



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Sawtooth National Recreation
Area

HC 64, Box 8291
Ketchum, ID. 83340
208-727-5000
Visitor Center: 208-727-5013
Fax: 208-727-5029

File Code: 1950-3

Date: May 4, 2004

Dear Interested Citizen:

The purpose of this letter is to provide you with an update regarding an appeal of the September 30, 2004 decision regarding the Upper and Lower East Fork Allotment Management Plans.

As you will recall, a Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) for the Upper and Lower East Fork Allotment Management Plans were released on September 30, 2003. The ROD was appealed under the regulations at 36 CFR 215, claiming in part, that the ROD failed to provide for an adequate and legally sufficient assessment of substantial impairment of the wildlife values associated with wolves and bighorn sheep on the East Fork Allotments. Upon review of the project record, the FEIS and the ROD for the East Fork Allotments, the Appeal Reviewing Officer found that information is presented in the record regarding the effects of the decision to allow livestock grazing on wolves and bighorn sheep. However, the Appeal Reviewing Officer also found that a conclusion or determination relative to the Sawtooth National Recreation Area (SNRA) Organic Act requirement, that actions not substantially impair the purposes for which area was established, was not documented in the ROD.

In light of this finding, the decision concerning substantial impairment of wildlife values associated with wolves and bighorn sheep related to livestock grazing on the Upper and Lower East Fork Allotment was remanded back to the Sawtooth National Forest. The Remand included direction for me to review the information in the record and make a determination in accordance with the SNRA Organic Act (Public Law 92-400) as to whether the authorization of livestock grazing as provided in the ROD will substantially impair wildlife values associated with wolf and bighorn sheep on the East Fork Allotments. Finally, the Remand directed that the review and determination should be documented in a new decision and issued before the beginning of the 2004 grazing season, or as soon as practicable.

In compliance with the Remand direction, I reviewed the project record and analysis. Based on my review, I've written a new Record of Decision with a determination on substantial impairment for gray wolf and bighorn sheep. A copy of this new ROD is enclosed.

Determination

I have determined that allowing continued livestock use of the Upper and Lower East Fork Allotments, as provided in the September 30, 2003 ROD, with required mitigation and management requirements, is consistent with the revised Sawtooth Forest Land and Resource



Management Plan and Public Law 92-400 and **will not cause substantial impairment** of SNRA wildlife values associated with gray wolf or bighorn sheep.

Changes between September 30, 2003 ROD and the May 3, 2004 ROD

There are no changes to the original decision with the issuance of this May 3, 2004 ROD. The decision, as stated in the September 30, 2003 ROD, remains the same. I reviewed the project record and analysis as it related to wildlife values for wolf and bighorn sheep and, as directed by the remand, made a determination of “no substantial impairment”.

Appeals

This determination of substantial impairment for the Upper and Lower East Fork Allotments 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 the legal notice in the Challis Messenger, the newspaper of record for the SNRA. 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.

The 36 CFR 251 Subpart C appeal process for the September 30, 2003 East Fork ROD has been on hold until the 36 CFR 215 appeal process was completed. Applicants for, or holders of, a special use authorization who originally filed appeals on the East Fork ROD under 36 CFR 251 do not need to file new appeals. However, if they believe this ROD adds new information that may change or alter their original appeal, they may file an amendment to their appeal. The amendment to the appeal, including the reasons for amendment, must be postmarked or received by the Appeal Reviewing Officer within 45 days of this decision. The notice of the amended appeal should be filed with: Forest Supervisor, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, ID 83301-7976. A copy 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.

More Information

Additional copies of the May 3, 2004 ROD are available for review:

- on the web at: www.fs.fed.us/r4/sawtooth
- at the Sawtooth National Recreation Area headquarters, 8 miles north of Ketchum on Highway 75;
- at the Stanley Ranger Station, 3 miles south of Stanley on Highway 75;
- can be requested from either of these two offices by phoning (208) 727-5000 for headquarters or (208) 774-3000 for the Stanley office.

For further information regarding this project, 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.

In closing, I want to thank you for making the time to provide us with your input on this important project and for your interest in your National Forest.

Sincerely,

/s/ Sara E. Baldwin

SARA E. BALDWIN

Sawtooth National Recreation Area Ranger

Enclosure (ROD)