



**File Code:** 1950  
Badger Creek Project  
**Date:** December 11, 2008

Greetings,

The Teton Basin Ranger District proposes to treat vegetation in past harvest units which includes; manually pre-commercial thinning young stands of lodgepole pine, removal of conifers (mainly lodgepole pine) from aspen stands and fuels reduction on approximately 1,400 acres. The Project area is located in the Badger, Leigh and Teton Watersheds located northwest of Driggs, Idaho. Legal description for the project area is; T7N, R45E, Sections 11, 14, 23-26 and 36, T7N, R46E, Sections 30-32 (State of Idaho), T45N, R118W, Sections 8, 17, 20, 21, 27, 28, 33, and 34, and T44E, R118W, Section 3 (State of Wyoming).

I have posted a detailed scoping document and associated maps on the Forest website at <http://www.fs.fed.us/r4/caribou-targhee/projects/>) under Badger Creek Project. Posting this scoping document on the website is more economical and provides you a better quality map to consult and provide feedback on this project.

The primary purpose of this project is to improve overall timber stand health by pre-commercially thinning conifers, promoting and enhancing aspen and reducing fuels within the Wildland Urban Interface.

I have made a preliminary assessment that this proposal meets Forest Plan direction, falls within a category of actions listed in the Forest Service Handbook that is excluded from documentation in an Environmental Assessment or Environmental Impact Statement [FSH 1909. 15, 31.2 (6)] and no extraordinary circumstances exist that would preclude use of the category.

We are combining our scoping effort required by FSH 1909.15 with the 30-day notice and comment required by 36 CFR 215 and the order issued October 19, 2005 by the U. S. District Court for the Eastern District of California in Case No. CIV-F-03-6386JKS.

**How to Comment:** Comments will be accepted for 30 calendar days following publication of the legal notice in the Idaho Falls Post Register. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this proposal. You should not rely upon information provided by any other source. Mail written comments to: Jay Pence, District Ranger, Teton Basin Ranger District, P.O. Box 777, Driggs, Idaho 83422. Oral comments or written comments may be delivered to the Teton Basin Ranger District office, 515 S. Main Street, Driggs, ID 8:00 a.m. – 12:30 and 1:30 - 4:30 p.m. Monday through Friday, excluding holidays. Oral comments will also be received during normal business hours via telephone 208-354-2312. Electronic comments must be submitted in rich text format (.rtf), or Word (.doc) to [comments-intermtn-caribou-targhee-teton-basin@fs.fed.us](mailto:comments-intermtn-caribou-targhee-teton-basin@fs.fed.us) .



Those who provide timely comments that meet the information requirements of 36 CFR 215.6 will be eligible to appeal the decision pursuant to 36 CFR part 215 regulations. Each individual or representative from each organization, submitting timely comments must either sign the comments or otherwise verify identity in order to attain appeal eligibility. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments would not have standing to appeal the subsequent decision under 36 CFR Parts 215 or 217.

Additional information regarding this proposal can be obtained either by contacting Cathey Hardin, Ashton/Island Park Ranger District, 3726 Hwy 20, Island Park, Idaho, 83429, 208-558-4207 or me at the Driggs Office.

Sincerely,

JAY PENCE  
District Ranger

## Scoping and Draft Decision Memo

### Badger Creek Project

USDA Forest Service  
Teton Basin Ranger District, Caribou/Targhee National Forest  
Teton County, Idaho and Wyoming  
Boise Meridian, T7N, R45E, Sections 11, 14, 23-26 and 36, T7N, R46E, Sections 30-32,  
Idaho and T45N, R118W, Sections 8, 17, 20, 21, 27, 28, 33, and 34, and  
T44E, R118W, Section 3, Wyoming

The Teton Basin Ranger District is proposing to manually pre-commercially thin young stands of lodgepole pine, removing conifers (predominantly lodgepole pine) from aspen stands and treat fuels on approximately 1,400 acres in 20-30 year old regeneration stands in the Badger, Leigh and Teton Watersheds.

#### **Background**

The stands identified for treatment are clear-cuts that were harvested in the 1970 to 1990's. The proposed precommercial thinned areas are primarily stands of lodgepole pine with approximately 400 – 7,000 trees per acre with an average height between 12 to 20 feet, and diameters of less than 8" at breast height (noncommercial trees).

#### **Purpose and Need**

The primary purpose of this project is to improve overall timber stand health by pre-commercially thinning conifers, promoting and enhancing aspen and reducing fuels within the Wildland Urban Interface.

The previously harvested units are now densely stocked young stands. Thinning is needed to reduce the competition between these small trees for nutrients, sun and water that stagnates tree growth. Additionally, removing conifers from established aspen stands will allow these aspen clones to be retained rather than allowing them to be crowded out by the conifers. This will maintain vegetative diversity and benefit wildlife species dependent on aspen. Finally, thinning spaces out the tree crowns which results in lower probability of crown fires, and results in increased public and firefighter safety within the WUI (Approximately 1,000 acres of the project are located within the WUI (see attached map)).

#### **Decision to be Made**

I will be the deciding official for this analysis. The decision to be made is whether to implement the proposed action as described above, or defer any action at this time.

At this time, I anticipate this proposal will be categorically excluded from documentation in an Environmental Impact Statement or an Environmental Analysis in accordance with Forest Service Handbook (FSH) 1909.15, Chapter 30, Category 31.2(6). A final Decision Memo will be

prepared which will document findings related to the environmental effects and also my decision regarding this project

### **Proposed Action**

The Badger Creek Project will allow implementation of vegetation treatments including pre-commercial thinning, removal of conifers from aspen clumps and fuels reduction in past harvest units in the Badger, Leigh and Teton Watersheds. Below is a description of the proposed treatments (see attached project map).

Approximately 250-360 trees per acre will be left in the pre-commercially thinned areas favoring the most vigorous, dominant and best-formed trees.

Aspen found in many of the units will be favored by removing conifers from clones. Conifers will be cut both inside of aspen patches and up to a maximum of 30 feet from identified aspen clumps. Currently conifers and aspen in the proposed treatment units are approximately the same age and height. Since aspen are already established then there should be little to no impact from cattle and other big game grazing.

Fine fuel loads generated by thinning on the six units that are within 200 feet of private land will be treated by scattering, piling and burning or by using a masticator as determined necessary by the fuels specialist after thinning treatment has been completed. Actual thinning densities and type of fuel reduction will be determined on a unit by unit basis.

Several of the clear-cuts have a few overstory trees on them (approximately 10-20 trees per acre). These overstory trees will be left on the units unless they are infected with dwarf mistletoe. Dwarf mistletoe infected trees will be girdled to create a standing snag. This will decrease the spread of dwarf mistletoe in the young stands of lodgepole pine while creating a snag for many wildlife species.

Decision will incorporate the following mitigations and project design features:

- Contract or force account crews using chain saws will accomplish the thinning work.
- No roads will be built. Gated roads will be used to access some thinning units. The contractor and Forest Service personnel will only unlock gates for passage through and keep it locked at all other times. The definition of a project from the Forest Plan Amendment for Grizzly Bear Habitat Conservation (page 23) and the ROD (pageA-9) and The Grizzly Bear Conservation Strategy (page 41) is: “ A project is an activity requiring construction of new roads, reconstruction or opening a permanently restricted road, or recurring helicopter flights at low elevations. Opening a gated road for public or administrative use is not considered a project as the area behind locked gated roads is not considered secure habitat”.
- Approximately half of the analysis area is located in the Bechler-Teton BMU within the Primary Conservation Area. The primary goal for this area is to sustain the recovered Yellowstone grizzly bear population. The Forest Plan Amendment for Grizzly Bear Habitat Conservation for the Greater Yellowstone Area National Forests (page 35) and

ROD (page A-3) describes acceptable activities in secure habitat as follows: “Acceptable activities in secure habitat. Activities that do not require road construction, reconstruction, opening a permanently restricted road, or recurring helicopter flight lines at low elevation do not detract from secure habitat. Examples of such activities include thinning, tree planting, prescribed fire, trail maintenance, and administrative studies/monitoring. Activities should be concentrated in time and space to the extent feasible to minimize disturbance. Effects of such project will be analyzed in the National Environmental Policy Act process.

- In areas outside of the fuel break trees cut will be left on the ground. Past experience of previously thinned areas on the Island Park District shows areas with a snow pack reduces fine fuels in two to four years. The project area receives similar amounts of snow pack. However, in the short term if a potential fire starts in the treated areas there will be an increase in fire intensity.
- No openings will be created after treatment since remaining densities will not be less than 250 trees per acre with an average height of 12-20 feet.
- No commercial harvest will take place. Felled trees may be utilized by the public for product (firewood) gathering along open roads.
- This project does not lie within a lynx analysis unit. The Lynx Conservation Assessment and Strategy (LAU) (pg 76) states “Conservation measures (objectives, standards and guidelines) generally apply only to lynx habitat within the LAU’s”.
- Analysis area is within three active cattle allotments Teepee Creek, Leigh Creek, Fred’s Mountain and one closed sheep allotment Badger-Jackpine. There will be no changes to the allotments. Contractor will be required to protect existing fence lines and water developments for cattle.
- No dead standing trees will be cut or removed.
- A small portion of the analysis area is located in Management Prescription 3.2 (b) Semi-primitive motorized. These areas are removed from the suitable timber base and are not part of the allowable sale quantity (ASQ) Goal, page III-124). No treatment is planned in this prescription area.
- Contractor will be required to avoid dropping pre-commercially thinned trees on Forest system trails as identified by the Forest Travel Plan.
- Significant cultural resource sites will be avoided.
- No proposed units are located within the roadless or wilderness.

## Findings Required by Other Laws

This project is consistent with the Targhee Revised Forest Plan (TRFP) as amended by the Forest Plan Amendment for Grizzly Bear Habitat Conservation for the Greater Yellowstone Area National Forests (2006) and the Northern Rockies Lynx Management Direction (2007).

- Thinning results in restoration of ecological structure, function and composition (RFP III-33-Goal-Precommercial Thinning).
- Mimic tree densities and patch sizes occurring under natural conditions over a landscape (RFP III-33-Goal-Precommercial Thinning).
- Provide for a variety of future resource products (RFP III-33-Goal-Precommercial Thinning).
- Management of vegetation to mimic tree densities and patch sizes occurring under natural conditions over a landscape also addresses Goal #4 in prescription 5.3.5 (RFP, III-147). Goal #4 seeks to maintain long term ecosystem vegetation patterns through vegetation patterns.
- Treat aspen plant communities to reduce encroaching conifers and maintain a balance of age classes for these communities (RFP III-12, Guideline).
- Fuel accumulations are reduced and managed within their historic range (RFP III-15).
- Properly Functioning Condition which directs the Forest to maintain conditions that are dynamic and resilient (RFP III-5).

Management Area direction is also found for the prescription areas in the RFP: Approximately half of the area is located in Management Prescription 5.3.5 Grizzly Bear Habitat which includes:

- These lands are included in the suitable timber base. They contribute toward the ASQ, but are a NIC (Standard, page III-151)
- A stand having either 130 square feet of basal area per acre or 250 under story trees per acre over seven feet tall will meet the requirements for full security cover. Both live and dead tree basal area is used or over story calculations (Standard, page III-151).

The remaining half of the area is located in Management Prescription 5.4(c) Elk Summer Range

- Provide elk security areas while allowing for other resource activities (Goal, page III-153).
- Utilize silvicultural techniques which prevent or lessen insect and disease epidemics to maintain cover values for elk (Goal, page III-153).
- These lands are part of the suitable timber base. They contribute toward the ASQ. (Standard, page III-154).
- Manage for elk cover in forested blocks greater than 250 acres (a forested block is defined as adjacent stand of saplings, pole, mature and old growth trees) (Standard, page III-154).

## **Implementation Date**

Project will be implemented starting the summer of 2009 once the notice and appeal process is completed.

## **Administrative Review or Appeal Opportunities**

The Responsible Official has made a preliminary assessment that this proposal meets Forest Plan direction, falls within a category of actions listed in the Forest Service Handbook that is excluded from documentation in an Environmental Assessment or Environmental Impact Statement [FSH 1909.15, 31.2 (6)] and no extraordinary circumstances exist that will preclude use of the category.

I am combining our scoping effort required by FSH 1909.15 with the 30-day notice and comment required by 36 CFR 215 and the order issued October 19, 2005 by the U. S. District Court for the Eastern District of California in Case No. CIV-F-03-6386JKS.

Written, facsimile, hand-delivered, oral, and electronic comments will be accepted for 30 calendar days following publication of the legal notice in the Idaho Falls Post Register. The publication date in the newspaper of record is the exclusive means for calculating the comment period for this proposal. You should not rely upon dates or timeframe information provided by any other source.

Written comments must be submitted to: Jay Pence, District Ranger, Teton Basin Ranger District, P.O. Box 777, Driggs, Idaho 83422. The office business hours for those submitting hand-delivered comments are: 8:00am – 4:30pm Monday through Friday, excluding holidays. Oral comments must be provided at the Responsible Official's office during normal business hours via telephone 208-354-2312 or in person. Electronic comments must be submitted in rich text format (.rtf) or Word (.doc) to [comments-intermtn-caribou-targhee-teton-basin@fs.fed.us](mailto:comments-intermtn-caribou-targhee-teton-basin@fs.fed.us). Comments must meet the information requirements of 36 CFR 215.6. Only those who submit timely comments will be eligible to appeal the subsequent decision under 36 CFR 215. Each individual or representative from each organization, submitting timely comments must either sign the comments or otherwise verify identity in order to attain appeal eligibility. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments would not have standing to appeal the subsequent decision under 36 CFR Parts 215 or 217.

## Contact Person

Additional information regarding this proposal can be obtained from Cathey Hardin, Island Park Ranger Station, 3726 Hwy 20, Island Park, Idaho, 83429, 208-558-4207, [chardin@fs.fed.us](mailto:chardin@fs.fed.us) or Kristy Swartz or Jay Pence at the Driggs office.

---

JAY PENCE  
Teton Basin District Ranger

---

Date

*The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact USDA'S TARGET Center at (202) 720-2600 (voice and TDD).*

*To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.*

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.