

UNITED STATES
DEPARTMENT OF
AGRICULTURE

Forest Service

Intermountain

Region

Caribou-Targhee
National Forest



DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

FOR THE

ENVIRONMENTAL ASSESSMENT

OF THE

Big Hole Mountains Subsection Summer Travel Management Plan

March 2008

Table of Contents

BACKGROUND.....	3
1.1 Introduction.....	3
1.2 Public Involvement.....	3
1.3 Issues and Concerns.....	4
Issue 1: Fisheries.....	5
Issue 2: Water Quality and Soil Erosion.....	5
Issue 3: Wildlife.....	5
Issue 4: Recreational Use.....	5
1.4 Other Resource Concerns.....	5
THE DECISION.....	5
2.1 My Decision – Chosen Alternative.....	5
2.2 Reasons for the Decision.....	8
1. ATV Management.....	9
2. Cross-country closure to mountain bikes.....	10
3. Mountain bike trails.....	11
4. OROMTRD in the Moody Creek Area – Management Prescription – 5.1.4(b).....	12
Summary.....	12
ALTERNATIVES CONSIDERED.....	13
3.1 Alternatives.....	13
Alternative A – Existing Situation (No Action).....	13
Alternative B – Trails Committees.....	13
Revised Alternative C.....	14
Alternative D – Proposed Plus.....	15
3.2 Alternative Considered but Eliminated from Further Analysis.....	15
3.3 Mitigation Measures.....	16
FINDINGS.....	16
4.1 Finding of No Significant Impact.....	16
4.2 Compliance with Other Laws.....	17
Consistency with the Revised Forest Plan.....	17
Endangered Species Act (ESA).....	18
Heritage Resource Conservation.....	18
Other Legislation.....	18
Invasive Species: Executive Order 13112.....	19
Clean Water Act.....	19
CONCLUSION.....	19
5.1 Implementation.....	19
5.2 Appeal Opportunities.....	19

BACKGROUND

1.1 Introduction

The Palisades and Teton Basin Ranger Districts have prepared an Environmental Assessment (EA) for the Big Hole Mountains Subsection Summer Travel Management Plan. This document describes a balanced network of trails that best meet the Districts' trail system needs while maintaining and enhancing natural resource of the area. **With the exception of the Moody Creek (previously called Farnes Mountain) area (Prescription 5.1.4(b) – Timber Management (Big Game Security Emphasis)) - which will require a non-significant Forest Amendment** - the Open Road and Open Motorized Trail Route Density (OROMTRD) standards in the 1997 Revised Forest Plan (RFP) and the 1999 Open Road and Open Motorized Trail Analysis will not be exceeded. The need for this environmental assessment became evident during the past few years of implementing the 1999 Travel Plan as is discussed in the Environmental Assessment (EA pages 1-1 to 1-2)

A **summary**, of the overall **purpose** of this analysis is to:

- refine the existing trail network in the Big Hole Mountains Subsection to provide and manage trail opportunities for all recreation user groups,
- reduce user-conflicts,
- better protect the natural resources,
- and better implement the 1997 Revised Forest Plan and 1999 Open Road and Open Motorized Trail Analysis (OROMTRD) standards and guidelines.

The project area includes all National Forest System lands between Highway 33 in Idaho and Highway 22 in Wyoming on the north and the South Fork of the Snake River to the south known as the Big Hole Mountains Subsection (1997 Revised Forest Plan, page III-58). Several major highways provide access: Idaho Highways 26, 31, and 33, and Highway 22 in Wyoming. Highway 31 is a State Scenic Byway over Pine Creek Pass (**Figure 1.1 - Vicinity Map**). From this analysis the Caribou-Targhee Forest completed an Environmental Assessment (EA) that discusses the effects of the alternatives. The alternatives and mitigations were compiled by an interdisciplinary team.

The following information explains the reasons for the final combination of trails open for particular types of motorized and or non-motorized uses and which Management Prescription area will have the OROMTRD standard changed to meet the purpose and need of this analysis.

1.2 Public Involvement

The Big Hole Mountains Subsection Summer Travel Management Plan project was listed on the Caribou-Targhee National Forest Schedule of Proposed Actions for the 4th quarter of FY 2005. To date, the public has been invited to participate in the project in the following ways:

- Bonneville County Idaho created the Bonneville County Trails Committee (BCTC) in March 2003 for the purpose of developing recommendations to the Caribou-Targhee National Forest on recreation related plans and issues. The BCTC consists of Bonneville and Madison County residents who represent the various motorized and non-motorized recreation user groups. The committee members are all volunteers; duly appointed by the Bonneville County Board of Commissioners. The first project the commissioner's directed the BCTC to complete was to review the 2001 Travel Map (Big Hole Mountains Subsection) and provide recommendations for the Caribou-Targhee NF to consider in future travel management planning in the area. The BCTC met monthly from April 2003 to June 2004 to complete the travel map review. The committee reviewed a total of 309 miles of trails.
- Teton County Idaho also formed a volunteer Trail Advisory Group modeled after the effort initiated by Bonneville County. This committee created some proposals but did not submit a final proposal to the county or the Forest Service. The county shared their draft proposals with the two Districts. These committees have made recommendations to the agency on modifications they feel are necessary to improve the current travel management system. These committees limited their recommendations to comply with the OROMTRD standards that are established in the current travel management plan (see individual Management Prescriptions in the 1997 Revised Forest Plan).
- In an effort to obtain other public comments and concerns, news releases were sent to area newspapers and media on April 18, 2006 and hard copies of the Scoping document were sent to approximately 240 individuals and groups. Likewise, the Scoping document was posted on the Caribou-Targhee National Forest's website. We received approximately 46 letters and e-mails commenting on the scoping document. Internal comments from Forest Service Specialists and other State and Federal Agencies were also received. The comments received were the basis for development of the issues included in the environmental assessment. These comments are included in the project analysis folder.
- On August 29, 2007 a Legal Notice and News Release were published notifying the public that a Draft Environmental Assessment had been prepared and available for review. This Notice and Opportunity to Comment explained the time-period and procedures for submitting comments. Comments were received for 30 days after publication of the notice in the Post Register.
- Draft EAs were sent to those individuals who responded with comments to the Scoping Document. Approximately 28 individuals and agencies submitted comments to the Draft EA. Comments received were helpful in development of the final environmental assessment. These comments are included in the project analysis folder.

1.3 Issues and Concerns

An issue is identified as a point of discussion, debate, or dispute. The Interdisciplinary Team (IDT) identified four pertinent issues and two areas of concern. The following were identified as significant issues:

Issue 1: Fisheries

Designated motorized travel routes have the potential to affect aquatic and riparian-dependent species, particularly where they encroach upon riparian areas and water. Potential impacts to fish habitat include decreases in riparian vegetation and its benefits to riparian areas and water (shading, large wood delivery, bank stabilization, filtering, and nutrients), increases in erosion, and increases in sediment delivery to water.

Issue 2: Water Quality and Soil Erosion

Designated trail use (non-motorized versus motorized), trail location, trail design and trail maintenance have the potential to affect soil erosion and mass instability negatively or positively which could directly affect water quality and aquatic habitats by increasing or reducing sediment into streams. Soil quality may also be affected negatively or positively.

Issue 3: Wildlife

The proposed action could affect important plant and wildlife habitat and wildlife species (including threatened and endangered species) by direct removal of habitat to make trails wider for safer ATV use, to relocate segments of trails in order to make viable loop trails and to protect riparian areas.

Issue 4: Recreational Use

Public use satisfaction and law enforcement needs may be affected negatively or positively by several factors such as having trails go and end where users want to be, providing loop trail opportunities for the various user groups, performing proper trail design for the intended use, and providing a mix of trails designated for specific user groups or mode of travel.

1.4 Other Resource Concerns

Some other concerns were brought up in a few comments from the public. They were considered in the analysis of significant issues; however they were determined not to be significant in that they would not drive alternatives. Some are already addressed through other processes or in the Forest Plan (“Items Common to All Alternatives” in Chapter 2 of the EA), or their resolution is beyond the scope of this project. A few of the concerns are Open Road and Open Motorized Trail Route Density (OROMTRD), the Wilderness Study Area, Recommended Wilderness, and Inventoried Roadless Areas. These concerns are discussed in the EA (pgs 1-14 through 1-16) and in the project record.

THE DECISION

2.1 My Decision – Chosen Alternative

After considering the scoping comments, issues and analysis and reviewing the comments received during the 30-day notice and comment period for the Draft Environmental Assessment

(EA), I have decided to select Alternative C - Proposed Action, (new name to be changed to “Revised Alternative C”) incorporating the changes listed below.

This decision will require a non-significant amendment to the 1997 Revised Forest Plan by increasing slightly the OROMTRD in the Moody Creek area (previously referred to as Farnes Mountain - Management Prescription 5.1.4(b)) from 1.7 miles per square mile to 1.8 miles per square mile.

1. Individual trail changes from Alternative C – Proposed Action in the Draft EA include the following (also see attached Revised Appendix A and the new “Alternative C – Selected Alternative – with changes”) map available at the Teton Basin and Palisades Ranger Districts and on the Forest website):
 - Trail DP2 (Black Grove to Blanchard Ridge) proposed to be constructed for ATVs in Alternative C – Proposed Action, is being dropped from the selected alternative because it would require many switchbacks and would not be sustainable to maintain over-time. The wider trail prism required for ATVs would place too great an impact on the landscape from switchback construction and could cause unacceptable environmental impacts due to the steep terrain.
 - Trail 014 (Allen Canyon) will not be reconstructed for ATVs but will be maintained as it currently exists – which is a Single Track (ST) motorized trail. Since not constructing the new DP2 trail will remove the opportunity to develop an ATV loop trail using Trail 014, there is no need to reconstruct Trail 014 for ATVs. This will maintain a Single Track motorized loop trail from the BPA road in Allen Canyon over to Pole Canyon and back down to the BPA road.
 - Trail 051 (sheep driveway) segments (two short segments) shown as non-motorized will be removed due to the presents of an adjacent ATV trail. These segments are short trails which have never been maintained but had previously been shown as parts of the “sheep driveway”. The segments are rarely used and have revegetated in most places. They are not needed for non-motorized uses. Cross country non-motorized/mechanized travel is still allowed. Removing them from the map does not change there current use.
 - Trail 065 (Spencer Mountain) will not be changed to a non-motorized trail, but will be maintained as it currently exists – which is a Single Track motorized trail. Leaving the trail as it is will continue to provide a loop opportunity for motorcycle users between North Rainey Creek Trailhead and Mike Spencer Canyon Trailhead.
 - Trail 072 (Grove Creek) is currently two segments which are open to Motorcycles and ATVs. It will now be split into two separate trails (with separate trail numbers). One will be the North Grove Creek Trail (Trail 239) and the other South Grove Creek (Trail 237). The North Grove Creek Trail will be maintained as an ATV trail since it is currently an old road allowing access to an existing stock watering trough where continued access is needed. The prism will not need to be reconstructed for ATV use. The South Grove Creek Trail will be a Single Track Motorized Trail.

- Trail 087 (Burnt Canyon-Dry Fork) will not be reconstructed for ATV use, but will remain as it currently exists – which is a Single Track motorized trail. After further review by district personnel, it is felt the trail would be too difficult to sustain as an ATV trail in the steeper terrain.

2. In addition, the following actions will be taken:

- ATV travel on existing single track trails designated for ATV use in this EA - but not yet reconstructed for such use - will be allowed UNLESS unacceptable resource damage is being done and there is a need to close them to ATV use in order to protect the natural resources until trails can be properly reconstructed for their use.

A high priority for both districts will be to focus on the construction and reconstruction of trails for ATVs. A list of ATV trail projects will be prepared and prioritized for reconstruction and or construction so as to be able to pursue funding sources – either through partnerships or normal annual appropriated dollars – in order to develop the needed ATV trails in a timely manner. These lists will not be included in this document but can be viewed at each district office once the list is available. Site specific environmental analysis will be prepared for each proposed trail project prior to any on-the-ground work proceeding.

- Continued efforts will be given to generate additional funding levels through grants and agreements with other agencies and user groups specifically for increased signing, law enforcement, education, reroutes, construction, reconstruction, and maintenance. Such cooperation through Idaho Department of Parks and Recreation, Teton Valley Trails and Pathways, Inc., other groups and individuals have contributed substantially to the existing trail system. It is important that this cooperation continues so as to identify on-going resource protection needs while providing increased user satisfaction and enjoyment through proper design and location of reroutes, reconstruction, new construction, and annual trail maintenance.
- Since this environmental assessment changes the management of motorized vehicle use in the Big Hole Mountains Subsection – in particular management of ATVs – a new Special Order will be developed.

Likewise, a new map of the final alternative will be placed on the Caribou-Targhee National Forest website for downloading and or printing by forest users. A new Palisades and Teton Basin Travel Plan (map) will not be printed at this time as a new Motor Vehicle Use Map (MVUM) is being prepared and tentatively scheduled for publication in late 2008. This new black and white map will be free to the public.

During the interim period prior to the publication of the new Motor Vehicle Use Map (MVUM), visitors will be asked to visit the Forest website to view and or print the new Travel Map for the Big Hole Mountains Subsection covered by this EA. Colored maps will be posted in each district office for review by forest users.

It is important to remember that this is a Summer Travel Map only and should not be used for motorized or non-motorized winter activities. Please refer to the existing winter Travel Map on the back of the current Palisades & Teton Basin Travel Map dated 2001.

Revised Alternative C will **eliminate** the existing designation of “Open for motorized use less than 50 inches wide but **NOT RECOMMENDED FOR ATVs**”. ATVs will only be allowed on trails/routes designed and constructed to accommodate this type of vehicle use. This will greatly reduce the impacts to natural resources by keeping these vehicles off single track trails that are not designed and constructed for such use. This should significantly reduce impacts to soils, water and vegetation and reduce some conflicts between motorized (ATVs and motorcycles) and non-motorized users.

Revised Alternative C will better protect the natural resources of the area by closing the remaining areas of the Big Hole Mountains Subsection to off-trail use (cross-country use) by bicycles. This will help reduce illegal non-system trails created by non-motorized or mountain bike users, thus improving wildlife habitat and providing greater security for all species. Off trail or cross-country use by motorized vehicles is already prohibited.

2.2 Reasons for the Decision

Issues identified during the scoping and public involvement process were addressed throughout the environmental document and were used as the basis for analyzing the direct, indirect, and cumulative effects of each alternatives and this analysis was used for my decision. I also used factors other than environmental effects to help make my decision. These included recreational experience based on the type of trail uses desired, health and safety issues, conflicting activities between motorized and non-motorized users, overall public needs in this subsection, and best practices for protecting the resource values of the area. My decision was also based on the analysis and conclusions of the Biological Assessments and/or Biological Evaluations for Threatened and Endangered and Sensitive Species. My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. This action raises no concerns over a lack of incomplete or unavailable information, nor did comments received highlight any such concern as well.

The decision to select Revised Alternative C, with the above mentioned changes, was also based on the fact that the intent and direction of the existing Revised Forest Plan – including the 1999 Open Road and Open Motorized Trail Analysis would best be met **with this alternative - even though the OROMTRD would be slightly increased from 1.7 miles per square mile to 1.8 miles per square mile (a non-significant amendment to the RFP and 1999 EIS for the Open Road and Open Motorized Trail Analysis) in the Moody Creek area (Prescription 5.1.4(b) – Timber Management (Big Game Security Emphasis)**. The change results in approximately 2.79 miles of trails added to the system of which approximately 2.29 miles currently exists on the ground. I believe this decision provides for a diversity of recreation opportunities in a manner that meets the needs of our visitors – in particular by providing more viable loop routes – while

protecting natural resources. Revised Alternative C will allow approximately 7.7 miles of exiting motorized trails to be decommissioned and rehabilitated while rerouting about 3.25 miles. Some of this rerouting and rehabilitating is to address stream crossing impacts, duplicate routes, and steepness of grades. Another 13.7 miles of motorized trails will be changed to non-motorized use while about 4 miles of non-motorized trails will be changed to motorized use – a net gain of about 9.7 miles of non-motorized trails.

Revised Alternative C helps meet to a greater degree the desired conditions of providing a balanced mix of trails designed and managed specifically for ATVs, motorcycles, mountain bikes and non-motorized uses. Alternative C better meets the goal to create a balanced network of trails that are safe, environmentally sound, affordable to manage and maintain, and responsive to public needs. In summary, about 80.75 miles will be designated for ATVs, 132.85 miles for Single Track Motorized (which are allowed on ATV trails) for a total of 213.6 miles open for motorized use. Approximately 315.7 miles are designated non-motorized.

Revised Alternative C will continue to protect the current roadless area characteristics and wilderness values of the Wilderness Study Area and Recommended Wilderness Area until congress makes a determination on their status for wilderness designation. These areas will continue to be monitored to insure such values and characteristics are protected. If it is determined changes are occurring which are degrading such values, additional actions will be taken to alleviate such degradation.

There was no particular weight or more importance given to any of the four issues or three areas of concern. All issue areas and areas of concern were important in my decision.

I have also determined that this alternative will meet all applicable laws, regulations, and policies.

Below you will find how the Revised Alternative C best addresses the following needs:

1. **ATV management:** The need to designate ATV use only on trails which have been or will be designed and constructed for ATVs.

The current designation of “Open for motorized use less than 50 inches wide but NOT RECOMMENDED FOR ATVs” is causing considerable impacts to single track motorized trails, increased risks of accidents and conflicts between users because many trails are not designed for such use, and unacceptable resource damage due to improper and inadequate trail design for these types of vehicles. During normal monitoring of the trail system, these concerns were brought to light by district specialists, individual trail users, user groups, and local advisory committees.

The restriction to ATV use is not an attempt to minimize their legitimacy to use forest lands. We realize there is a significant increase in ATV use and so will continue to provide routes for this type of use in-so-far as possible while protecting the natural resources and minimizing conflicts between the various user groups. With the designation of certain trails and the already significant number of forest roads available

for ATV use, it was felt opportunities for the present and foreseeable-future would best be met as shown in this alternative.

For information regarding clarification of what constitutes an ATV, the following definition applies:

- All-Terrain Vehicle (ATV): A type of off-highway vehicle that travels on three or more low-pressure tires; has handle-bar steering; is less than or equal to 50 inches in width; and has a seat designed to be straddled by the operator.

The recent popularity of similar type vehicles called UTVs or utility type vehicles has created confusion in terms of whether UTVs are legal on trails designated for ATV use. Unless UTVs meet the definition of an ATV, UTVs are not allowed on ATV trails. UTVs must be driven on roads which allow such use.

It is important to remember that there are State requirements for riding an off-highway ATV or motorcycle (motorbike). Depending on where you are riding, requirements can generally be broken down into five categories: 1) off-highway, 2) on-highway, 3) unpaved roads on state and federal public land, 4) on highways specifically designated by ordinance for off-highway use, and 5) ATVs on groomed snowmobile trails.

With regard to category 3) Unpaved Roads on Federal and State Public Lands (such as the Forest Service), the following requirements apply.

- Valid Driver's License. If you are operating a motorcycle, you must have a motorcycle endorsement. IC 49-301 and IC 49-304
- Valid Motorcycle/ATV Registration and Sticker or valid License Plate and Registration. IC 49-426.
- Valid Liability Insurance. IC 49-1229.
- Carry Proof of Liability Insurance in vehicle. IC 49-1332.
- Helmet under age eighteen (motorcycle only). IC 49-666.
- Muffler and spark arrestor. Your muffler has to pass 96 db at the half-meter test. IC 67-7125.
- Headlight after dark/poor visibility. IC 49-903 and 49-905(2).
- Taillight after dark/poor visibility. IC 49-903 and 49-906.

These laws are mentioned here for the purpose of highlighting the fact that ATVs and motorcycles MAY ALSO BE ALLOWED on travel routes or roads other than designated ATV trails. Many ATV users may not be aware of these opportunities and so are not using the total system of roads and trails available to them. Every motorized road or trail user must be familiar with the above laws and requirements for riding ATVs and motorcycles on and off public lands. Remember, State laws may change, therefore vehicle operators should check with the State for current requirements.

2. **Cross-country closure to mountain bikes**: The need to restrict mountain bike use to system trails and close the area to cross-country travel by this type vehicle.

From an environmental aspect, user-created trails – whether from mountain bikes or motorized vehicles – tend to invite use by motorized and or non-motorized (mountain bike) users, thus causing the tread to increase in width over time – which places additional impacts on the natural resources while increasing management and maintenance costs not only for trails but the surrounding resources of the area as well.

Even though many existing system trails may not be the most desirable to use by all mountain bike users because of location, steepness, or other reasons, the forest can not allow continued development of user-created trails. The need for additional trails must first be assessed along with other factors such as soils, water, vegetation, wildlife and other resource protection.

Also, trails may not be adequate for all skill levels of riders. In no case does this justify the ill-legal development of new trails in order to accommodate skill levels or other desired trail conditions. Therefore, it will be necessary for improved and continued interaction between district staff, interested individuals and groups to maintain and or develop an adequate system of trails for mountain bike use. **However, coordination must follow applicable laws and regulations pertaining to public involvement, environmental analysis, design, reconstruction, rerouting, new construction, and overall planning.** The forest cannot continue to allow indiscriminant construction of user-created trails just to accommodate a small segment of specific trail users.

The various trail program support mechanisms offered by the Idaho Department of Parks and Recreation, Teton Valley Trails and Pathways, other groups, and individuals have contributed significant amounts of funding and man-power to on-going maintenance, reconstruction and construction projects. Without these funding and man-power efforts, many trails would not have been improved – nor will they continue to be improved. **It is critically important that on-going cooperation with agencies, groups and individuals be continued in order to maintain the existing trail system as well as accomplishing necessary planning for appropriate and sustainable future trail uses.**

3. **Mountain bike trails:** The need to address illegal user-created non-motorized trails (for mountain bikes) which have been developed by mountain bike users.

Based on comments received, there appears to be a need to provide additional non-motorized mountain bike trails **closer to the forest boundary.** This need is apparently a result of the large amount of new residential development taking place in the entire valley surrounding the cities of Driggs, Teton, and Victor. It is apparent that an increase in mountain bike users from these new developments may warrant additional mountain bike trails that are closer to these population centers and which will allow shorter rides while accommodating various skill levels. To-date, as a result of this increase in users, it has come to our attention that approximately 17 miles of new illegal user-created trails have been developed in the Henderson and Mahogany Creek areas.

Even though there is an apparent need for these trails, they will be **prohibited from use until** such time as district personnel and other specialists can look at these trails and

determine whether they should remain in use and added to the trail system or be closed and obliterated. These trails will be analyzed so as to determine whether they are meeting direction in the 1997 Revised Forest Plan in terms of Goals, Standards, and Guidelines. If they are not, they will be closed and or obliterated according to established decommissioning guidelines found in this Environmental Assessment. Trails meeting establish RFP direction can then be added to the trail system as non-motorized trails **when and only when** the proper planning and public involvement process has taken place to authorize such additions.

It should be noted and certainly not misconstrued by individuals or groups that the mechanism to have trails analyzed and approved is to first develop or create illegal non-system trails and then ask the Forest to review them for approval or disapproval. SUCH IS NOT THE CASE. It is critical that this be understood and that the proper way to establish new trails is to work through the formal process of planning and public involvement. The Forest – and Ranger Districts in particular – will continue to work and coordinate with various user groups to identify needed maintenance, reroutes, reconstruction, and construction work on specific trails. This effort must only proceed according to established legal planning processes.

4. **OROMTRD in the Moody Creek Area – Management Prescription - 5.1.4(b):** The need to increase the road density standard in this area.

Since this area is relatively close to large population centers and is continually receiving motorized use pressures, designating approximately 2.79 additional miles of ATV trails (2.29 miles of existing user-created trails and one-half mile new trail construction) should significantly reduce the illegal off-trail or cross-country impacts caused by motorized users – ATVs in particular. This slight increase will connect trails (end of roads to close proximity trails), thus creating desirable and sustainable loop systems which will benefit the natural resources and enhance recreation experiences.

Therefore, the OROMTRD for the Moody Creek Area (Prescription 5.1.4(b)) will be amended from 1.7 to 1.8 miles per square mile. The EA considers this to be a non-significant amendment to the 1997 Revised Forest Plan (and the 1999 EIS for the Open Road and Open Motorized Trail Analysis). This slight increase shows to have no effect on wildlife and other resources of the area and will actually be a positive step to help reduce illegal cross-country travel and associated impacts to natural resources – including wildlife (see EA pages 4-27, 4-58 and the BE/BA found in the Project Record).

Summary

I have considered both beneficial and adverse effects (see EA Table 2.1, Chapter Two, pages 2-10 through 2-13). In general, the long-term benefits (of Alternative C with the above mentioned changes) to the natural resources, recreational experience and health and safety of forest users far outweighs the potential short-term negative impacts of rerouting, reconstructing and constructing trails to accommodate the various uses described in this analysis. Providing better trails and trail loops for ATVs will significantly reduce the impacts to single track trails while reducing user

conflicts and improving soil, water, and other resource values. Overall, the following will happen:

- Public health and safety will be improved (see Table 4.19, Chapter Four, page 4-47).
- Likely environmental effects are known and there are no highly uncertain effects or unique or unknown risks (see Table 2.1, Chapter Two, pages 2-10 through 2-13).
- The actions are not related to other actions with individually insignificant, but cumulatively significant impacts (see Table 1.1, Chapter One, page 1-17).
- There are no known impacts to unique characteristics which would affect Wild and Scenic River, Recommended Wilderness, or Wilderness Study Area eligibility.
- This project will change the OROMTRD in the Moody Creek Area – Management Prescription 5.1.4(b) from 1.7 miles per square mile to 1.8 miles per square mile.
- The actions will not adversely affect any Wildlife Species, including Management Indicator Species (MIS), Threatened and Endangered Species, and Sensitive Species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (see Biological Evaluation for Yellowstone Cutthroat Trout and Biological Assessment for Wildlife T&E Species).
- The actions meet all Federal, State, and local law and requirements imposed for the protection of the environment (see Chapter One, pages 1-7 to 1-12 and Chapter Four).

ALTERNATIVES CONSIDERED

3.1 Alternatives

There were four (4) alternatives I considered in detail; Alternative A – Existing Situation (No Action), Alternative B - Trails Committees’, Alternative C - Proposed Action, and Alternative D - Proposed Plus. Brief descriptions of Alternatives A, B, and D are included below. Only the selected Alternative C – Proposed Action (now called Revised Alternative C) details are shown below. Details of Alternatives A, B and D can be viewed in the Final EA (on file in the Project File, pgs. 2-2 through 2-8). A comparison of these alternatives can be found in the EA on pages 2-10 through 2-13.

Alternative A – Existing Situation (No Action)

This is the current or existing situation. This alternative would leave the existing summer transportation system in place for the Palisades and Teton Basin Ranger Districts within the Big Hole Mountains Subsection. Motorized road and trail density standards would continue to be exceeded in the Moody Creek and Packsaddle Creek areas – Management Prescription 5.1.4(b) since no motorized routes would be eliminated or converted to non-motorized use.

Alternative B – Trails Committees’

This alternative was based on recommendations of the Bonneville County Trails Committee and the Teton County Idaho Trail Advisory Group. Not all trails in the subsection were reviewed by the committee and group. As mentioned above, a detailed description of this alternative is found in the EA (EA pgs 2-3 through 2-5).

Revised Alternative C

This alternative is based on recommendations from District and Forest personnel and comments received during the scoping process. It incorporates many recommendations from Alternative B – specifically the designation of ATV trails. This alternative will eliminate the “Open for Motorized Use less than 50 inches wide but **NOT RECOMMENDED FOR ATVs**” designation on trails. ATV use will be restricted to those trails designed, constructed, and designated for ATV use. **(See Revised Alternative C Map and Appendix A – Comparison Summary of All Trails by Alternative - Big Hole Mountains Subsection Summer Transportation Travel Plan).**

The OROMTRD in the Packsaddle Area – Prescription 5.1.4(b) Area will not be exceeded since approximately **4.6 miles of motorized trails (Trail 060) will be decommissioned.**

The OROMTRD in the Moody Creek Area – Management Prescription 5.1.4(b) is currently exceeded by 0.79 miles. Approximately 2.0 miles of motorized trail would be added to make viable loop trails. The density standard will be increased from 1.7 miles per square mile to 1.8 miles per square mile **(necessitating a non-significant forest plan amendment).** Raising the standard adds approximately 2.79 miles of motorized trails but it will have a beneficial effect on all natural resources, enhance recreation experiences, and alleviate the need to travel cross-country by motorized vehicles to connect to roads or trails close by – thus providing desired loop systems.

The existing single track motorized trails in Prescription Areas 1.2 Wilderness Study Area and 1.3 Recommended Wilderness will remain as they currently exist and no additional motorized or non-motorized trails will be constructed or decommissioned and obliterated. These areas will continue to be monitored so as to ensure the existing wilderness characteristics are being maintained until Congress makes a decision as to their wilderness status.

This alternative would **close the remainder of the subsection to cross-country mountain bike travel off system roads and trails.** Since there has been a significant increase in mountain bike use, off-trail use has increased and is creating trails where they have not be planned for and have not been properly analyzed for possible environmental impacts.

Some mountain bike users feel existing single track trails are not adequate for mountain bike use because of grades, slopes, locations, and other reasons. Therefore, they feel they need to develop their own user-friendly trails. Coordination between local individuals and groups and the districts must continue with emphasis on; first, looking at existing trail system adequacy; second, look at appropriate additional trail development through proper planning for future mountain bike use; and third, continued cooperation with individuals and groups (private and agencies) for volunteer trail maintenance, potential funding increases through grant and agreement programs available at local, state, and national levels.

Cross-country motorized travel is already prohibited and will continue to be prohibited.

This alternative will provide the following:

- Approximately 529.3 total miles of trails for motorized and non-motorized uses. All trails would be open for non-motorized use.
- Approximately 80.75 miles open to ATVs less than 50 inches wide. These trails would also be open to single track motorized vehicles (motorcycles).
- Approximately 132.85 miles open to single track motorized vehicles (motorcycles). ATVs would not be allowed on these trails.
- Approximately 213.6 total miles open for motorized use.
- Approximately 315.7 miles open to non-motorized use.
- Reconstruct approximately 27.0 miles of trails to meet ATV standards.
- Construct approximately 1.55 miles of new ATV trails.
- Construct approximately 10.8 miles of new non-motorized trails.
- Decommission and rehabilitation of approximately 7.7 miles of existing trails.
- Decommission and rehabilitate unwanted user-created trails on an as needed basis as funding allows.
- Re-route approximately 3.25 miles of trails.
- Approximately 357,779 acres would be closed to cross-country mountain bike uses (entire Subsection).
- Approximately 18.56 miles of single track motorized trails are located in the Wilderness Study Area and will continue to be used as such unless monitoring indicates wilderness characteristics are being degraded. ATVs will not be allowed on these trails and increased efforts will be given at the trailheads to block ill-legal use of these trails.
- Approximately 1.0 mile of single track motorized trail is located in the Recommended Wilderness Area. This short section will continue to be used for single track motorized use since it is a major access to the motorized trails in the WSA. ATV use will not be allowed on this trail and increased efforts to stop ill-legal ATV use will be taken at the trailhead.
- Approximately 45-50 miles of loop trails for ATVs will be provided.
- Essentially an unlimited number of loop trail possibilities for single track motorized vehicles exist.

Alternative D – Proposed Plus

This alternative was based to a large degree on comments received during the Scoping process for an increase in motorized trail miles. It incorporated many of the recommendations from Alternative B and Alternative C. It would have increased the total number of miles of trails open to motorized use while meeting existing OROMTRD standards in all Prescription Areas **except** the Moody Creek – 5.1.4(b) Area – which would have been the same as described in Alternative C - and the Black Grove-Murphy Creek-Hunts Corral – 3.2(j) Areas – which would have exceeded OROMTRD by 4.45 miles. This would have necessitated increasing the OROMTRD from 0.5 miles per square mile to 0.6 miles per square mile. A thorough description of this alternative can be found in the EA (EA pg 2-7 through 2-8).

3.2 Alternatives Considered but Eliminated from Further Analysis

During the Scoping process, some comments received from OHV user groups suggested that many trails in the Palisades area, specifically the backcountry, be designated for motorized use. Since much of the area is designated either a “Wilderness Study Area” or “Recommended Wilderness”, these areas will not be considered for additional motorized trail mileage in order to protect the wilderness characteristics that now exists. Once a determination on wilderness designation for these areas has been made, then and only then will different trail management strategies be considered. Therefore, an alternative to address these comments was not considered. No other alternatives were considered.

3.3 Mitigation Measures

- Barriers will be placed at appropriate locations at trailheads in the South Indian Creek area to help prohibit ill-legal ATV travel on single track motorized trails in the Wilderness Study Area.
- ATVs will be allowed on Single Track motorized trails designated for ATV use before the trail has been reconstructed or constructed for such use. However, these trails will be monitored on an annual basis to determine if unacceptable resource damages are occurring. If such damage is being done, then ATV use will be restricted until such trails can be properly reconstructed and or constructed for ATV use.

FINDINGS

4.1 Finding of No Significant Impact

Analysis of the environmental consequences (Chapter 4 of the environmental analysis) indicates this is not a major federal action with significant effects on the quality of the human environment. Therefore, an environmental impact statement will not be prepared. I made this determination based on the following factors set forth in 40 CFR 1508.27. I have considered both the context and intensity of the alternative and its effects as shown:

1. My decision will meet the desired condition for each of the issues identified in Chapter 1, as well as meet the goals and objectives outlined in the 1997 Revised Forest Plan. Beneficial and adverse impacts of this decision are addressed in Chapter 4 of the environmental document.
2. This decision will have no significant or unacceptable effect on public health and safety. In fact, it will likely have positive effects in that it should reduce many conflicts between the different user types – specifically between ATVs and single track trail users.
3. There are no known unique geographic characteristics such as historic or cultural resources, near or within the project area that will be affected. If they are observed during project implementation, they will be avoided. This would not affect the ability of tribal members to practice their treaty rights.
4. Based upon analysis and the comments received (in the project file) and the programmatic goals established for recreation, riparian, soils, fisheries, and wildlife

management in the Revised Forest Plan (Chapter III), the effects of my decision on the quality of the human environment are not likely to be highly controversial.

5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. My decision is based upon Biological Assessments and known recreation information and careful analysis described in the EA.
6. The action does not set a precedent to future actions that in themselves would be potentially significant (see environmental assessment Chapter 1).
7. There are no significant cumulative effects expected from the implementation of this decision regarding sedimentation and threatened, endangered, or sensitive (TES) and other wildlife species (see environmental assessment Chapter 4).
8. During previous cultural resource consultation with the Forest Archaeologist, if sites are observed prior to or during implementation, proper procedures will be followed.
9. The U.S. Fish and Wildlife Service agree with the determination that this project will likely have no effect on any T&E species (USFWS Concurrence Letters dated October 1, 2007 and February 26, 2008). Biological Assessments and Biological Evaluations listed below were completed that discuss an analysis of the effects the proposed action may have on Forest Service T&E and Sensitive Species. No adverse effects are expected as a result of this decision.
 - Biological Assessment for Gray Wolf, Canada Lynx, Yellow-billed Cuckoo, dated September 18, 2007.
 - Biological Evaluation for Yellowstone Cutthroat Trout dated 27 September 2007This action will have no effect on Ute ladies'-tresses (*Spiranthes diluvialis*). For sensitive plant species, this action "May impact individuals or habitat, but will not likely contribute to a trend toward Federal listing or cause a loss of viability to the population or species" for three sensitive plants and "No Impact" for all others. The Biological Assessment and Biological Evaluation listed below were completed that discuss an analysis of the effects the proposed action may have on Forest Service T&E and Sensitive plant species. No adverse effects are expected as a result of this decision.
 - Biological Assessment for Ute ladies'-tresses (*Spiranthes diluvialis*), dated February 6, 2008.
 - Biological Evaluation for Sensitive Plant Species, dated February 6, 2008.
10. The actions do not threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment.

4.2 Compliance with Other Laws

Consistency with the Revised Forest Plan

As disclosed in the EA (pg. 2-2 through 2-8) the OROMTRD is exceeded in all Alternatives – including Alternative A – Existing Situation (No Action) in the Moody Creek area. As stated earlier, the 1999 OROMTRD EIS was to have fixed the discrepancies, but the latest GIS calculations show the standard still being exceeded in Alternative A – the existing situation. The only explanation for the discrepancy is better GIS mapping capabilities. As shown by the analysis in this EA, the proposed 2.79 miles of ATV trails are needed to make viable trail and road loops which will greatly reduce illegal cross-country travel, reduce user conflicts on single

track trails, improve soil and vegetation resources, improve wildlife conditions, and increase user satisfaction.

This decision to implement Revised Alternative C will meet Standards and Guidelines in the RFP and the 1999 Targhee Travel Plan with the exception of the above mentioned OROMTRD standards for Management Prescription 5.1.4(b) - Timber Management (Big Game Security Emphasis) in the Moody Creek area and therefore as previously mentioned will require a non-significant. This non-significant amendment raises OROMTRD standards in Management Prescription 5.1.4(b) in the Moody Creek area from 1.7 to 1.8 miles per square mile – an increase of 0.1 mile per square mile. This increase will add another 2.79 miles of motorized routes in the Management Prescription area. Only 0.5 miles of the 2.79 miles are proposed new trail miles. The other 2.29 miles are existing trails that do not show on the current travel map.

Endangered Species Act (ESA)

Section 2 of the ESA of 1973, as amended 1978, 1979, 1982 and 1988 declares that “all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of ESA. According to the wildlife Biological Assessment, this project will have no effect on the following species listed under ESA: grizzly bear, bald eagle, or Canada lynx. This project is not likely to jeopardize the continued existence of the experimental, nonessential population of the gray wolf. (Biological Assessment dated September 18, 2007). The U.S. Fish and Wildlife Service has agreed with this determination (USFWS Concurrence Letters dated October 1, 2007 and February 26, 2008).

According to the plant Biological Assessment, this project will have no effect on the following species: Ute ladies'-tresses (*Spiranthes diluvialis*). (Biological Assessment dated February 6, 2008).

Heritage Resource Conservation

The Caribou-Targhee National Forest is meeting the mandated identification and assessment of effects of the decision on cultural resources in a manner consistent with the standards and criteria of sections 800.4 through 800.5. Sec 800.4 (b) (2) *Phased identification and evaluation*. The agency official may defer final identification and evaluation of historic properties for documents used by an agency official to comply with the National Environmental Policy Act pursuant to sec 800.8. The possible effects were described in the EA, and potential site specific effects will be mitigated, as required under the National Historic Preservation Act. The Caribou-Targhee makes no distinction between “included in” or “eligible for” inclusion on the National Register of Historic Places. If a property is determined eligible, it is afforded the same protection as an officially listed property. All determinations of eligibility are reviewed by the Idaho State SHPO for concurrence, regarding effect on the site and determination of eligibility of the site.

Other Legislation

This amendment complies with other applicable legislation such as the, Noise Control Act, Clean Air Act, Wyoming Wilderness Act, and the Executive Order on Environmental Justice. This will not significantly affect human or natural resources.

Invasive Species: Executive Order 13112

Each Federal agency will, to the extent practicable and within Administration budgetary limits, use relevant programs and authorities to (i) prevent the introduction of invasive species; (ii) detect, respond rapidly to, and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (v) promote public education on invasive species and the means to address them. The noxious weed control program on the Palisades and Teton Basin Ranger Districts accomplishes all of these with the exception of conducting research. Information boards are posted at key locations to educate Forest users about noxious and invasive species. The Districts use Integrated Pest Management to control and contain invasive species. My chosen course of action does not authorize activities which would further contribute to introduction of invasive species.

Clean Water Act

Consultation with the States of Idaho Division of Environmental Quality (DEQ) has been ongoing regarding Forest requirements for meeting the intent of the Clean Water Act. The Clean Water Act requires states to identify nonpoint sources of water pollution from a range of activities that includes but is not limited to cropland agriculture, livestock grazing, recreation, mining, and forestry. States are also required to develop management programs for controlling nonpoint sources of pollution. Best management practices (BMP's) are the recognized method of control for nonpoint source pollution.

South Fork of the Snake River is currently listed in the State of Idaho's Draft 2002/2003 Integrated 303(d)/305(b) Report as Impaired Waters. No pollutants causing the impairment are listed in the report.

CONCLUSION

5.1 Implementation

If no appeal is filed within the 45-day time period, this project may be implemented five days following the end of that period. If an appeal is filed, implementation may begin 15 days following the date of the last appeal.

Construction or reconstruction activities would not occur until the summer of 2008 – depending on funding available to do the projects. All actions will be subject to mitigation measures identified in the EA.

5.2 Appeal Opportunities

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.11 (2003 Appeal Regulations). Only individuals or organizations that submitted comments or otherwise expressed interest in the project during the 30-day Notice and Comment period are eligible for appeal (36 CFR 215.13). An appeal, including attachments must be filed with the Appeal Deciding Officer, within 45 days following the date of publication of the legal notice of this decision in the *Idaho Falls Post Register*. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. The Appeal Deciding Officer is the Intermountain Regional Forester. Appeals may be filed by regular mail, facsimile, e-mail (Microsoft Word (.doc) or rich text (.rtf) format), hand delivery, express delivery, or messenger service. Emailed appeals must include the project name in the subject line.

Appeals must be sent to:

Appeal Deciding Officer
Intermountain Region USFS
324 25th Street
Ogden, UT 84401
Facsimile: (801) 625-5277
Electronic mail: appeals-intermtn-regional-office@fs.fed.us
Office Hours: Monday through Friday 8:00 am through 4:30 pm.

For more information on the appeal process, contact Robbin Redman (208) 557-5821. For further information on this decision, contact Larry Timchak, Forest Supervisor, Caribou-Targhee National Forest, 1405 Hollipark Dr., Idaho Falls, Idaho, (208) 524-7500.

/s/ Larry Timchak
Larry Timchak, Forest Supervisor

17 March 2008

Date

Equal Employment Opportunity Statement

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