz, Tom		T & E	01	the following issues should be addressed in the environmental assessment (EA) for the project: Impacts on threatened and endangered species, specifically grizzly bears.
13	Weitz, Tom		T & E	04	the following issues should be addressed in the environmental assessment (EA) for the project: Impacts on threatened and endangered species, specifically mountain caribou.
13	Weitz, Tom		T & E	05	the following issues should be addressed in the environmental assessment (EA) for the project: Impacts on threatened and endangered species, specifically lynx.
13	Weitz, Tom		T & E	06	the following issues should be addressed in the environmental assessment (EA) for the project: Impacts on threatened and endangered species, specifically wolverine.
13	Weitz, Tom		VEGE	01	the following issues should be addressed in the environmental assessment (EA) for the project: Control and management of noxious weeds.
13	Weitz, Tom		WATE	01	the following issues should be addressed in the environmental assessment (EA) for the project: Sediment control - preventing sediment caused by road reconstruction, spring run-off or major storm events from entering Malcom Creek, Bog Creek or any of their tributaries.
14	Marston, Steve		MISC	02	As one who manned the Hughes Ridge Fire Lookout just across the way from Continental Mountain for a dozen years, I can tell you it would be a shame to return vehicle traffic to this area.
14	Marston, Steve		NEPA	01	Let the Border Patrol demonstrate need based upon border penetrations, not wishful thinking, "we would like you to make this easier for us".

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
15	Smith, Brad	Idaho Conservation League	NEPA	01	The purpose and need for the project needs be made clearer to the public. While the scoping notice estimates the time required to travel from one side of the Selkirk Mountains to the other, the scoping notice does not indicate that any circumstances (other than environmental) have changed since the Bog Creek Road was last maintained. Are there increased threats to national security that warrant the proposed action? Without this information, it is not possible for the public to weigh the balance between the purpose and need for the proposed action and its environmental effects.
15	Smith, Brad	Idaho Conservation League	NEPA	02	Although the proposed action technically will not result in a reclassification of the status of the Bog Creek Road, the on-the-ground reality is that the road has been virtually impassable to all motorized traffic for many years. In fact, in order to make the road passable to full-sized vehicles, several culverts will have to be replaced and the entire length of the road will have to be brushed and graded. Thereafter, the road will be subject to significant on-the-ground administrative use for the first time since the mid-1980s. Therefore, we believe that and environmental impact statement (EIS) is warranted.
15	Smith, Brad	Idaho Conservation League	NEPA	03	If the Border Patrol is determined to move forward with some iteration of the proposed action, then we suggest developing, analyzing, and adopting a modified version of the proposed action, based on the following: • The Bog Creek Road should remain classified as “restricted” to administrative use. Gates should be installed and monitored at both ends to ensure that unauthorized use does not occur. This is essential to keeping the number of vehicle trips within the confines of the Access Amendment. • Administrative use by Border Patrol and Forest Service officials should be limited to fifty-seven vehicle trips per active bear year as required by the Access Amendment. Trips must be apportioned as follows: nineteen (19) or less trips during the spring (April 1 through June 15); twenty-three (23) or less trips during the summer (June 16 through September 15); and fifteen (15) or less trips during the fall (September 16 through November 15). If the number of trips exceeds any of these seasonal limitations, then the Bog Creek Road must be considered an “open” road for analysis and reporting purposes. • The amount of core habitat (50%) in the Blue Grass BMU is below the minimum standard of 55%. Similarly, the total motorized route density (28%) exceeds the maximum allowable density of 26%. A modified version of the proposed action should be developed that results in more than 55% core habitat and a total motorized route density of less than 26%. In other words, the approved action should result in compliance with the Access Amendment’s standards for the Blue Grass BMU and result in a net gain the total amount of effective core grizzly bear habitat. • The Forest Service should perform a habitat analysis of the Blue Grass BMU to determine which roads, if decommissioned or stored, would result in the maximum benefit to grizzly bears. If possible, core habitats should represent the full range of seasonal habitats that are available in the Blue Grass BMU. Moreover, we recommended minimum core habitat blocks of 2-8 square miles. • Roads above 5,000 feet elevation should also be given special attention. According to the caribou telemetry data collected by Kinley and Apps (2007), caribou tend to utilize habitats above 5,000 feet more than 90% of the time. Reducing motorized access in areas above 5,000 feet would benefit caribou. Wakkinen and Slone’s caribou movement corridor analysis (2010) is also informative. • Snowmobile and other “over-snow” vehicles should be prohibited due to concerns about caribou and other wildlife that are sensitive to motorized access during the winter months.
15	Smith, Brad	Idaho Conservation League	NEPA	03	the Border Patrol should not rule out the no action alternative. While the no action alternative is generally used to establish the baseline conditions for analysis purposes, the agency cannot rule out the possibility of taking no action.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
15	Smith, Brad	Idaho Conservation League	ROADS	05	Although the proposed action technically will not result in a reclassification of the status of the Bog Creek Road, the on-the-ground reality is that the road has been virtually impassable to all motorized traffic for many years. In fact, in order to make the road passable to full-sized vehicles, several culverts will have to be replaced and the entire length of the road will have to be brushed and graded. Thereafter, the road will be subject to significant on-the-ground administrative use for the first time since the mid-1980s. Therefore, we believe that and environmental impact statement (EIS) is warranted.
15	Smith, Brad	Idaho Conservation League	T & E	02	The EIS must accurately reflect existing conditions (the no action alternative). While it is proper to disclose that the road is presently classified as “restricted” to administrative use, it would be inaccurate to suggest that the proposed action does not represent a significant change from current conditions. Since the road has gone virtually unused by motorized traffic for more than ten years, the corridor along the road is effectively functioning as core grizzly bear habitat even if it is not presently classified as such Core habitat is defined in the Forest Plan Amendments for Motorized Access Management Within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones (here after referred to as the “Access Amendment”). Core habitat includes those areas beyond 500 meters of an open motorized route. We estimate that there are approximately 1,820 acres of National Forest System lands in the Bog Creek Road corridor that are essentially functioning as core habitat even if this area has not been counted toward the total core habitat in the Blue Grass Grizzly Bear Management Unit (BMU). Therefore, it is essential to acknowledge the significance of the area to wildlife and the changes from the existing condition that will result from the proposed action and alternatives to it.
15	Smith, Brad	Idaho Conservation League	T & E	02	one of our primary concerns is related to the fact that habitat within the Bog Creek Road corridor is functioning as core grizzly bear habitat. Although the road has not been used by motorized traffic for more than ten years, this habitat does not count toward the total core habitat in the Access Amendment because the Bog Creek Road is designated as “restricted” to administrative use rather than “closed.”
15	Smith, Brad	Idaho Conservation League	T & E	02	The amount of core habitat (50%) in the Blue Grass BMU is below the minimum standard of 55%. Similarly, the total motorized route density (28%) exceeds the maximum allowable density of 26%. A modified version of the proposed action should be developed that results in more than 55% core habitat and a total motorized route density of less than 26%. In other words, the approved action should result in compliance with the Access Amendment’s standards for the Blue Grass BMU and result in a net gain the total amount of effective core grizzly bear habitat.
15	Smith, Brad	Idaho Conservation League	T & E	02	The Forest Service should perform a habitat analysis of the Blue Grass BMU to determine which roads, if decommissioned or stored, would result in the maximum benefit to grizzly bears. If possible, core habitats should represent the full range of seasonal habitats that are available in the Blue Grass BMU. Moreover, we recommended minimum core habitat blocks of 2-8 square miles.
15	Smith, Brad	Idaho Conservation League	T & E	03	We are concerned that the proposed action will significantly affect special status species in the project area. The Bog Creek Road is located right in the middle of one of the most critical wildlife corridors, connecting wildlife habitats in the U.S. and Canadian Selkirk Mountains. Moreover, it was the only road that bridges the U.S. side of the Selkirk Crest from east to west, where it imposes a migration barrier to wildlife when it is accessible to motorized traffic.
15	Smith, Brad	Idaho Conservation League	T & E	04	Roads above 5,000 feet elevation should also be given special attention. According to the caribou telemetry data collected by Kinley and Apps (2007), caribou tend to utilize habitats above 5,000 feet more than 90% of the time. Reducing motorized access in areas above 5,000 feet would benefit caribou. Wakkinen and Slone’s caribou movement corridor analysis (2010) is also informative.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
15	Smith, Brad	Idaho Conservation League	T & E	04	Snowmobile and other "over-snow" vehicles should be prohibited due to concerns about caribou and other wildlife that are sensitive to motorized access during the winter months.
15	Smith, Brad	Idaho Conservation League	T & E	07	To ensure that the intent and the requirements of the Access Amendment are carried out, the Border Patrol and the Forest Service should develop a cooperative monitoring and evaluation plan for the Bog Creek Road and the Blue Grass BMU. This plan should include monitoring of at least 30% of the closure devices in the BMU on an annual basis, including gates, berms, or any other closure methods or devices. We recommend that closures be monitored on a rotating basis, such that all closures are monitored within three-year intervals.
15	Smith, Brad	Idaho Conservation League	T & E	07	Since the gates on the Bog Creek Road are more likely to be breached by members of the public than the other roads in the Blue Grass BMU (it is the only road to bridge the east and west sides of the Selkirk Crest), we recommended monitoring the Bog Creek Road for closure violations on an annual basis. This should include road counters and cameras.
15	Smith, Brad	Idaho Conservation League	T & E	07	Forest Service and Border Patrol officials must coordinate regularly to ensure that the collective trips made on the Bog Creek Road do not exceed the maximum allowable trips during the active bear year.
15	Smith, Brad	Idaho Conservation League	T & E	07	The monitoring results should be incorporated into the annual reports submitted to the U.S. Fish and Wildlife Service by April 15 of each year.
16	Bolin, Gail	Kinnikinnick Native Plant Society	ACCESS	01	We support your proposed closure of the entire road. It is difficult to prevent unauthorized vehicular use and we encourage robust efforts to prevent such use.
16	Bolin, Gail	Kinnikinnick Native Plant Society	VEGE	01	Weeds are an ongoing threat to the area's native vegetation. We encourage strenuous measures to prevent the incursion of weeds into this area. Once introduced, they are virtually impossible to eradicate. Project timing should take weed prevention into account as a very highest priority.
16	Bolin, Gail	Kinnikinnick Native Plant Society	VEGE	02	We strongly urge that a complete botanic survey be completed prior to your work, so the results can inform your project implementation. It should be carried out by a Forest Service botanist from the Northern Region of the Idaho Panhandle National Forest. We request a copy of that survey.
16	Bolin, Gail	Kinnikinnick Native Plant Society	VEGE	03	Sensitive plant habitats should remain undisturbed.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	ACCESS	02	IF it is decided to reopen the Bog Creek Road, it should not be reconstructed just for the Border Patrol. PCFC would be greatly concerned and disappointed that tax payers would be handling this cost in a number of ways and the public would then be closed out of this particular access, as well as having other accesses taken away to make up for this road opening. That is a completely irresponsible proposal to the public and it would be a huge disappointment to have federal agencies further strangle access to an amazing area of our national forests. PCFC would propose that access to the Bog Creek Road be considered for at least a 2 month period each summer and depending on the outcome of the caribou situation, possibly for a month each winter.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	ROADS	01	With current funding, the Forest Service is struggling to maintain the roads they presently have. Adding Bog Creek into the system sounds as though they will have to reduce roads elsewhere. Again, this closes the public out even more IF they do not allow public access, at least at a minimum, to the Continental Mountain area.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	ROADS	02	The cost in dollars and in potential environmental damage definitely need to be taken into high consideration.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	ROADS	02	Who will maintain the road if it is opened up?
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	T & E	01	the road was supposedly closed to protect grizzly bear and eventually lent itself to caribou protection. That concern appears to still be an issue though the grizzly population has improved in the project area a great deal in the last decade. Caribou protection is still under consideration. Therefore it seems incongruous to consider this reopening before the caribou issues are resolved.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	T & E	04	the road was supposedly closed to protect grizzly bear and eventually lent itself to caribou protection. That concern appears to still be an issue though the grizzly population has improved in the project area a great deal in the last decade. Caribou protection is still under consideration. Therefore it seems incongruous to consider this reopening before the caribou issues are resolved.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	T & E	08	the bull trout issue comes at this proposal from two directions. First, with the past culvert failures, there is little doubt that huge amounts of sediment have been dumped into the area stream and waterways. Secondly, with proper (albeit expensive) improvements to the road, there is the potential to improve the sediment loading into the area streams and waterways. We would ask that both these considerations be given a great amount of weight before a decision is made.
17	Gebhardt-Johnson, Liz	Priest Community Forest Connection	WATE	01	the bull trout issue comes at this proposal from two directions. First, with the past culvert failures, there is little doubt that huge amounts of sediment have been dumped into the area stream and waterways. Secondly, with proper (albeit expensive) improvements to the road, there is the potential to improve the sediment loading into the area streams and waterways. We would ask that both these considerations be given a great amount of weight before a decision is made.
18	Sedler, Liz	Alliance for the Wild Rockies	FISH	01	The IPNF map indicates that the road beyond the gate (or barrier) in Section 34 crosses several tributaries: Continental Creek, and Malcom Creek, which are tributaries to the Upper Priest River and Spread Creek, which is a tributary to Malcom Creek. The reconstruction of the washed out section of the road will no doubt result in additional sediment delivery to these tributaries. Below this section FR 1013 crosses several more tributaries to the Upper Priest River. Any road improvement, such as soil disturbance and cutting trees to widen the ROW has the potential to adversely impact water quality and fisheries in these tributaries and by extension, the Upper Priest River.
18	Sedler, Liz	Alliance for the Wild Rockies	NEPA	03	One possible way the CBP could compensate for the inevitable adverse impacts of the proposed action on threatened wildlife species is to purchase the Continental Mine property and transfer it back to the Idaho Panhandle National Forest. If this were to occur, opportunities for managing (closing) roads that access the private property would open up, giving the Forest Service several options for increasing secure wildlife habitat for both grizzlies and caribou in the BG BMU.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	02	Conditions in the BG BMU have not met all three benchmarks for security habitat i.e., 'core' and open and total road density (OMRD and TMRD) standards since they were established in 2004 and again in 2011. According to the Forest Service, in 2011 core was 50% (the standard is 55%), open road density was 35% (the standard is 33%) and total road density met the 26% TMRD standard. The calculations for 2012 are not yet available. The purpose of these standards is to provide adequate secure habitat for grizzlies in the SRZ in order to move the de facto endangered Selkirk grizzly bear population toward recovery.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	02	During reconstruction on the closed section of the road, it would have to be categorized as open due to truck traffic and the use of heavy equipment. It also will have to be categorized as open when the Border Patrol utilizes it. This will increase the Open Motorized Road Density (OMRD) in the BG BMU which will adversely affect already deficient security grizzly habitat in the BG BMU.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	02	The Scoping Notice states that "other roads in the BG BMU may need to be closed to motorized access." The Forest Service has struggled for years to bring the BG BMU into compliance with the motorized access management standards, noted above. It would not be a simple matter to close enough roads to all traffic, including administrative use, in order to compensate for the loss of grizzly bear security that the proposed road reconstruction and use by the CBP would cause.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	02	The description of the current condition of the section of the road above the gate or barrier indicates that it is grown over with vegetation and that a large culvert failure occurred over ten years ago that has made the road impassible at that location. Thus that portion of the road has basically ceased to exist. The fact that it has not been accessible to regular passenger vehicles has increased the wildlife habitat security in the area and may have resulted in increased use by species at risk, i.e., grizzly bears and caribou, in the area. Grizzly bears are known to use areas that are free from open roads in the BG BMU.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	03	We have serious concerns regarding this proposal due to its impacts on grizzly bears, migrating caribou and bull trout that inhabit or utilize the area that will be impacted.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	03	We assume that Formal Section 7 Consultation with the US Fish and Wildlife Service will be required for this proposal given the potential for adverse impacts to listed species.
18	Sedler, Liz	Alliance for the Wild Rockies	T & E	08	since the major culvert failure occurred in 2000 or 2001, the damage that was done, which likely included delivery of a large amount of sediment to the tributary that passed through the culvert, has likely healed itself. Reconstruction of the section of the road affected by the culvert failure will no doubt result in additional sediment delivery (in spite of any BMPs that may be employed) and further degradation of water quality and fish habitat in the affected tributaries and downstream in the Upper Priest River, which currently support bull trout, a threatened species.
18	Sedler, Liz	Alliance for the Wild Rockies	WATE	01	The IPNF map indicates that the road beyond the gate (or barrier) in Section 34 crosses several tributaries: Continental Creek, and Malcom Creek, which are tributaries to the Upper Priest River and Spread Creek, which is a tributary to Malcom Creek. The reconstruction of the washed out section of the road will no doubt result in additional sediment delivery to these tributaries. Below this section FR 1013 crosses several more tributaries to the Upper Priest River. Any road improvement, such as soil disturbance and cutting trees to widen the ROW has the potential to adversely impact water quality and fisheries in these tributaries and by extension, the Upper Priest River.
19	Lucid, Michael and Laura Robinson		ACCESS	01	we find it a bit absurd for an agency whose mission is to protect the border to actually open a road along the border! The scoping notice goes into great detail regarding how difficult it is to travel Bog Creek road under current conditions. Opening Bog Creek Road for easy travel would only increase the potential for smugglers or terrorists to make illegal border crossings.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
19	Lucid, Michael and Laura Robinson		ACCESS	01	Our local Border Patrol agents seem to have little regard for obeying travel restriction rules on the Idaho Panhandle National Forest. On multiple occasions we have observed Agents violating the caribou winter snowmobile closure. When asked why they violated the closure, they have informed us they did not even know about the motorized restriction in the area. How can we expect these agents to enforce the law when they are ignorant of the law?! Given this history, we find it unlikely that agents will actually comply to the rules put in place to govern the amount of access they are allowed to have to Bog Creek Road.
19	Lucid, Michael and Laura Robinson		ACCESS	02	Re-opening the Bog Creek Road for administrative use may be the first step in re-opening it to the public. This would certainly result in a dramatic increase in vehicular traffic and human use and compound all of the problems detailed above.
19	Lucid, Michael and Laura Robinson		HUNT	01	We hunt elk in the Blue Grass Bear Management Unit along the roads behind the gate to Grass Creek. We access this area with mountain bikes which we use to pull trailers with our camping and hunting gear. There is currently little administrative use behind this gate during elk hunting season. Being able to travel far behind these gates with bikes allows for a very unique hunting experience in which we have a very small chance of encountering other people. This type of experience is highly important to us and there are few spots in which it can be obtained in northern Idaho. Opening Bog Creek road would increase the amount of traffic behind the Grass Creek gate during elk season. This would not only degrade our experience but would also disturb wildlife and reduce our chance of successfully harvesting an elk.
19	Lucid, Michael and Laura Robinson		MISC	02	We are strongly opposed to the implementation of this project and urge you to select option two under the decision framework section of the scoping letter: "Choose not to take action at this time".
19	Lucid, Michael and Laura Robinson		NEPA	01	We understand the logic of wishing to reduce travel time for employees accessing the west side of the Selkirks to complete their missions. However we do not concur that opening the road would necessarily decrease travel time. Current travel time from Bonners Ferry to Priest Lake is 2 hours at legal driving speeds. Travel time to Priest Lake via an open Bog Creek road would likely be about 4 hours at legal driving speeds. Perhaps there would be the occasional mission which could have reduced travel time, but we are not convinced this alternative would save taxpayer dollars.
19	Lucid, Michael and Laura Robinson		NEPA	03	There are many ways in which Border Patrol might reduce the cost of missions without implementing the very expensive option of re-opening Bog Creek Road. For example, instead of driving back and forth multiple times between Bonners Ferry and Priest Lake agents could spend several nights camping out when they are on missions. While at their camps they could 'clock out' but still be on call for immediate action should the border be broached.
19	Lucid, Michael and Laura Robinson		ROADS	01	Access to Other Roads for Wood Collection, Food Gathering, and Recreation: We use our motorized vehicles (passenger car and pickup truck) along the open road system within the Blue Grass Bear Management Unit extensively to collect our yearly supply of firewood, collect huckleberries, collect mushrooms, and access recreational opportunities such as hiking trails. The scoping notice states: "To mitigate potential impacts associated with reconstruction and subsequent use of Bog Creek Road, other roads within the Blue Grass Bear Management Unit may need to be closed to motorized access." We are concerned the opening of Bog Creek Road would result in roads we currently use for these activities being closed to motorized use. Because we would not have access to using Bog Creek Road, the amount of roads open to the public would actually decrease in an area which already has limited road access!

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
19	Lucid, Michael and Laura Robinson		ROADS	02	The scoping notice did not include a price tag for the project. This makes us question the amount of thought that has gone into the true fiscal savings of this alternative. We request an outside consultant be hired to conduct a detailed cost-benefit analysis of opening Bog Creek Road. This analysis should include all possible alternatives for saving money including the camping out option.
19	Lucid, Michael and Laura Robinson		ROADS	03	Westside Road: This road parallels our property and is part of the only travel route to Bog Creek from Bonners Ferry (the eastern side of the Selkirk Mountains). Border patrol vehicles already pass by our house at least twice a day. This negatively affects our daily routine because: 1) They drive too fast endangering our pets and livestock. It also endangers wildlife crossing the road. 2) Additional traffic increases the noise level inside our house (we hear every car that drives by). 3) On our daily walks and runs along Westside Road Border Patrol agents regularly stop to question us regarding where we live and what we are doing. The agents are often unfriendly and interrupt our exercise routine. Implementation of the proposed action would serve to dramatically increase the amount of vehicular Border Patrol.
20	Juel, Jeff	The Lands Council	ACCESS	01	The NEPA document should also consider that the proposed reconstruction might also facilitate more access for those illegally crossing the border in either direction, whether roads are gated or not.
20	Juel, Jeff	The Lands Council	ACCESS	01	Roads also present issues of legal and illegal access by forest users on ATVs, snowmobiles, and other off-road vehicles.
20	Juel, Jeff	The Lands Council	NEPA	01	The NEPA document should fully explore alternatives to reconstructing and re opening the proposed road. Given that the federal government has been carrying out its duties for quite some time now without this road, one might question the level of need alleged in the scoping letter.
20	Juel, Jeff	The Lands Council	ROADS	02	Water quality may already be impacted by point sources or non-point sources related to this and other roads in affected watersheds, their uses, and maintenance. Regarding the latter, the road will no doubt present some budget issues for the Forest Service, since the agency doesn't have the funds to maintain its present road network.
20	Juel, Jeff	The Lands Council	T & E	01	We urge careful consideration because of the impacts to species such as wide-ranging, seclusion seeking species such as grizzly bears and wolverines. The existing road network is one way that management of the IPNF is not now currently consistent with the forest plan, laws, and policies in regards to grizzly bears and other resources.
20	Juel, Jeff	The Lands Council	T & E	06	We urge careful consideration because of the impacts to species such as wide-ranging, seclusion seeking species such as grizzly bears and wolverines. The existing road network is one way that management of the IPNF is not now currently consistent with the forest plan, laws, and policies in regards to grizzly bears and other resources.
20	Juel, Jeff	The Lands Council	WATE	01	Water quality may already be impacted by point sources or non-point sources related to this and other roads in affected watersheds, their uses, and maintenance. Regarding the latter, the road will no doubt present some budget issues for the Forest Service, since the agency doesn't have the funds to maintain its present road network.
20	Juel, Jeff	The Lands Council	WILDLIFE	01	The scoping letter's list of issues to be covered in the upcoming NEPA document is fairly limited. We would add the other species on the Idaho Panhandle National Forests (IPNF) Sensitive species list, as well as the Management Indicator Species listed in the Forest Plan.
21	Roady, Chuck		ACCESS	05	We do not support any limitations for numbers of trips for either CBP or for the owners of the Continental Lands property! This is unacceptable.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
21	Roady, Chuck		MISC	01	As an owner of Continental Lands Inc Property that is also accessed via the Grass Creek And Blue Joe Creek roads we support the proposed project to allow use, improvement and maintenance of the Bog Creek Road by the Customs and Border Protection.
21	Roady, Chuck		ROADS	04	Repairing the road will help restore the BMP's to meet the state Forest Practices act requirements which in turn will only help the habitat for esa species and the other wildlife that use the area.
21	Roady, Chuck		T & E	01	The Bog Creek Road had a long history of use by the logging community, the general public and for forest management/fire protection prior to the closure of the road by the USFS for Esa implications. This history of use had no negative effects on use and travel habits of grizzly bears or other endangered species.
21	Roady, Chuck		T & E	03	The limited activity by CBP agents on this road will have little to no effect on any of the Esa or other species
22	Antonelli, Derek		VEGE	02	The Idaho Natural Heritage Program's database lists 31 species within about 10 miles of the project site. The 31 species are listed below. To ensure that the project does not impact populations of these or other sensitive plants, a thorough survey needs to be conducted to identify the location of sensitive plant populations. The project's plan then needs to be developed to avoid the destruction of these sensitive plant populations. Blechnum spicant Botrychium lanceolatum var. lanceolatum Botrychium minganense Botrychium montanum Botrychium pedunculosum Botrychium pinnatum Botrychium simplex Buxbaumia viridis Carex flava Carex leptalea Carex magellanica ssp. irrigua Cladonia transcendens Drosera intermedia Epilobium palustre Eriophorum viridicarinatum Gaultheria hispidula Lycopodiella inundata Lycopodium dendroideum Lycopodium sitchense Petasites sagittatus Phegopteris connectilis Polystichum braunii Rhizomnium nudum Romanzoffia sitchensis Sancula marilandica Scheuchzeria palustris Streptopus strepopoides Tellima grandiflora Trichophorum alpinum Trientalis europaea ssp. arctica Viola selkirkii

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
22	Antonelli, Derek		VEGE	03	This region has Idaho's highest density of sensitive and rare plant species.
23	Gatchell, David		ACCESS	01	This section of Bog Cr. Rd., improved for motorized access, may be more convenient for Border Patrol, but isn't it more of a deterrent to illicit activity in its current state?
23	Gatchell, David		ACCESS	03	the scoping notice states that there will be signage that reads, "Administrative Use Only- No Public Access". No public access? None? Illegal even to set foot in there? This would be unprecedented in the IPNF. These effects of the proposal would not sit well in a community where public access is such a contentious issue
23	Gatchell, David		MISC	02	I am opposed to this project for several reasons.
23	Gatchell, David		NEPA	01	Building a means to patrol it at the same time creates the need to patrol. The scoping notice describes a 180 mile trip from the Border Patrol station in Metaline Falls to the northern end of Bog Cr. Rd. Under what circumstances and how often would that kind of trip be necessary?
23	Gatchell, David		NEPA	02	This detrimental effect on a threatened species will not be covered by a simple EA. The scope of this project will warrant an EIS.
23	Gatchell, David		ROADS	01	If this section of Bog Cr. Rd. is improved for motorized access it will get used. The road designation will be changed and the Forest Service will be forced to close other roads to be in compliance with Grizzly Bear Management Unit road density standards.
23	Gatchell, David		T & E	01	It is in grizzly bear summer range, the elevation and aspect lends itself to a late green up. An important extension to a food source. There are meadows, wetlands and a water body nearby. All key elements. This road, overgrown and impassable to vehicles, is better for grizzly bears.
24	Wakkinen, Wayne		ACCESS	01	1) The Bog Ck road, in its current condition, impedes travel by everyone, including unauthorized use. Opening this road would provide an easier travel route for illegal activity, thereby potentially decreasing national security. 2) The increased opportunity for illegal activity would necessitate increased patrols in the area, resulting in additional expense and the dilution of patrol activity in other areas. 3) Opening this road would result in additional escape routes for illegal activity. Currently, especially on the Priest Lake side, there is only one route accessing the area. If illegal activity is detected on this road, there is no way out. The Bog Ck road does not provide a reasonable escape route. Therefore it would be relatively easy to interdict any illegal use. However, if the Bog Ck road is opened, even if it is gated, it provides a quick easy escape route, leading to multiple road options, making the job of interdicting illegal activity more difficult.
24	Wakkinen, Wayne		ACCESS	01	If non-motorized use is allowed, as opposed to an area closure, monitoring of the road would become very difficult. How would be Border Patrol differentiate between legal and illegal use? This would necessitate either increased patrols or the response to many false alarms. Either would waste Border Patrol resources, drive up costs, and dilute patrols in other areas.
24	Wakkinen, Wayne		ACCESS	03	The scoping notice indicates that the road will be posted as "No Public Access". Unless the Forest Service is willing to institute and enforce an area closure, this is not a reasonable expectation. An area closure to the public has never happened on the Panhandle Forest. Motorized use has been restricted, but no area has been closed to the public. A No Public Access policy would build resentment with the local publics that use the National Forest. Tax money would be used to improve the road, but no public use would be allowed under the scenario stated in the scoping notice.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
24	Wakkinen, Wayne		MISC	02	I do not support the proposed activity. I believe the more appropriate activity would be the closure of this road. In my opinion this would benefit national security more that improving the road for the reasons I stated above. There are better, more cost effective alternatives to the proposed action.
24	Wakkinen, Wayne		NEPA	01	There are statements in the scoping notice that are misleading. The current condition of this road does not result in a 180 mile detour and 4 hour (8 hour round trip) increase in mission time. There are Border Patrol stations in Bonners Ferry and Metaline Falls. These are approximately 55 and 45 miles, respectively, from the Bog Ck road. If an officer needed assistance it would not require a 180 mile, 4 hour trip. Response would be more reasonable from either of these offices, or if conditions warrant, air support is available either in the form of fixed wing or helicopter assistance. While it might be convenient for the Border Patrol if this road was open, its current condition does not add the stated time or miles. There are many roads that do not provide through-access. It's simply a matter of patrolling to the end of the road and turning around.
24	Wakkinen, Wayne		NEPA	02	The size of this project would require an Environmental Impact Statement, not an Environmental Assessment. Gathering and transport of fill material, replacing culverts, resurfacing roads, and cut/fill activity on 5.6 miles of road with heavy equipment for 10 weeks is not a small project. Because of the elevation and aspect, the operating season would be in the summer. This is important summer range for grizzly bears so there would be conflicts with seasonal grizzly bear use.
24	Wakkinen, Wayne		ROADS	01	Opening this road would eliminate road management options for the Forest Service. Currently the Bear Management Unit (BMU) which contains the Bog Ck road is below road density standards. Closing this road would move the BMU toward achieving these standards. If this road is opened or classified as "restricted" it would require the USFS to find other alternatives to achieve the road standards. This could affect the public at large by restricting public use of the forest.
24	Wakkinen, Wayne		ROADS	02	It will be expensive to open and maintain this road. In these economic times the cost of opening this road does not justify the benefit. Further, installing and maintaining effective road closures (gates) will also be costly. More cost effective means of monitoring this road should be investigated. Advances in electronic monitoring could provide a reasonable alternative to opening the road.
24	Wakkinen, Wayne		T & E	01	Opening the road would increase the potential for hunters to access areas that are important for grizzly bears. This would increase the potential for illegal kills or mistaken identity kills of grizzly bears, affecting grizzly bear recovery efforts.
24	Wakkinen, Wayne		T & E	01	The size of this project would require an Environmental Impact Statement, not an Environmental Assessment. Gathering and transport of fill material, replacing culverts, resurfacing roads, and cut/fill activity on 5.6 miles of road with heavy equipment for 10 weeks is not a small project. Because of the elevation and aspect, the operating season would be in the summer. This is important summer range for grizzly bears so there would be conflicts with seasonal grizzly bear use.
24	Wakkinen, Wayne		T & E	02	Opening this road would eliminate road management options for the Forest Service. Currently the Bear Management Unit (BMU) which contains the Bog Ck road is below road density standards. Closing this road would move the BMU toward achieving these standards. If this road is opened or classified as "restricted" it would require the USFS to find other alternatives to achieve the road standards. This could affect the public at large by restricting public use of the forest.
25	Boundary County Commissioners		ACCESS	04	Our understanding is that the administrative use after the project completion will not change from the current established classification.

Table D2. Public Scoping Comments (Continued)

Letter number	Name	Organization	Resource Category	Resource Code	Comment
25	Boundary County Commissioners		ACCESS	06	In the settlement of the Federal Court action, CV No. 98-0253-N-EJL, United States of America vs. Boundary County, Idaho, dated October 2, 2002, Paragraph 2, it is expressly stated that the "prism of the "Bog Creek Road" shall be substantially retained for future use."
25	Boundary County Commissioners		MISC	01	Boundary County is in support of the above described project.
25	Boundary County Commissioners		ROADS	01	This action should have no bearing on changing the status of any roads managed by other Federal Agencies, specifically this shall not apply to Road Density Standards.
25	Boundary County Commissioners		ROADS	01	Should this action start any action to change road classifications within the Bear Management Unit, then Boundary County request meetings with all agencies involved to formally consult with them regarding such proposed actions.
25	Boundary County Commissioners		SECUR	01	The security of the United States should always have the highest priority regarding management actions and access of our public lands.