

Record of Decision

East Fork Allotment Management Plans Analysis

**USDA Forest Service
Sawtooth National Recreation Area
Sawtooth National Forest
Custer County, Idaho**

Decision and Reasons for the Decision

Background

The Upper and Lower East Fork Cattle & Horse Allotments are located in the White Cloud Mountain range in Custer County, south of Clayton, ID and are administered by the Sawtooth National Recreation Area (SNRA) of the Sawtooth National Forest. The allotments are located in portions of Townships 7 and 8 North and Ranges 15, 16, and 17 East, Boise Meridian.

On August 22, 1972, Congress passed Public Law 92-400 (PL 92-400) establishing the SNRA. The intent of establishing the SNRA was to protect the area's primary values of fish and wildlife resources, and the natural, scenic, pastoral, and historical values, and recreation attributes. Under PL 92-400, livestock grazing is recognized as a valid use so long as it does not cause substantial impairment of the SNRA key values.

The purpose of the proposed action is to update the allotment management plans to allow for permitted livestock grazing that meets or moves towards desired resource conditions. The need for the proposed action is to comply with desired resource conditions as described in the Sawtooth Forest Land & Resource Management Plan (FLRMP) Standards.

Analysis of the current condition of the two allotments has found that SNRA primary values are being impacted. Impacts from livestock to fisheries, wildlife, vegetation, and conflicts with recreationists are occurring, indicating a need for change in current livestock management practices.

The Allotment Management Plans (AMPs) need to be updated to comply with the Sawtooth and Challis FLRMPs, the intent of PL 92-400, and to bring livestock grazing into balance with other resource values on the allotments.

Decision

My decision is to select components of Alternatives 1 and 2, updating the Upper and Lower East Fork Allotment Management Plans and authorizing livestock grazing in a manner that would meet forest plan standards for livestock management throughout the allotments. An adaptive management strategy, which would allow for flexibility during the implementation of the grazing strategy, will allow permittees to respond to changing conditions and unexpected results.

Livestock numbers, grazing practices and seasons would be modified as necessary to meet standards, based on monitoring results of the previous season.

Management Direction that apply to both allotments, are as follows:

- Riparian Areas: Forage utilization for riparian areas will not exceed 30 percent use of most palatable forage species, or must retain a minimum 6 inch stubble height of hydric greenline species, whichever occurs first, when riparian goals & objectives are not being met (FLRMP, Management Area 3 standard 03109 Errata, July, 2003).
- Forage utilization for upland vegetative cover types will not exceed 40 percent for early season or season long pastures and 50 percent for vegetative slow growth, after seed ripe conditions, or late season pastures (FLRMP Standard RAST01).
- To meet wildlife winter range needs, maximum bluebunch wheatgrass utilization will not exceed 30% at any time during the livestock grazing season on bighorn sheep winter range in Big Lake Creek, Bluett Creek, and Corral Creek.
- To meet critical needs of high elevation plant species, other sensitive components of high elevation habitats and mountain goat forage requirements, most areas above 9,000 feet elevation in both allotments are restricted from livestock grazing.
- To manage for the maximum re-establishment and recruitment of aspen and cottonwood, as well as to prevent high utilization of willows, forage utilization of woody species will not exceed maximum of 30% use of current year's growth.

Allowable use standards are measured in "Designated Monitoring Areas" (DMAs) (formerly known as "key areas") as designated on Annual Operating Instructions (AOI) maps. Once proper use is achieved, livestock must be moved into the next pasture or off the allotment. Pastures that have met standards are restricted from further entry.

Desired Vegetation Conditions

Vegetation management actions in riparian areas will be designed to maintain or restore the presence of key native species (both herbaceous and woody) in a variety of age classes that are reproducing and maintaining good vigor in order to sustain themselves over time. These actions are designed to achieve cover of key species at 90 percent or greater of their estimated potential. Soil productivity will not be reduced.

- Mesic riparian communities will have key native species (both herbaceous and woody) in a variety of age classes that are adequately reproducing and maintaining good vigor. Cover of key native species is 70 percent or greater of inherent potential. No active head-cutting is occurring.
- Aspen stands will have sufficient regeneration to sustain the stand over time with adequate native species composition and cover in the understory (based on the community type from Mueggler 1988) that are adequately reproducing and maintaining good vigor.
- Sagebrush areas will have a diverse array of canopy coverage of sagebrush (see 2003 Sawtooth FLRMP Appendix A-15 and A-16) with adequate cover and diversity of native

grasses and forbs present in the under story ($\geq 15\%$ canopy cover of grasses and $\geq 10\%$ of forbs in sage grouse nesting habitat).

- Whitebark pine will be the major seral species within the High Elevation Subalpine Potential Vegetation Group (PVG) with subalpine fir and englemann spruce as codominates (Appendix A-22), and a understory comprised of a variety of perennial plant species, a solid litter layer, and few bare spots that are neither large or permanent.
- Desired condition for TEPCS plant species is to have the amount, distribution, and ecological conditions present to maintain or reach viable populations of these species. Habitat conditions contribute to the survival and/or recovery of such populations with impacts minimized or eradicated. Human activities are at levels that maintain key life stages and promote pollinator success and survival.
- Desired condition for alpine habitats would be to have an abundance of perennial vegetation communities (i.e. cushion plants, grasses and sedges forming sod-like mats) distributed throughout the alpine region (Sawtooth FLRMP Appendix A-28). Soils have not been compacted by livestock trampling and species composition has not altered substantially to include a dominance of non-native or annual plant species.
- Non-native plants and noxious weed infestations are primarily restricted to locations along major travel ways. Existing non-native plant and noxious weed populations are not expanding in size. Efforts to contain and treat known infestations are occurring. Native plants are dominant on disturbed or recently restored sites.

Upper East Fork Allotment

Pastures within the allotment have varied, but currently consist of Grouse/Albert, East Fork, West Pass, Bowery, (which includes Long Tom), and the Fisher, (which includes the Narrow Canyon) pastures.

Implementation of the selected alternative, will provide for 349 Head Months (HM) of livestock grazing use until such time as riparian conditions are met in upper Bowery Creek. Grazing strategies may vary and management of individual pastures will be determined in the Annual Operating Instructions (AOI's) to meet management direction and grazing standards. Once upper Bowery Creek meets recovery standards, livestock grazing would again be authorized in this area providing a 553 HMs of grazing use on the allotment as long as conditions continue to be met. Actual livestock numbers, grazing practices, and seasons would be modified as necessary to meet standards, based on monitoring results.

Timing restrictions from current Endangered Species Act (ESA) consultation agreements would remain to protect TES fish spawning and incubating periods. Livestock would not enter the West Pass pasture until after July 15, and would be removed prior to August 15. In the East Fork pasture, along the main stem, livestock would be removed prior to August 1, and in the Bowery drainage (which includes Long Tom) by August 15. These dates will remain in effect unless changed through future consultation efforts.

With this action, the former system of grazing management would be altered to:

- Place upper Bowery Creek (Bowery, Long Tom -- approximately 11,700 acres) in a status of non-use until such time as the following desired conditions are met: 1) plant vigor for hydric grass and grass-like species exceeds annual leaf growth of 8" along Bowery and Long Tom Creeks; 2) woody species such as willow or aspen maintain or develop variations in age classes with at least 10% in sprouts, seedlings, and saplings categories, (Note: Desired willow age class parameters would be measured on selected stream reaches, within bank-full demarkations, on the stream bank and bars where the potential for willow regeneration exists. Desired aspen age class conditions would be measured in selected aspen stands which exhibit the capability to achieve these conditions without stand treatment; and 3) bank stability is improved to (or maintained) at least 90% of what conditions would be expected under natural conditions. Given elevation and climatic conditions, it is anticipated to take at least 5 years before the conditions cited above are achieved.
- Adjust the allotment boundary to restrict livestock grazing on approximately 11,700 acres to address recreation conflicts, livestock straying beyond allotment boundaries, and livestock grazing in fragile environments-by building a boundary fence above the South & West Fork of the East Fork, and re-adjusting the allotment boundary to exclude portions of the Upper East Fork Allotment above the South & West Forks of the East Fork. Two new 0.25 mile fences to define the allotment boundary will be located at:
 - 1.) West Fork Fence with gate and cattleguard located approximately ½ mile up the West Fork (Trail #112)
 - 2.) South Fork Fence located approximately ½ mile up the South Fork (Trail #113).
- Six existing water developments and 3.9 miles of existing fence would be maintained.
- Approximately 0.5 mile of rustic fence with gates and cattleguards would be installed at the East Fork dispersed recreation site, enclosing approximately 20 acres.

Lower East Fork Cattle Allotment

There are three units within the Allotment: French Creek, Big Lake Creek, and Boulder Creek. Each unit is also divided into pastures.

Implementation under the selected alternative, would provide for 590 HMs of livestock grazing until such time as which conditions are met in the Boulder Creek Unit, Sullivan, and Potaman Creeks in the French Creek Unit. Once the Boulder Creek Unit, Sullivan Creek and Potaman Creek areas have met recovery standards, livestock grazing would again be authorized in these areas providing 962 HMs of grazing use on the allotment as long as conditions continue to be met. Grazing strategies may vary and management of individual pastures will be determined in the Annual Operating Instructions (AOI's) to meet management direction and grazing standards. Actual livestock numbers, grazing practices, and seasons would be modified as necessary to meet standards, based on monitoring results.

Timing restrictions from current ESA consultation agreements would remain to protect TES spawning and incubating periods. In Silver Rule Creek and Wickiup Creek livestock would be removed by August 15 for bull trout. In Big Boulder Creek livestock would enter on July 15 above the tributary in section 8 for steelhead and be removed by August 15 for bull trout below falls in section 15. In Little Boulder Creek, livestock would enter on July 15 above the tributary in section 20 for steelhead and be removed August 15 for bull trout. In Germania Creek livestock would be removed by August 1 below the falls for chinook salmon and by August 15 above the falls for bull trout. These dates will remain in effect unless revised in future consultation efforts that result in Biological Opinions or Concurrence Letters.

With this action, the former system of grazing management would be altered to:

- Adjust the allotment boundary to restrict livestock grazing on approximately 24,000 acres in the upper reaches of Germania, Wickiup, Little Boulder, Big Boulder, Big Lake, and Silver Rule drainages to address resource concerns and recreation use conflicts in this heavily visited area. Where topographic barriers to livestock are absent, fences would be constructed. This may require as much as fifteen miles of new fence. These changes are necessary to remove livestock grazing in high elevation fragile environments which is approximately above 9000' elevation and to eliminate conflict with recreationists in this heavily used portion of the White Cloud Mountains. Fences may not directly follow a 9000' elevation line, because they will be dependent on topographic features and natural barriers to livestock movement.
- Adjust the allotment boundary to restrict livestock grazing on approximately 1900 total acres in the western edge of Railroad Ridge, the upper portions of Upper Silver Rule and upper portions of Jim Creek within the Big Lake Unit. This adjustment will address Threatened, Endangered, and Sensitive (TES) plant and other resource concerns associated with fragile environments above 9000 feet elevation, and soil compaction resulting from livestock use, including all seeps and springs within ½ mile of the ridgetop of Railroad Ridge.
- Place the remaining acres of the Boulder Creek Unit (16,700 total acres) in non-use until such time that fencing is constructed to restrict cattle from high use recreational areas and until such time that all resource recovery requirements have been met. Given elevation and climatic conditions, it is anticipated that it will take in excess of 5 years before the conditions cited above are achieved. Resource recovery requirements include: 1) plant vigor for hydric grass and grass-like species exceeds annual leaf growth of 8" along Germania, Wickiup, Little Boulder, and Big Boulder Creeks; 2) woody species such as willow or aspen maintain or develop variations in age classes of the shrubs with at least 10% in sprouts, seedlings and sapling categories, (refer to the "Note" for Upper East Fork Allotment pertaining to monitoring woody species as it pertains to Lower East Fork Allotment as well); 3) bank stability is improved to (or maintained) at least 90% of what conditions would be expected under natural conditions; and 4) adequate regeneration of cottonwood seedlings become established along Big Boulder Creek and Germania Creek. (Note: Desired age class parameters would be measured at selected locations where soil

disturbance and other ecological requirements are adequate to allow for seedling establishment. Given elevation and climatic conditions, it is anticipated to take 5 years or more before the conditions cited above are achieved.

- Place Sullivan and Potaman Creek drainages (approximately 5,100 total acres) from the French Creek unit in a status of nonuse to allow for resource condition improvement until such time as the following conditions are met. Given elevation and climatic conditions, it is anticipated that it will take in excess of 5 years before the conditions cited above are achieved: 1) plant vigor for hydric grass and grass-like species exceeds annual leaf growth of 8" along Sullivan and Potaman Creeks; 2) woody species such as willow or aspen maintain or develop variations in age classes of the shrubs with at least 10% in sprouts, seedlings and sapling categories, (refer to the "Note" for Upper East Fork Allotment pertaining to monitoring woody species as it pertains to Lower East Fork Allotment as well); and 3) bank stability is improved to (or maintained) at least 90% of what conditions would be expected under natural conditions. Given elevation and climatic conditions, it is anticipated that it will take in excess of 5 years before the conditions cited above are achieved.
- Forty-eight existing water developments, and 7.7 miles of existing fence will be maintained. As much as 15 miles of new fence may be required within the Boulder and Big Lake units. A one-mile drift fence would also be constructed at the upper boundary in Big Lake Creek. A cattle guard and gate each will be installed on the Big Lake Creek Trail (#678) at this fenceline. Additional range improvements may be considered to address livestock management and resource concerns

Closed / Temporary Non-Use Rest Areas

Areas closed or rested will be monitored through the vegetation community types represented in the areas, including both riparian and uplands described previously. If vegetation within the closed/rested areas fails to achieve or progress towards vegetation desired conditions, active management tools, such as prescriptive grazing or fire may be proposed and analyzed.

Community types within closed/rested areas will be monitored for effectiveness in meeting desired conditions using similar methods described for areas open to livestock grazing and the following specific parameters:

- Plant vigor for hydric grass and grass-like species exceeds annual leaf growth of 8". This would be monitored using stubble height protocol identified in the grazing module.
- Woody species such as willow or aspen maintain or develop variations in age classes of the shrubs with at least 10% in sprouts, seedlings and sapling categories, (Note: Desired willow age class parameters would be measured on selected stream reaches, within bank-full demarcations, on the stream bank and bars where the potential for willow regeneration exists following protocol described for woody species regeneration in Winward, 2000. Desired aspen age class conditions would be measured in selected aspen stands which exhibit the capability to achieve these conditions without stand treatment.

A woody species regeneration study similar to that described in Winward, 2000, could be used.)

- Bank stability is improved to (or maintained) at least 90% of what conditions would be expected under natural conditions. This would be sampled using Region 1/Region 4 Habitat Survey protocol.
- Adequate regeneration of cottonwood seedlings becomes established along Big Boulder Creek and Germania Creek. (Note: Desired age class parameters would be measured at selected locations where soil disturbance and other ecological requirements are adequate to allow for seedling establishment following protocol such as that described for woody species regeneration in Winward, 2000.)

Monitoring

A monitoring plan in Appendix D of the FEIS addresses the criteria of this decision. A Collaborative Monitoring process may be developed to determine designated monitoring areas and appropriate monitoring protocols for monitoring compliance with the decision criteria. The collaborative process will involve the broad communities of interest, and may include, but would not be limited to, permittees, regulatory agencies, other state and federal agencies, and local interest groups.

Rationale for the Decision

This decision was neither easy nor obvious and not without effects to range permittees and other users. The action involves social as well as resource issues. I must weigh and balance traditional grazing use against natural resource needs and the changing values and expectations of society. I must also consider values and economic interests of local residents, including livestock permittees, along with the interests and concerns of a broader element of society. In part, the East Fork area represents the social conflict between recreationists and livestock users. Both groups value this area for many reasons.

The allotment management plans for the Upper and Lower East Fork Allotments were approved in 1976 and 1981 (revised in 1985) respectively. The FEIS clearly demonstrates that impacts from livestock to fisheries, wildlife, and vegetation, and conflicts with recreationists are occurring, indicating that the allotment management plans need to be updated and current livestock management practices changed. The need for changing management on these allotments is further validated by the recently revised Sawtooth FLRMP, which assigned those areas within the allotments, but outside the boundary of the Boulder-White Cloud recommended wilderness, to restoration prescriptions.

Implementation of the modified alternative best meets the Purpose and Need and moves the areas towards the desired future condition. It also meets the resource objectives identified in the Revised Sawtooth FLRMP and the East Fork FEIS. I believe that the modified alternative provides the best balance between the various social and resource needs within the East Fork project area at this time. My rationale for this decision is based on the need to restore the aquatic, terrestrial, and hydrologic resources, balancing the recreational conflicts to the degree possible, and providing for long-term sustainable livestock grazing.

In making my decision, I relied upon an interdisciplinary team to analyze the Proposed Action, Alternative 1, Alternative 2, and Alternative 3, as documented in the East Fork Allotment Management Plans FEIS. Selection of the modified alternative is based on responsiveness to the issues and the Purpose and Need.

I considered the values and economic interests of the livestock permittee operations as well as the experience desired by recreationists. I am sensitive to the operational and economic impacts to the livestock operators and recognize that my decision will have significant impact on their operations.

Within the Revised FLRMP for the Sawtooth National Forest, the East Fork drainage includes Management Prescription Categories (MPC) 1.2, Recommended Wilderness; 3.1 Passive Restoration and Maintenance of Aquatic, Terrestrial and Hydrologic Resources; and 3.2, Active Restoration and Maintenance of Aquatic, Terrestrial and Hydrologic Resources. The primary management objective of MPC 1.2 is to maintain wilderness attributes until congress decides to designate the areas as wilderness or release them to some other form of management. The primary objective of MPC3.1 is to keep management-related impacts from degrading existing conditions for TEPCs (Threatened, endangered, and proposed candidate) fish, wildlife, and botanical species, or 303(d) impaired water bodies. The general objective of MPC 3.2 is to actively restore degraded aquatic, terrestrial, and watershed resource conditions through a combination of management activities and natural processes. Restoration is focused on those components of the ecosystem that are not functioning properly, or are outside the range of desired conditions, while maintenance helps to preserve those components that are functioning properly.

How My Decision Responds to Public Concerns and Needs for Change

The 224 comment letters I received in response to the draft EIS reflect the diverse interests of the public regarding use of National Forest System lands. The analysis is not a voting process, but I have sought to carefully and objectively assess public comments, and the FEIS, including the purpose and need, issues, and alternatives and their effects, in reaching my decision. Despite the wide variety of backgrounds and interests, public opinion overwhelmingly reflected a general consensus that there is a definite, identifiable “need for change” in the management of this area.

Following is a discussion of how the actions in this decision respond to the issues raised during the public involvement phase of the Environmental Impact Statement and address the Needs for Change identified in the FEIS.

Livestock Management

One issue raised is that the allotments may not be capable of supporting grazing under the current grazing system. The decision will allow a lighter level of grazing use of which the allotments are capable. Due to the remote, forested, steep and dissected terrain of these allotments, controlling livestock has been a chronic problem. In the case of the Little Boulder pasture, once fence has been constructed, livestock drift will be better controlled and removal livestock at the end of the season will be easier.

Livestock grazing in closed areas inside and outside allotment boundaries is a persistent problem. Frog and Little Redfish Lakes are identified in Annual Operating Instructions as restricted to cattle but are frequently grazed during the season. Excess use also frequently occurs outside allotments in Grand Prize Gulch, East Pass Creek, Chamberlain Basin, and Washington and Fourth of July Lakes. My decision addresses these concerns by modifying allotment boundaries to restrict livestock from remote areas where herd management is problematic. By restricting access to these high-use recreation areas, conflicts between recreationists and livestock would be reduced as directed in RAGU10 of the Sawtooth FLRMP. Fencing is a more appropriate barrier than the current reliance on inadequate topographic features.

Vegetation (General)

Another issue stated, “Current livestock use may be affecting vegetative health, vigor, and diversity of upland and riparian vegetation types, as well as Threatened, Endangered, Proposed, Candidate, or sensitive plant species.” The decision will result in lighter livestock grazing levels, improving vegetative health and diversity of species in many high elevation and critical habitats.

In spite of reductions in stocking rates over the past three years, monitoring data shows the East Fork allotments being stocked at a rate that exceeds utilization standards in some areas. This does not allow for development of residual vegetation (dry grass and other dead vegetation covering the soil surface often referred to as “litter”), which is crucial to many wildlife species. In particular, livestock use of bighorn sheep winter forage (bluebunch wheatgrass) routinely exceeds 30% in Big Lake Creek (including Corral Creek) and Bluett Creek. Likewise, aspen stands, an important component for wildlife wintering areas, are in poor condition with regeneration and understory vigor hampered by livestock grazing. Utilization within riparian areas, also a key component of wildlife habitat, has exceeded FLRMP utilization standards. This has reduced residual vegetation available to riparian dependent species. My decision addresses these concerns by implementing the revised FLRMP utilization standards, reducing stocking rates to a level that is consistent with actual use, and resting those areas where riparian and upland vegetation conditions are not meeting desired conditions.

Plant Species of Concern

Under current grazing systems, livestock may graze in areas over 9000 feet elevation putting them into occupied or potential habitat for slender moonwort a Candidate for listing under ESA. TEPC direction in the revised FLRMP is not being met as unauthorized livestock use has resulted in trampling and congregation within occupied and potential habitat for this rare species. (FLRMP standards TEST08 and TEST22) The allotment boundary change included as part of my decision allows us to meet FLRMP direction for this species by restricting livestock use in most areas over 9000 feet elevation.

Livestock grazing and associated trampling effects in occupied or potential habitat for several or sensitive or proposed sensitive plant species including White Cloud milkvetch, northern sagewort, silvery/Jones’ primrose, wedge-leaf saxifrage, pointed draba/rockcress draba, common moonwort, and Brewer’s sedge is occurring under current grazing system. As a result, FLRMP direction for sensitive plant species is not being met (FLRMP standard BTST01).

My decision complies with this FLRMP direction by: altering the allotment boundary by restricting grazing in most areas above 9000 feet addresses concerns within northern sagewort, wedge-leaf saxifrage, pointed draba/rockcress draba, common moonwort, and Brewer's sedge habitats; removal of six of the nine White Cloud milkvetch populations from the current allotment boundaries, the remaining three populations will be monitored for impacts and protection measures implemented if trends are declining; and addressing silvery/Jones' primrose populations through maintenance of the existing Bowery Creek fence and monitoring the unfenced population along Bowery Creek for impacts and implementing protection measures if population trends are declining.

High Elevation Ecosystems

My decision to restrict livestock grazing generally above 9000 feet will also greatly reduce impacts to alpine ecosystems, high elevation meadows, and white bark pine stands resulting from livestock trampling and loafing in these fragile areas. Given the short growing season and infertile soils of such areas, vegetation can be rapidly altered by grazing animals. Range monitoring and botanical surveys have recorded evidence of moderate to high livestock impacts, which include trampling or loafing within these fragile alpine areas, alteration of dominant vegetation types and conversion of species composition from native forage species to introduced grass and weedy species, pedestal formation, soil compaction, and reduced plant vigor. Through this decision, management within the allotment will meet diversity requirements of the National Forest Management Act (NFMA – Section 9500-4).

This decision will physically segregate (through fencing) recreation use from livestock use in higher elevations of the Little Boulder pasture where recreation use is heaviest. These high elevation areas will receive complete rest from livestock grazing, while Sullivan, Potaman, the lower elevations of the Little Boulder pasture and Upper Bowery Creek will be rested from livestock grazing until evidence of vegetative recovery is present.

Streams and Riparian Areas

Use by cattle along streamside areas on the East Fork allotments has resulted in considerable degradation of streamside areas in many segments. Some riparian areas within the allotments have been grazed in excess of the FLRMP 30% utilization standard. Evidence of riparian impacts from over-utilization include soil hummocking, puddling, and compaction, reduced riparian vegetation vigor and productivity, altered plant species composition, trampling and chiseling of streambanks, increased width to depth conditions, accelerated erosion, and reduced streambank storage. Pasture rotations have been altered and seasons of use have been significantly shortened in order to meet riparian utilization standards, however, the ability to consistently meet FLRMP standards continues to be a concern.

This decision will meet FLRMP standards for soil, water, and riparian conditions by restricting livestock grazing on 8 miles, and resting another 14 miles, of streams associated with riparian areas formerly not moving towards Forest Plan vegetation management objectives. It will also restrict livestock grazing on 43 miles, and rest another 72 miles of streams generally accessible to cattle. As utilization standards are more consistently met, stream channel and aquatic habitat recovery will initiate. Recovery will be slow in areas where grazing continues, but proceed at

natural rates where grazing is discontinued or allowed to rest. The net annual result is towards recovery of the riparian habitat.

Fisheries

Habitat for three species of native salmonids listed for protection under the ESA occurs within the allotments, including Snake River chinook salmon, Snake River steelhead, and Columbia River bull trout (all threatened). Livestock grazing has compromised the integrity of these habitats within portions of the allotments. The capability and productivity of riparian and aquatic habitats within portions of the allotments, necessary to maintain viable populations of native fish, and promote recovery of ESA listed fish, have been noticeably reduced.

This decision will meet FLRMP standards for ESA fisheries by restricting livestock grazing on 3 miles, and resting an additional 10 miles of designated critical habitat for chinook and steelhead. Livestock grazing would be restricted on 25 miles proposed critical habitat for bull trout, and an additional 19 miles would be rested. It will also restrict livestock grazing on 43 miles, and rest another 72 miles, of streams generally accessible to cattle. Fish are one of the life forms that can be affected when their physical habitats within streams are altered, thus this decision will directly and positively improve their habitat.

Recreation

Concerning the issue that livestock grazing may be affecting recreation experiences (through their presence in and around occupied campsites, the presence of cow manure in campsites and on trails, trailing and trampling effects on trails, campsites, and meadows and odor), the decision seeks to minimize adverse experiences by physically separating uses to the extent possible.

Conflicts between recreation and grazing use within these allotments have been persistent at popular backcountry destinations. This has been particularly evident at backcountry sites (15 Concentrated Use Areas – CUA's, 41 isolated dispersed campsites), and on recreation trails (80.8 miles of system trails.) Impacts on recreation include the physical occupation of CUA's, dispersed sites, and trails resulting in displacement of recreationists. Other impacts are on the quality of recreation; visual resources have been impaired in some areas; manure and odor from cattle have negatively affected recreationists; and physical damage to recreation sites (damage to trail tread, braiding, etc.) has affected the aesthetic quality of the area.

The FLRMP includes several recreation goals, objectives, and guidelines that are not being met under the current grazing system (REOB19, SCST01, REGO01, REGU22, REGO08, REGU24). There is also Management Area direction not currently being met (03106). This decision will meet FLRMP direction for recreation By retaining the ROS class acreages in the area (REGU08), improving visual quality so that all VQO's are met (SCST01), reducing the amount of trail mileage where grazing is authorized by 36 miles permanently and an additional 16 miles in the rest pastures that will not have grazing in them during the rest periods (REOB19, REGU22, REGU24, 03106), reducing the number of CUA's where grazing is authorized by 13, and 3 the number of dispersed campsites where grazing is authorized by 22 permanently and an additional 10 in rest pastures during the period of rest (REGO01).

Public Law 92-400

Many public comments focused on Public Law 92-400, which established the SNRA. According to PL 92-400, grazing may occur so long as it does not substantially impair the purposes for which the recreation area was established. Many believe that the key values identified in the law are being substantially impaired by grazing in the East Fork of the Salmon River. Specifically many comments focused on concern for the gray wolf - an animal that was re-established in Central Idaho in 1996. Beliefs and emotions on this subject are wide-ranging and intense. Under current management practices, there have been no conflicts with wolves on the East Fork cattle allotments that have led to lethal control – conflicts between wolves and livestock have occurred on private land, therefore I find there is no need for additional actions in this decision. I have addressed the substantial impairment determination separately in this decision.

Wildlife

One issue addresses wildlife-related concerns: “Livestock grazing may be affecting Threatened, Endangered, Proposed, Candidate, or Sensitive species recovery, wolf recovery efforts, or habitat recovery efforts for game and non-game species.” Forage utilization by livestock has impacted bighorn, elk and deer winter ranges by reducing forage, hiding or thermal cover otherwise available to big game species. Further, livestock grazing may be directly or indirectly impacting numerous groups of non-game wildlife species within the allotments.

The decision addresses this issue by limiting livestock grazing to areas where rangeland forage is more abundant. This leaves other portions of the East Fork drainage available to both game and non-game wildlife species. Other portions of the East Fork drainage will be rested until they are more healthy and vigorous. This may serve as a refugia for some wildlife species until woody species become more abundant, herbaceous species become more vigorous and the overall suite of species broadens.

Economics

Finally, concerning economic effects to livestock grazing permittees and economic return to the federal government, the decision seeks to allow a sustainable level of livestock grazing, while minimizing monitoring and other costs inherent to managing a livestock allotment. It is understood that costs associated with mitigation (e.g. meeting requirements for stubble height or allowable use), remote access, and implementing consultation requirements for Threatened, Endangered, or Proposed species (e.g. stream access restrictions) may be so costly, that permittees do not have the ability to economically operate in the area.

PL 92-400 calls for the “...preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith,...” It is the responsibility of the Forest Service to implement the law, abide by government regulation and provide for multiple use on National Forest system lands.

Rationale Summary

In making this decision I factored in all these elements. This alternative will allow for updates to the allotment management plans and provide for permitted livestock grazing that meets or moves toward desired resource conditions as described in FLRMP standards. This decision will strike a

balance between the growing recreation uses and long-term sustainable livestock grazing on within the SNRA.

All practical means have been considered or addressed to minimize environmental harm resulting from this decision. Fencing and associated ground disturbance associated with such is a short-term disturbance weighed with consideration toward the long term separation of uses and livestock grazing rest for higher elevation habitats. Other range improvements were also analyzed for disturbance to archeological considerations and ESA listed species considerations.

My decision is within the scope of the analysis for Alternatives 1 and Alternative 2.

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives in detail, which are discussed below. I also considered but dismissed two alternatives from detailed study FEIS pages II-16. A more detailed comparison of the alternatives analyzed in detail can be found in the FEIS - pages II-1.

Alternative 1 - No Action

Under the No Action (No change) alternative, current management plans would continue to guide management of the project area. The No Action Alternative reflects no change in grazing FLRMP standards or boundaries, from the existing grazing authorized on these allotments in recent years. The intent of this alternative is to meet FLRMP standards.

Alternative 2 – The proposed action

Under Alternative 2, grazing would be authorized within a modified allotment boundary and a change to the stocking rate that would reflect allowable use (meet FLRMP standards) throughout the allotment. An adaptive management strategy, which would allow for flexibility during the implementation of the grazing strategy, would allow permittees to respond to changing conditions and unexpected results.

Alternative 3 – Domestic Livestock grazing discontinued

This alternative would eliminate permitted livestock grazing from both the Upper and Lower East Fork allotments in their entirety. This alternative was developed to respond to the issues and concerns of those who believe that livestock grazing on the National Forest Lands conflicts with other resources and/or PL 92-400 to the degree that total elimination of the livestock is needed to adequately resolve conflicts.

After four years, the entire allotment would be closed to livestock grazing and existing fences and water troughs would be removed as budget permits. Underground pipelines would be closed off, but left in the ground, undisturbed. Impoundment ponds would remain. The administrative and horse pasture fences around the Bowery Guard station would remain. This closure would be phased in a four-year period to give the permittee time to find alternative summer range or make adjustments in ranching operations. The year the decision is made would establish the actual use numbers. Reductions each year after would be from the actual use numbers. Grazing within this period would be phased out as follows:

Table 1. Alt. 3 – Grazing Phase Out Schedule

Year	Upper & Lower East Fork Allotments
Baseline	Year Decision is Signed (Year 1)
2	20% reduction from year 1 actual use numbers
3	40% reduction from year 1 actual use numbers
4	60% reduction from year 1 actual use numbers
5	No Permitted Grazing

A monitoring program would be developed as budget allows, determining changes in riparian soils, planting species compositions, and riparian function. Uplands would also be monitored to assess changes in soil productivity, plant species composition, and overall health. The allotment will be closed to livestock grazing on the fourth year after the Record of Decision is signed.

Public Involvement

As described in the background, the need for this action arose in 1997. A scoping letter dated January 10, 1997, was sent to the permit holders and to interested public that an Environmental Analysis (EA) would be prepared. News releases with this same information were published in the Challis Messenger, Wood River Journal, and Twin Falls Times News in this same period. Public comments were accepted through March 15, 1997 and a total of 17 letters from the public was received. A copy of all letters and comments from individuals and organizations are on file in the project record.

Public comments were analyzed to determine significant issues for their analysis. In March 1999, it was decided that work on the Upper and Lower East Fork Allotment EAs would be delayed a year to gather additional data during the field season. This data would allow the Interdisciplinary (ID) team to make more informed decisions and would also allow them to determine if all important issues had been addressed.

In a letter dated January 25, 2001, the SNRA again requested public input for the Upper and Lower East Fork Allotment EA. Reasons for additional scoping included both the length of time since the initial scoping as well as the ESA-listing of bull trout and lynx. The letter described the project and requested feedback. News releases with the same information were published in the Idaho Mountain Express and the Challis Messenger at that time. Public comments were accepted through March 1, 2001. A total of 79 responses were received from this second round of public scoping. (Project Record) From the comments received during the 2001 scoping period, the ID team determined that the issues formulated in 1997 still applied to the allotments in 2001.

A proposal to authorize grazing; to update the AMPs to incorporate FLRMP standards and guides and terms of the Biological Opinions (BOs); and to allow for permitted livestock grazing that meets or moves toward desired resource conditions was listed in the Notice of Intent on August 22, 2002. The proposal was provided to the public and other agencies for comment.

This project has also been listed in the Sawtooth National Forest quarterly “Schedule of Proposed Actions” which has been sent to 249 individuals, agencies and organizations, since 1997.

Using the comments from the public, interested groups, and other agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. (see FEIS Chapter 1). Main issues of concern included:

- **Livestock Distribution and Management:** The allotments may not be capable of supporting grazing under the current grazing system.
- **Plant Diversity:** Current livestock use may be affecting vegetative health, vigor, and diversity of upland and riparian vegetation types, as well as Threatened, Endangered, Proposed, Candidate, or sensitive plant species.
- **Fisheries and Hydrology:** Livestock grazing may be affecting functional integrity of hydrologic processes.
- **Wildlife:** Livestock grazing may be affecting Threatened, Endangered, Proposed, Candidate, or Sensitive species recovery, wolf recovery efforts, or habitat recovery efforts for game and non-game species.
- **Recreation and Aesthetic Values:** Livestock grazing may be affecting recreation experiences.
- **Social and Economic Consequences:** Changes in livestock grazing may have economic effects to permittees, while some livestock grazing strategies may not be cost effective to the federal government.

Based on the public comments received on the DEIS, the significant issue statements were expanded and updated. While no new significant issues were identified from public comment, additional information and concerns related to the existing issues were received. This new information has been incorporated into the issue descriptions in the FEIS. To address these concern found in the significant issues, the Forest Service created the alternatives described above.

Findings Required by Other Laws and Regulations

This decision to select components of Alternatives 1 and 2, updating the Upper and Lower East Fork Allotment Management Plans and authorizing livestock grazing in a manner that would meet FLRMP standards and establishing additional direction for livestock management throughout the allotments, is consistent with the intent of the Sawtooth FLRMP long-term goals and objectives listed in Chapter III. The project was designed in conformance with the Sawtooth FLRMP standards and appropriate guidelines. After considering the discussion of environmental consequences (FEIS, Chapter Four) I have determined that the decision is consistent with other applicable laws and regulations (FEIS Chapter Four, pages IV-1 & IV-2).

Migratory Bird Treaty Act and Executive Order

This decision is compliance with the act, subsequent executive order, and memorandum of understanding between the USDI Fish and Wildlife Service and USDA Forest Service, which provides for the protection of migratory birds. If new requirements or direction result from

subsequent interagency memorandums of understanding pursuant to Executive Order 13186, the decision will be evaluated to ensure that it is consistent.

National Environmental Policy Act (NEPA)

The Environmental Impact Statement and this Record of Decision is in compliance with NEPA and the Council on Environmental Quality (CEQ regulations 40 CFR 1500-1508) for implementing NEPA.

Endangered Species Act (ESA) of 1973 (as amended)

Based on discussions in chapters Three and Four of the FEIS concerning threatened and endangered plant, fish, and wildlife species, correspondence with USFWS, and detailed discussions contained in the Biological Assessments (Project File), the following has been determined:

A September 4th, 2003 letter from NOAA Fisheries is summarized as follows: Based on the best available information and successful implementation of conservation measures described in the Biological Assessment, NOAA Fisheries has determined the subject action would have no more than a negligible potential to adversely affect the listed species or their habitat. NOAA Fisheries concurred that the action is not likely to adversely affect listed Snake River spring/summer Chinook salmon, Snake River steelhead, or designated critical habitat.

A letter from the Fish & Wildlife Service was received on September 25th. In that letter, the FWS concurred with the determination that the proposed project is not likely to jeopardize the continued existence of the gray wolf, however the chance of wolf mortality from predator control efforts associated East Fork range allotments would remain. The FWS also concurred that the proposed action may affect, but is not likely to adversely affect Ute Ladies'-tresses and the action may affect, but is not likely to adversely affect bull trout and its proposed critical habitat. The proposed action includes an August 15th off-date to protect known spawning sites for bull trout. The concurrence letter stated that proposed critical habitat for bull trout will likely be protected by adhering to the standards in the project description.

This decision is consistent with the Endangered Species Act.

Clean Water Act

Based on discussions in chapters Three and Four of the FEIS and the Project Record concerning hydrology, this decision is consistent with the Clean Water Act and amendments. No permits are required for implementation of the decision.

Nonpoint Source Water Quality Program for the State of Idaho

This decision maintains water quality within the project area and is consistent with the State of Idaho Nonpoint Source Water Quality Program. There are no 303(d)listed waters currently within the project area, nor immediately downstream.

Wild and Scenic Rivers Act

The East Fork of the Salmon River, West Fork of the East Fork Salmon River, South Fork of the East Fork Salmon River, Little Boulder Creek, Germania Creek, and Boulder Chain Lakes

Creek, through the project area, have been found to be eligible for further consideration. Additional studies must be conducted before the river might be recommended to Congress for actual designation. Until these studies are completed, the Outstandingly Remarkable Values must be protected. This decision will not affect the potential eligibility, classification, listing, or Outstandingly Remarkable Values under the Wild and Scenic Rivers Act.

Executive Order 11990 of May 1977 (Wetlands)

This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result. Based on discussions in chapters Three and Four of the FEIS and the Project Record concerning wetlands, the decision complies with EO 11990 by maintaining and restoring riparian conditions.

Executive Order 11988 of May 1977 (Floodplains)

This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by flood plains. Based on discussions in chapters Three and Four of the FEIS and the Project Record concerning floodplains, the decision complies with EO 11998 by maintaining floodplain integrity.

National Historic Preservation Act (1966) and American Antiquities Act (1906)

Based on discussions in chapters Three and Four of the FEIS and the Project Record concerning Heritage Resources, it has been determined there will be no measurable effects to any Historic Properties with this decision.

Clean Air Act (1977 as amended) and Idaho Air Pollution Rules

This decision is in compliance with the Clean Air Act, which defines the National Ambient Air Quality Standards (NAAQS) for various sources of pollutants that must be met to protect human health and welfare, including visibility. This decision will also meet all NAAQS.

National Forest Management Act (NFMA) (36 CFR 219.27)

Management action and practices prescribed in this decision provide for adequate resource protection, including soils and water, riparian, wetlands, and vegetation resources. The mitigation measures and management requirements specified and described in Chapter 2 of the EA and reiterated in this decision document provide needed resource protection in accordance with the National Forest Management Act.

Federal Licenses and Permits

No federal licenses or permits are required.

Environmental Justice (E.O. 12898)

During the course of this analysis, none of the alternatives considered resulted in any identifiable effects or issues specific to any minority or low-income population or community. The agency

considered all public input from persons or groups regardless of age, race, income status, or other social/economic characteristics.

I examined community composition, as required under E.O. 12898, and found no minority or low-income communities to be disproportionately affected under any of the alternatives. This was not raised as an issue during scoping.

Secretary of Agriculture Memorandum (1827) Prime Farmland, Rangeland, and Forestland

The decision is in accordance with Secretary of Agriculture Memorandum 1827 and Department Regulation 9500-3 for prime farm land, rangeland and forest land.

Research Natural Areas

No Research Natural Areas would be affected by the Proposed Action or alternatives.

Energy

The decision would not have any unusual energy requirements.

Inventoried Roadless Areas

Inventoried Roadless Areas (IRAs) contain natural landscapes where human activities have not had a significant impact, and the areas meet criteria for potential wilderness designation under the Wilderness Act of 1964 (LRMP, pg IV-2). This decision will not affect nor irretrievably alter the natural condition of Inventoried Roadless Areas.

Mining

The decision would have no effect on the availability of lands for mining, under federal mining laws and regulations and PL 92-400.

Public Law 92-400

PL 92-400, which established the SNRA, requires that the SNRA be managed to best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife and other values, contributing to and available for public recreation and enjoyment; and (3) management, utilization and disposal of natural resources such as timber, grazing and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established. I have thoroughly reviewed the FEIS, especially the effects of implementing the alternatives, and have applied the process for determining Substantial Impairment, which is prescribed in Appendix I of the revised Sawtooth National Forest LRMP. It is my determination that this decision for the Upper & Lower East Fork Allotments, as designed with required mitigation and management requirements, is consistent with the revised Sawtooth FLRMP and Public Law 92-400 and **will not cause substantial impairment** to the scenic, natural, historic, pastoral, fish and wildlife, and other values, contributing to and available for public recreation and enjoyment; nor will recreation values be substantially impaired.

Eight allotments – Substantial Impairment Determination

In a ruling issued on June 11, 2002, the U.S. District Court for the District of Idaho determined that “[t]he Forest Service has violated the Organic Act by failing to consider whether grazing is ‘substantially impairing’ the wolf populations in the SNRA.”

The Court also stated “[f]or those allotments that have had a NEPA analysis, the Forest Service must go back and conduct an analysis under the Organic Act.”

Thus Appendix C of the FEIS was developed. It includes information sufficient for the Area Ranger to make a “Substantial Impairment” determination. The eight allotments that require this additional analysis include: Stanley Basin C&H, Salmon River Spring Unit C&H, Blechmann On-Off C&H, Clark Miller On-Off C&H, Goat Creek On-Off C&H, Alpine Way On-Off C&H, Salmon/Pole/Champion S&G, and Owl Creek S&G.

I agree with the rationale and desired condition for gray wolves found in FEIS -Appendix C. Therefore, per the Court’s direction to make a determination, I find that for these eight allotments, grazing is not substantially impairing the wolf population in the SNRA.

Environmentally Preferred Alternative

The DEIS stated that Alternative 3 was the environmentally preferred alternative. However, based on the analysis, project record, and many comments received, I have determined the environmentally preferred alternative is Alternative 2. This is a change from the DEIS. Alternative 2 best meets the following six goals as stated in the NEPA (Title 1, Section 151(b)):

1. Fulfills the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Assures all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
3. Attains the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
4. Preserves important historic, cultural, and natural aspects of our national heritage, and maintains wherever possible, an environment which supports diversity and a wide variety of individual choices.
5. Achieves a balance between the human population and resource uses, which permits high standards of living and a wide sharing of life’s amenities.
6. Enhances the quality of renewable resources and approaches the maximum attainable recycling of depleted resources.

Implementation

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of

the last appeal disposition. Changes to the face of the term grazing permit will be deferred for two years from the date of this decision.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR Part 215. The appeal must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in the Challis Messenger. The Appeals Deciding Officer is: Regional Forester, Intermountain Region, 324 25th Street, Ogden, UT 84401 (801) 625-5605. The office business hours for those submitting hand-delivered appeals are: 8:00 - 4:30 Monday through Friday, excluding holidays. Appeals must meet the content requirements of 36 CFR 215.14, as published in the Federal Register on November 4, 1993.

Pursuant to 36 CFR 251 Subpart C, applicants for special use authorization wishing to appeal must submit a written notice of appeal. The notice of appeal, including the reasons for appeal, must be postmarked or received by the Appeal Reviewing Officer within 45 days of this decision. The notice of appeal should be filed with: Forest Supervisor, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, ID 83301-7976. A copy of the notice of appeal must be filed simultaneously with: Area Ranger, Sawtooth National Recreation Area, HC 64, Box 8291, Ketchum, ID 83340. Appeals must meet the content requirements of 36 CFR 251.90.

Appellants with standing under both 36 CFR 251 and 36 CFR 215 may only appeal under one regulation and may not appeal under both.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Challis Messenger, the newspaper of record for the SNRA. The publication date in the Challis Messenger newspaper, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Sharon LaBrecque, Forest Planning Officer, Sawtooth National Forest; 2647 Kimberly Road East; Twin Falls, Idaho 83301-7976; (208) 737-3200.

DEBORA COOPER

Area Ranger
Sawtooth National Recreation Area

[DATE]

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