

COMMENTS ON US 20 CORRIDOR PLAN

NEPA requires consideration of potential environmental, economic, and socio-cultural impacts in assessments of prior to making any decisions about whether to move forward with proposals. The iplan lacks in fully addressing all of these areas.

It is required that all affected groups and public be invited to provide input.

First, often public comment periods allow citizens to remark on how to regulate federal actions but not to question or prevent such activities more generally. Public participation offers citizens the opportunity to react to plans and decisions already in the making, rather than preventing them in the first place.

Second, while heavy emphasis is placed on Native American rights and culture, the local IP citizens, who have a deep and rich heritage in Island Park, and who are indigenous to the area, are ignored. In general, federal and state agents were primarily focused in the scientific, or technocratic aspects of IP, but severely lacked involvement from all socio-cultural segments. Why are residents with this heritage excluded, should they not have as much authority over their land as do Tribes?

Third, federal and state agents invested their time primarily towards specific groups (NGOs, foundations with initiatives, Tribes, etc.) prior to the public comment period while giving the IP “natives” limited opportunity to provide feedback, and limiting their opportunity for the same amount of time in studying the plan that has been worked on with other OUTSIDE (people who do not even live in the area) groups. Finally, NEPA does not prohibit agencies from making decisions that defy public concern. Final decisions around a proposed project can lawfully go against public input obtained throughout an EIS public comment period. Although NEPA is only in the EA stage it would be helpful, and is a NEPA requirement, that full engagement with all IP residents is required, not just a few selected groups who happen to hold the same perspective, and who are not residents in the area.

Federal agencies bring in “experts” to provide their “knowledge, values, and views” of the IP area. There is no representation by those who live in the area as these “experts” have pre-determined what knowledge is relevant, thereby excluding perspectives and knowledge by IP residents.

For this first stage in the NEPA process, EA, what efforts were made by federal or state agents to gather input from IP residents? One meeting was held in IP in the dead of December when the majority of residents were not available to attend any meeting, up to 4,000. A second meeting will be held in April, again during a time when the majority of residents are not available to provide input. And out of those extra 4,000 residents, how many have been notified of the iplan? Do two separate, 2 hour meetings really provide adequate opportunity for resident input? Should the federal agents determine that an EIS comment period should be pursued, again, how will IP residents be notified to look in the federal register for notice of intent?

What guarantee will the FHA provide that the IP residents input will be included for a potential EIS design, facts that are provided against the iplan being incorporated into the document, how information is presented, worded and explained—and if not to whom is FHA accountable?

Typically, draft EISs are prepared according to the “experts” values and knowledge at the expense of other perspectives such as from local residents who are indigenous to the area. This draft EIS becomes the primary document on which public comment periods are based. With scant efforts to gain input from IP residents I would anticipate the EA will proceed to the EIS without any of this input, and will instead include all of the perspectives from NGOs who have been allowed the opportunity to decide what should happen in the IP area. Because the exclusion of input from IP residents and the iplan being designed with the subjective interpretations and perspectives of a few appointed experts, what guarantee do IP residents have that their input will be carefully considered and incorporated?

NEPA does not prohibit agencies from decisions that may harm the three “pillars of sustainability”, having no guidelines or regulations. There is also no mandated requirement for public comments to guide the final decision. Given this, how can responsible decisions be made on behalf of IP residents?

Therefore, I am requesting that the FHA and ITD start over, giving sufficient time for all IP residents to study the plan, do the necessary research, and formulate a response and further possible alternatives to the iplan during the EA process.

Secondly, specific standards and guidelines to effectively incorporate IP resident input into the iplan should be developed, such as heavier consideration for alternatives to this plan. IP residents should be considered an “at-risk” population as the iplan will dramatically affect their “socio-cultural” status, and possibly the IP economy, the economy being a severely neglected aspect in the iplan. An IP resident, or perhaps more, should be added to any federal committee whose task it is to move forward with any EA or EIS, giving IP residents a larger voice. This privilege is granted to outside groups and Tribes and should the refore be granted to IP residents as they are the primary group that will be affected by this plan.

As a Republic form of government, the United States is based on citizen power. The federal government may have the control, but it is the citizens whose voices have the power to give that control to the federal government, it is not the other way around. This is also stated in the Idaho Constitution. Adequate time should be given to residents to present alternatives to the iplan and studies that are contrary or do not validate what the iplan claims. IP residents should also be provided the opportunity to create their own separate survey that will give a broader understanding of the plan to residents for their perspectives. These meetings should not be limited in amount or time, and not end until resolution to the satisfaction of IP residents is achieved.

Overall, this iplan severely lacks a review of the required socio-cultural and economic aspects of the IP area; includes only involvement from organizations that hold the same perspectives as the FHA, ITD, and IDFG; has completely disregarded any involvement by the residents who live or own homes in the area; has used old, and sometimes misleading data, while excluding data that does not support its’ objectives; and which carries a suspicion of the beginning of future plans to completely abolish the area as it exists today in order to integrate it into a Yellowstone Park or permanently create a wilderness or biodiversity corridor with restricted access by Idahoans.

Studies:

1. The Cramer study was based on assumptions from WVC and carcasses data, “probable” migratory paths, and hot spot areas. What studies in IP have been done to actually determine what the migratory flow is for Elk? A National Geographic map was cited as a source for Elk migration. This map is used by National Geographic for K-12 studies, it is not a map from migratory studies. Nor does the Idaho Highway Wildlife Linkage source validate migration paths.
2. What study was conducted in IP to determine the migratory path of other species such as Moose and Bears, or land use of squirrels, chipmunks, skunks, porcupines, gophers, or any other animal that move in this area? Have any studies been done on non-migratory animals or those that have separated from the herd that may have been involved in a WVC?
3. What study was done in IP that evaluates the restrictions that will occur for other species with fencing?
4. Studies have shown that with these types of corridors there is an increased incidence of invasive species. What studies have been conducted in IP that will show potential increases in invasive species along Hwy 20 as a corridor?
5. Studies have shown that corridors increase the presence of predators. What studies have been conducted on this in IP, using the wolf as an example, that will predict an increase in predatory activity towards animals using this assumed migratory path?
6. What was the source of funding for the Cramer study and Safety Solutions report?
7. According to the CEQ, the purpose of an EA is to determine the significance of the environmental effects and look at alternative means to achieve the FHA and ITD objectives. As such, the EA should provide sufficient evidence and analysis for determining whether to prepare an EIS. What efforts have been taken or undertaken to ensure that ALL evidence is provided for an adequate analysis, such as studies that show corridors are not effective, can promote invasive species and predatory activity, and that wildlife do not always use these paths?
8. What studies have been reviewed on connectivity? Studies have shown that fragmented species populations flourish without connectivity via corridors.
9. Has a study been conducted, or any studies reviewed, on the genetic diversity of Elk in the IP area, and whether or not the diversity was increased or decreased?
10. How many studies were reviewed on the actual effectiveness of corridors?
11. Has IP been studied as a target or umbrella area?
12. Were all types of species movement, such as migration, round trip, and home range studied in the IP area?
13. What empirical studies were either conducted or reviewed in IP that supports corridors would be effective?
14. What studies were either conducted or reviewed in IP regarding gene flow in corridors?
15. What would the cost be to conduct these studies in IP?
16. The Safety Solutions on WVC report recommends reconstruction of bridges in certain areas to “increase the probability that large wild animals would use them” and “removing vegetation”. Without any studies on the actual numbers of wildlife, type, or the definitive migratory path, ITD and IDFG are “guessing” on the effectiveness of these bridges in addition to destroying the landscape.

17. In the Safety Solutions report it also states, “solutions for WVC that maintain wildlife connectivity are not typically cost effective based solely on WVC crash and carcass data”. Also stated, “intact wildlife herds and improved water flow are also not accounted for.” If this is the case, a more comprehensive study should be conducted which gives a more accurate assessment. How is it justified to proceed with possible construction of these structures when the report itself states the data is inadequate?

18. The “scorecard” used input from the Henry’s Fork Legacy Project members. The majority of these individuals do not even live in the IP area yet their involvement and opinions are given more weight than the residents who do live there. The report also recognizes that IP residents were not included in the decisions stating, “with the partnering of federal and state agencies and non-profit organizations”. The weight of involvement and perspectives are NEPA required and should include ALL IP residents which has not been done.

19. From 2010-2014, 94 WVC were reported at one location, with 88 carcasses counted. What is the actual numbers of each species per year and what percentage of those numbers was actually affected? Did the population decrease each year as a result of WVC or remain stable?

20. What prior studies in IP were used to identify priority locations for the range of solutions to reduce WVC?

21. Field trips with interested agencies and non-profit “partners” do not constitute full public involvement in decisions. What will be done to correct this error? Consulting with “conservation oriented professionals in the region” again reinforces the selective biases of ITD and IDFG rather than working with all perspectives of those who live in the area which seriously violates the NEPA process.

22. One of the resources used was Geodata Services from 2005, 12-year-old data. More current data should be obtained before this plan moves forward.

23. A select group, HFLP, was allowed the opportunity to prioritize the segments with SurveyMonkey. The assumption here is that they distributed the survey to those whose perspective are in line with the HFLP and who may not even live in the IP area. A separate survey should be conducted with all IP residents which provides a more comprehensive perspective from those who actually live in the area.

24. Restricted wildlife movement, restricted recreational use, reduction of scenic value, cost, efforts to “convince” an elk to move through a structure, private land, hunter access, restricting access by “skittish” animals, restricted off road vehicle access, tree, vegetation, and shrub removal, poor carcass data collection, and limited bridge access are found to be common “cons” to building these structures, and in the report itself it states, “Overall, solutions for WVC that maintain wildlife connectivity are not always cost effective initially based on WVC crash and carcass data.” Should these not be huge red flags that FHA, ITD, and IDFG are premature going to this length for building any structure in IP, that studies on these various issues should be conducted in the IP area, and that the current iplan should not move forward?

25. Out of the listed studies in the Safety Solutions report there were none that reported on the negative aspects of corridors. For an unbiased perspective, these types of reports should be included. Studies from other states were included but generalizing this data to IP does not provide an accurate picture of IP. Nor were there any current

studies on the numbers of different species or actual migration patterns of different species in the IP area.

26. Natural Resource Data Sources included “human settlements”. IP park is made up of residential areas with specific names, whose population varies with seasonal changes. They are not, and should not be considered “human settlements”. Human density was also mentioned in the Safety Solutions report. This is misleading as it implies a dense population in a specific area, which again, fluctuates seasonally. This is one socio-cultural area that is lacking in the reports. Citing Macks Inn as “dominated by humans”, the report fails to identify what time of year this assumption was made, what the term dominated means, and in what context this is used relative to WVC.

27. Much of the migration data is 10 plus years old. This data should not be used. Same with “probable collared Elk crossings” and “probable collared moose crossings”. What percentage of the herd was collared and how can this data be used to substantiate migration patterns for either species? Why was non-migratory data included with migratory? Were studies reviewed from 10-20 years ago that reflect any changes either in the migratory paths, numbers of species, or WVC, or whether or not there has been either a reduction or increase in WVC?

28. The same report states, “Elk are among the most difficult ungulates to accommodate with wildlife crossing structures.”, and are used primarily by only a single or a less than 4 herd. Yet FHA, ITD, and IDFG have gone to this length in potentially building these structures. Does this small amount of Elk crossings justify reshaping the IP landscape?

29. What studies in IP were conducted to determine that “warning signs have not been shown to reduce WVC”?

30. In the Safety Solutions report, why was the term “state park” area referenced? IP is not a state park, is there a future plan that it will become one or integrated into YP?

31. What study was conducted that validates the statement, “high probability of elk” in an area? What is the clarification on “high probability” as far as time of year? What is considered “high probability”, one Elk or more?

32. The Geodata Services, Inc study from 2005 was referenced designation “for movement of elk, moose, black bears, land carnivores, including wolverine” at the SH 87 junction. This data is 12 years old and unacceptable.

33. Spending millions of dollars to justify a reduction of 4 WVC per year is not justified.

34. The Safety Solutions study recommended further analysis given the inadequate data methodology. Does the FHA or ITD intend to conduct studies in any of these areas?

35. The iplan injury crash data does not match the Cramer study data.

Social Impact:

1. The current aesthetics and environment of IP will be altered with fences, structural changes, land destruction for bridges (over & under), and fencing. This is a significant social impact on the area.

2. How many private properties does the iplan expect to alter?

3. What process will be used to utilize private property such as eminent domain, engaging the landowner in conservation easements, or other methods?

4. How many private land owners in the affected area have been contacted and involved in the iplan up to this point and by which state or federal agency?

5. The iplan will have significant negative impacts on the cultural heritage in IP. What alternatives have been considered regarding this aspect?
6. As it stands now there will be a significant impact on the quality of life for IP residents. Land rights and freedom to use land will be permanently altered. What consideration has been given to this aspect and any proposed alternative, if any?
7. What efforts will the FHA and ITD take to start over with this iplan with specific involvement by IP residents?
8. IP has been a very targeted area for change due to its close proximity to WY and Jackson. Please provide the analysis or studies that were done on the potential impacts this would have in IP towards other initiatives such as connectivity, wilderness area or national monument designation, or integration into national parks.
9. What considerations or studies were conducted to determine what the effect would be on the historic use of the IP area, which has always been recreational access and enjoyment of the landscape?
10. Were any considerations given, or studies done, on the IP culture in terms of those whose heritage goes back generations, who have a deep bonding with the land and its use, and the impact this will have on their culture?
11. Was consideration given to the fact that IP is a very social community and how this plan potentially disrupts that social network, especially by those who do not live there and yet appear to have been provided more input into altering the landscape to their plans rather than those who actually live there? This a major and very concerning change in the social structure of IP.
12. Why was land ownership and recreation valued so low? This plan would have tremendous impacts on private land ownership and recreation which IP is known for.
13. In IP there has always been various species who have moved through the area, crossing private land. This has never been a problem. Why does the FHA and ITD now consider this is something that has to be changed?

Interested Parties:

1. Has a list of agencies, NGOs, and any persons who were consulted prior to the EA been provided? If not, where can that list be obtained?
2. Will the FHA and ITD proceed to an EIS without increased involvement by IP residents?
3. What action can be taken if IP residents are not provided the rightful opportunity to full participation and involvement in the current direction of the iplan?
4. What efforts will be taken by the FHA and ITD to ensure that proper notification is given to all IP residents on future plans, given that so many live out of the area during the winter?
5. How many meetings will be scheduled in the IP area for full input by IP residents during a time when they are actually in residence in IP?
6. If the NEPA process reaches the scoping phase what assurances do IP residents have they will be identified as interested parties, be allowed the opportunity to identify significant issues that need analysis and have their perspectives included, be considered as having a lead role in all decisions, be allowed to identify all gaps in data and information, and set any time limits for a full analysis?
7. What methods of communication, such as video conferencing, conference

calls, formal hearings, or informal workshops will the FHA and ITD provide for full input by IP residents?

Outside agency involvement:

1. What specifically is the future plan by the FHA and ITD to proceed with connectivity plans (whether ecological or wildlife); integration into Yellowstone Park; designation as a wilderness area, heritage area, or national monument; regionalization plan; or any other plan that will permanently alter the current IP boundaries?
2. How will the IDFG SWAP plan be used to further advance the development of corridors and connectivity?
3. What coordinated efforts have occurred with the GNLC to create corridors that will eventually lead to connectivity of large landscapes that cover Idaho, Montana, and Wyoming?
4. Is the FHA, ITD, and IDFG working towards connectivity by starting with the iplan?
5. How much involvement or coordination has the FHA and ITD had with the Heart of the Rockies, Yellowstone 2 Yukon, Greater Yellowstone, Crown of the Continent and other initiatives in creating the iplan?
6. How much involvement has the FHA and ITD had with other outside NGOs such as the Nature Conservancy or Wilderness Society? How much weight has been given to these groups to advance their plan in creating corridors and connectivity?
7. What are all the federal agencies that have been involved in the iplan up to the EA and how much further involvement will there be with them?

Economy:

1. What is the anticipated cost of building fences, over and under passes over a period of 10 years? It appears to be millions.
2. Where does the FWA and ITD plan to obtain the financing for the iplan? Will it be distributed from taxpayers throughout the state, federal funds, or from private organizations and NGOs?
3. Where will the financing come from for the maintenance of the structures being proposed in the iplan?
4. What studies have been conducted to determine the economic impact on IP if much of the land is converted to conservation easements, corridors, state owned, or other conservation measures? The IP economy depends on tourism and if the land is lost to these plans the IP economy will suffer. This required aspect of NEPA was completely missing in the iplan.

Alternatives:

1. How many alternatives have been proposed, considered and eliminated in the iplan?
2. As an alternative, should drivers be held more accountable for not driving responsibly through an area where there is seasonal migration? More signage giving warnings and/or with flashing reminders, reduction of speeds, and heavier fines should all be given consideration.

Ecological Impact:

1. What studies has the FHA or ITD conducted to evaluate the ecological effects of the iplan in terms of altering the landscape for bridges and fences?

2. Has consideration been given or studies conducted on other species and the impact these barriers will have on them?
3. Are there any studies currently underway for using the iplan to further expand or otherwise alter the biodiversity in the IP area?
4. Have there been studies to determine if the current Elk metapopulation recolonization matches the extinction rate?
5. What historical data has been reviewed to determine the actual effect of VWC on the Elk population, or if there has been any actual effect?
6. It does not appear that the Elk's habitat and ecology of movement taken into consideration. Will any studies be conducted on this?
7. With the WVC data, were there any studies done to determine if the carcass was from a migratory herd or an isolated separation from the herd?
8. How far does the FHA, ITD, and IDFG intend to take this type of plan? Will it eventually expand to include all species, plant or animal, that will lead to the exclusion of all use by Idahoans or ban all Idahoans from the ability to live in the IP area?

EA Process:

1. How will the FHA and ITD advise IP residents they have objectively evaluated all reasonable alternatives provided by IP residents and reasons for the elimination of those alternatives should that occur?
2. New legislation might be an opportunity to redefine the future of IP without the influence of outside groups. Is the FHA and ITD willing to not proceed with this iplan until such time legislation can be introduced for the benefit of IP?
3. What is the administrative appeals process for FHA?