

Decision Notice
& Finding of No Significant Impact
TRAVEL PLAN REVISION
Elimination of Motorized Cross-Country Travel and
Motorized Route Designation

USDA Forest Service
Ketchum Ranger District, Sawtooth National Forest

Blaine County - Idaho

Decision and Rationale

Background

Most Sawtooth Forest visitors use motor vehicles to access the Forest, whether for recreational uses; commercial purposes; administration of utilities and other land uses; or the many other multiple uses of the Sawtooth National Forest (SNF). For many visitors, motor vehicles also represent an integral part of their recreational experience. People come to the Sawtooth Forest to ride on roads and trails in pickup trucks, all-terrain vehicles (ATVs), motorcycles, and a variety of other conveyances. Motor vehicles are a legitimate and appropriate way for people to enjoy their National Forests

The Sawtooth National Forest “Visitor/Travel Plan” (Travel Plan) has been in place since 1989. The purpose of a Travel Plan is to show visitors the system of roads and trails they may use, as well as how and when they may use them. The Sawtooth Forest transportation system ranges from paved roads designed for passenger cars to single-track trails used by motorcycles. Many roads designed for high-clearance vehicles (such as a sport utility vehicle) also allow use by ATVs, and other off-highway vehicles (OHVs) not normally found on city streets. Almost all Sawtooth Forest trails serve non-motorized users, including hikers, bicyclists, and equestrians, alone or in combination with motorized users. SNF roads often are used for non-motorized use as well.

In addition to this managed system of roads and trails, portions of the SNF contain a significant number of user-created routes. These routes are concentrated in areas where cross-country travel by motor vehicles is currently allowed, and often include dense networks of crisscrossing paths. Many of these routes do not meet safety or design standards, and many are located in environmentally sensitive areas such as riparian areas and on lands with erosive soils. Continuous pioneering of these routes has made maintenance of a definitive inventory difficult.

Consistent with the 2003 revised Sawtooth Forest Plan, the Forest initiated phased site-specific travel management planning (Forest Plan Objective REOB17) in September 2004. The action was driven by three main needs:

The need for this action was:

- 1) to reduce damage to soil, water, wildlife, vegetation, and other forest resources in accordance with the 2003 Revised Sawtooth Forest Plan;
- 2) to reduce conflicts between different types of users; and
- 3) To implement 36 CFR Parts 212, 251, 261 and 295: Final Rule for Travel Management; Designated routes and Areas for Motor Vehicle Use. (11/9/2005). This final rule requires the elimination of cross-country motorized use, designation of roads, trails and areas available for motorized use on all National Forest System (NFS) lands.

The environmental assessment (EA) documents the analysis of three action alternatives and a no-action alternative to meet these needs. The 2003 Travel Map for the Sawtooth National Forest, allowed for cross-country travel on portions of the Minidoka, Ketchum and Fairfield Ranger Districts. In light of national direction to eliminate cross-country motorized use and designate routes, the Sawtooth National Forest opted to complete one analysis for the route designation process covering those areas open to cross-country travel on all three Ranger Districts. However, each District Ranger is making an independent decision based on the EA and the site-specific analysis for his District.

Activities that are exempt from the Final Rule for Travel Plan Management include aircraft, watercraft, over-snow vehicles, limited administrative use, emergency and law enforcement response, national defense purposes and uses specifically authorized under a written authorization (e.g. firewood cutting permit, grazing permit, Special Use authorization).

Current Sawtooth travel plan direction for winter use and the use of aircraft is not changed by this Decision.

Area Analyzed

The project area that was analyzed is Area G on the Ketchum Ranger District as shown on the 1989 Sawtooth Forest Travel Plan.

Motorized use on the northern two-thirds of the Ketchum Ranger District is already restricted to designated routes and was not part of this analysis. These areas will be managed according to the current Sawtooth National Forest Travel plan. The Ketchum Ranger District currently restricts dispersed camping to designated sites in the Baker Creek, Warm Springs, Corral Creek, and Deer Creek drainages. This decision does not change dispersed camping restrictions in these drainages.

Decision

I have decided to implement the Proposed Action - Alternative 2 for the Ketchum Ranger District. The objective of this alternative is to provide improved motorized and non-motorized recreation while reducing effects to wildlife and their habitats. Eighteen miles of user created routes will be added to the existing 121 miles of roads and trails in Area G of the Ketchum

Ranger District. Motor vehicle use is restricted to designated roads and trails, and changes will be made to the forest transportation system. Cross-country motor vehicle use is eliminated on the entire Ketchum Ranger District. Motorized use on 64 miles of non-system (user-created) routes will be eliminated. A complete and detailed description of the Decision (Alt. 2) can be found in Chapter Two of the EA. A map is attached showing my decision.

My decision also includes the following elements:

1. No new construction is authorized by this decision. Any future construction of a trail or road will require site-specific project level National Environmental Policy Act (NEPA) analysis before they can be added to the system. This includes consideration of the future planned routes identified in Chapter 2 of the EA.
2. Dispersed camping accessed by motor vehicles would be allowed within 300 feet of designated roads or 100 feet of designated trails except in the aforementioned drainages under Area Analyzed where dispersed camping is already restricted to designated sites. Problem areas will continue to be mitigated and managed through administrative actions and larger scale analysis including: site setbacks/delineation, signing, designation of sites, restoration and closures.
3. Cross-country motorized travel will be eliminated throughout the entire route designation area.
4. Big Game retrieval using motorized vehicles will be prohibited off of designated roads or trails.
5. Vehicle parking will be allowed on the edge of designated roads for purposes other than camping consistent with Forest Service policy.
6. Non-system routes that become system trails in this process will be maintained to appropriate standards for trail class & road maintenance level.
7. Routes on private, State or BLM lands within the National Forest boundary are open to public use only through right-of-way or easements obtained for the purposes of public access. Travel management decisions considered here relate only to Forest Service Lands.

Other Alternatives Considered

In addition to the selected alternative, I considered three other action alternatives analyzed in detail. I originally considered four additional alternatives but dismissed them from detailed analysis. (EA, Chapter Two; Project Record) A comparison of these alternatives can be found in the EA in Chapter Two.

Alternative 1 – No Action Alternative

Under the No Action alternative, the current travel plan would continue to guide management of the project area. There are 121 miles of motorized system roads and trails and at least 82 miles of user created routes under the existing situation in Area G on the Ketchum Ranger District. The Forest Service would not restrict motor vehicle use to designated roads and trails (except in areas that are currently restricted) and would not add any new restrictions nor would any other changes in the forest transportation system be made at this time. Cross-country motor vehicle use would continue to be allowed in this area. Motorized use of non-system (user created) routes would continue and new routes would continue to be created. Changes to the transportation

system would continue to be made on a case-by-case basis. Although the No-Action Alternative would provide the most opportunities for motorized users to travel unrestricted (i.e., cross-country travel), it would not address any of resource concerns listed in the EA. This alternative would not implement the 2005 travel management rule (36 CFR 212) or fulfill the purpose and need.

Alternative 3 – Improved Motorized Opportunities.

Alternative 3 was developed to address public comment relative to the need for additional ATV and motorcycle opportunities. Like Alternative 2, this alternative would restrict vehicle use to designated roads and trails. This alternative would eliminate cross-country travel and prohibit motorized use on user created routes. This alternative would convert more user-created routes to motorized system roads and trails than Alternative 2. Total miles of user created routes converted to motorized system roads and trails would be 26 miles, for a total of 147 miles under Alternative 3. Although it would provide more motorized travel opportunities than Alternatives 2 and 4, this alternative allows for greater impacts to soil and water, and provides less wildlife security cover. Many motorized user's commented on wanting more single-track trails and more motorized opportunities in general. There may be future opportunities to provide loop and/or single-track trails. These would be analyzed under NEPA on a case-by-case basis.

Alternative 4 – Improved Wildlife Security & Habitat / Non-Motorized Opportunities.

Alternative 4 was developed in response concerns over non-motorized opportunities and wildlife habitat and security concerns. Like Alternatives 2 and 3, this alternative restricts vehicle use to designated roads and trails, eliminates motorized cross-country travel and would prohibit motorized use on user created routes. However, this alternative would designate the fewest number and miles of motorized roads and trails. Within the route designation area, six miles of user created routes would be added to the 121 miles of existing motorized system roads and trails under Alternative 4. Although it would best meet several of the resource concerns (wildlife security, soil and water), I felt that this alternative did not provide the best balance between resource protection and recreation opportunities.

Public Involvement

Public involvement opportunities were extensive throughout the planning process involving numerous individuals, special interest groups, and government agencies. The Sawtooth National Forest began the process of involving the public in developing the initial motorized route concepts in September of 2004. A collaborative public involvement process was developed by the Forest Service Interdisciplinary Team to provide a forum between resource specialists and the public on key issues and to obtain feedback to develop alternatives. Extensive public involvement efforts, prior to developing the proposed action include:

- Hanging comment cards on vehicles at trailheads in the planning area requesting public comment and involvement in the process.
- Publication of two news releases asking for public involvement, requesting comments, and announcing open houses.

- Personal contact with 28 organizations and government entities including riding clubs environmental and recreation groups, and County Commissions.
- Formal presentations to Idaho Department of Fish & Game, Idaho Department of Parks & Recreation, as well as numerous user groups, organizations, and Tribes.
- Conducting open houses in Fairfield, Malta, Burley, Twin Falls, Hailey, and Gooding.

As a result of initial public involvement efforts, the Forest received written comments from 111 individuals or organizations. Twenty individuals commenting provided detailed maps of roads, trails, and connectors proposed for designation.

Based on the results of the public involvement efforts discussed above, a Proposed Action was developed and provided to the public and other agencies for comment during scoping July 1 – September 30, 2006. The proposed action has also been listed in the Schedule of Proposed Actions since October 1, 2006.

The formal 30-day comment period was initiated on October 4, 2006 and continued through November 4, 2006. Written comments were received from 222 parties during the formal comment period. Using the comments from the public, other agencies, and Tribes, the interdisciplinary team identified several issues regarding the effects of the proposed action. To address these concerns, the Forest Service created the alternatives described above.

A 29-day courtesy review period was initiated on November 1, 2007 and continued through November 30, 2007. This review period allowed the public to review the EA and identify issues that may have been overlooked previously. Written comments were received from 158 parties during the 29-day courtesy review period. No new issues were identified.

Throughout all the comment periods, only a small proportion (<10%) of the comments received were specific to the Ketchum District.

How My Decision Responds To Public Concerns and the Need for Change

This decision involves many social as well as resource issues and trade-offs. The comments received during the process reflect the diverse interests of the public regarding use of the National Forest. The analysis is not a voting process, but I have sought to carefully and objectively assess public comments, and the EA, including the purpose and need, issues, and alternatives and their effects, in reaching my decision.

Some of the more contentious disagreements over the management of the Sawtooth National Forest involve recreation user groups with differing needs and values (e.g., mountain bikers, equestrians, hikers, and dirt bikers.) My discussion with different user groups has made apparent the passionate feelings each has for the values around motorized and non-motorized recreation. The implementation of this decision will require mutual respect for other users, and shared user ethics.

I selected Alternative 2 as my Decision because it best meets the Purpose and Need described in the EA on page 1-2, and best responds to all the issues identified in the EA on pages 1-5 to 1-8.. (Also see Chapter 2 for a Comparison of the Alternatives and Issues.) This alternative was developed in response to protecting important resources of the area (wildlife, vegetation, soil and water), while at the same time, providing a system of designated roads and trails to serve the needs of a wide variety of area users.

Issue 1: Recreation

Many of you commented that under the Proposed Action, removal of cross-country motorized travel as well as loss of some non-classified travel routes would adversely affect your motorized recreation experience. There was concern that elimination of some non-classified roads and trails, as well as elimination of cross-country travel would reduce access for firewood, hunting, dispersed camping, OHV recreation, and general travel. In general, motorized users expressed a desire to have access to quality motorized trail opportunities. Yet others stated that increasing the quantity and location of motorized routes to be designated would adversely affect their non-motorized opportunities. These individuals sought a more silent recreation experience.

Alternative 2 provides a balance between maintaining motorized and non-motorized opportunities in the area. Alternative 2 eliminates cross-country motorized travel and closes approximately 64 miles of motorized routes (roads and trails). This would still allow motorized travel on approximately 139 miles of routes.

Many people were concerned that their opportunity to use dispersed campsites would be lost through this proposal. This is not the case. Under this proposal, dispersed camping is not affected by this process. It is still authorized on the Forest where it is currently permitted. Access to dispersed campsites with motorized vehicles is still allowed within 300 feet from any road and 100 feet from any motorized trail. The exception to these standards is in those areas currently being managed for designated dispersed use only (e.g. Baker Creek, Warm Springs Creek, Corral Creek and Deer Creek).

Many people commented that enforcement and education were crucial to the success of any decision on travel route designation. I agree on the importance of enforcement and education and recognize that both will be a challenge to implement effectively. To address these challenges, I will employ a host of management tools that use education, signing, prevention, engineering, enforcement, and evaluation.

One result of my Decision will be production of a new Travel Map that will be easier for the recreational user to understand. Cross-country motorized travel is eliminated. Travel designations will change from being dependent on signing to an annually updated motor vehicle use map. This should make motorized travel management easier to implement and enforce. As budgets permit, signing, physical closures and route obliteration will be used to make it more obvious where motorized use is allowed and where it is not. A variety of possible education and communication tools can be considered and implemented. I will continue to work with partners and cooperate with law enforcement and other agencies as well as with user groups. Monitoring and adaptive management will be used to reassess needed management changes.

Enforcement resources will remain limited. However, use of the motor vehicle use map and implementation of additional signing, public education, and construction of physical barriers and closures, should make enforcement more effective.

Issue 2: Vegetation

Under my Decision the health, vigor, and diversity of native plants and riparian vegetation should improve. Due to the elimination of cross-country travel, the potential to increase noxious weed infested acres as a result of motorized vehicle use is reduced. The estimated total acres at risk of introduction and spread of noxious weed invasion decreases. The estimated total acres of TEPCS plant species occupied and potential habitat at risk decreases considerably with the elimination of cross-country motorized travel.

Issue 3: Soil & Hydrology

This Decision will result in improved conditions within riparian areas, and would considerably reduce the potential for erosion on high surface erosion lands. By restricting motorized use to designated routes, new, motorized non-system routes would not be established and therefore effects to aquatic resources would be greatly diminished as compared to those described in existing condition. Specifically, risks associated with surface erosion, channel and riparian impacts from route encroachments, and impacts to slope hydrology will all be reduced. The net result will be a beneficial effect for soil productivity, riparian areas, slope hydrology, and water quality.

Issue 4: Fisheries

My Decision will result in improved conditions for fisheries. This element is closely related to the Soil & Hydrology Issue and will have the same positive effects noted above. The density of motorized routes will decrease in almost all subwatersheds as compared to the existing situation. Non-system routes that are not converted into a system road or trail will no longer be available for motorized recreation. As motorized route densities decrease so should impacts to streams, riparian areas, and aquatic habitat.

Issue 5: Wildlife

Under my Decision, wildlife habitat will no longer be open to cross-country motorized travel as all cross-country travel is eliminated. The average open motorized route density within wildlife habitat (miles/sq. mi.) also decreases. Roads and trails can create habitat fragmentation, and human use of these roads and trails can cause disturbance to wildlife. With the reduction in the density of roads and trails and the elimination of cross-country travel, the impacts to wildlife due to disturbance during critical stages, compromised security, and/or impacts to habitat are greatly reduced.

Issue 6: Heritage

My Decision protects heritage resources. Heritage resources can be vulnerable to motorized use. Elimination of cross-country travel limits the range of motorized use and discourages the establishment of user-created trails that may impact heritage sites. Consultation with the Idaho State Historic Protection Office (SHPO) was completed for this project. A letter of concurrence was received on August 16, 2007. My decision does not involve any ground-disturbing activities.

If however, it is determined that ground disturbing activities are needed to address route design problems, consultation on those activities will be initiated.

Issue 7: Economics

Economic impacts from road and trail maintenance was an important factor in my Decision. Under my Decision, there is a minor decrease in miles of roads requiring maintenance and an increase in miles of trails requiring maintenance. Purchasing and installing route markers and signs on roads and trails will require more funding and emphasis for the next 3-5 years. After that, funding needs will decrease, but sign maintenance will require steady funding for the long term.

My Decision does not appreciably affect the capacity of the motorized network. It does increase the likelihood for sustaining motorized and non-motorized recreation in the long-term by assuring that environmental protection requirements are met.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that this action will not have a significant effect on the quality of the human environment (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. Context and Intensity

This action occurs on the Ketchum Ranger District and involves all “G” areas within the Ketchum Ranger District shown on the 2002 Sawtooth National Forest Visitor/Travel Map. It designates an additional 14 miles of non-system routes as part of the motorized trail system, bringing the total of system routes to approximately 139 miles for motorized use. All 14 miles of trails to be formally designated already exist and have been used by motor vehicles for a number of years. **No new construction is included with this action.** This action also eliminates cross-country travel by motorized vehicles on approximately 74,982 acres and closes approximately 64 miles of non-system trails to motorized use.

This action is designed to reduce the environmental impacts of motorized recreation. No significant effects on local regional or national resources were identified in the EA. Impacts associated with the project are discussed in Chapter Three of the EA and the project record. None of the direct, indirect, or cumulative effects were identified as being significant, and the action is compliant with the Sawtooth Forest Plan.

After careful consideration of the EA and the project record, it is my finding that the effects of this action are not significant. My finding that the impacts are not significant is not biased by the beneficial impacts described in the analysis.

2. Public Health and Safety

This action will not significantly affect public health and safety. Due to increased signing, availability of the Motor Vehicle Use Map and maintenance on the previously unmaintained 18 miles of newly designated routes, this action will provide a quality and safe recreation experience for visitors. Public safety and the perceived concentration of users on a limited number of trails are not likely to result in confrontations between users. The process of designating routes has been successfully implemented on numerous National Forests including over 1,000,000 acres of the Sawtooth National Forest. Some of these designations have been in place for decades.

3. Unique Characteristics of the Area

This action will not adversely affect unique characteristics such as historic or cultural resources, wetlands, or ecologically critical areas. My determination is based on the discussion of effects found in the EA, Chapter Three. There are no parklands, prime lands (forest, farm or range), historic or cultural properties, wilderness or wild and scenic rivers associated with this action.

One Inventoried Roadless Area (Buttercup Mountain IRA) is associated with this action. No new roads or trails will be constructed in the IRA, nor will any user created routes be designated as roads in the IRA as part of this Decision. Therefore, the Decision will not affect the status of the Buttercup Mountain IRA. A worksheet documenting the effects to the IRA attributes is part of the route designation EA project record. Research Natural Areas are excluded from this Decision.

4. Controversy

The activities described in Alternative 2 do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27). I find that while there are opposing opinions regarding the proposed action and alternatives, there is no substantiated scientific controversy over the effects themselves. The opposing opinions related to the motorized recreation experience, and protection of wildlife and other natural resources were addressed during alternative development and are discussed in Chapter Three of the EA. I find the effects on the human environment are not highly uncertain, are unlikely to involve unique or unknown risks and are not likely to be highly controversial and are, therefore, not significant.

5. Uncertainty

The action described in my decision will not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1580.27). This action is similar to actions taken on many National Forests including the northern half of the Sawtooth National Forest.

Pertinent scientific literature has been reviewed and incorporated into the analysis process. The technical analyses conducted for the determination of impacts to the resources are supportable with use of accepted techniques, reliable data and professional judgment. Issues of public concern and possible environmental effects of the selected alternative have been adequately addressed in the analysis of this decision. Therefore, I conclude that there are no highly uncertain, unique or unknown risks.

6. Precedent

My decision to implement the action included in Alternative 2 does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration. This action is consistent with Forest Service direction contained in the 36 CFR Parts 212, 251, 261, and 295 Travel Management; Designated Routes and Areas for Motor Vehicle Use; Final Rule published November 9, 2005. As noted above similar actions have been implemented across National Forest System Lands for the past 20 years. Any future proposals to the designated routes on the Sawtooth Forest will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7. Cumulative Impacts

The decision was evaluated in the context of past, present, and reasonably foreseeable actions. The cumulative effects of this action are described in the EA – Chapter 3. This action does not individually, nor cumulatively when considering other activities within the area affected, reach a level of significance as discussed in Chapter Three of the EA. This is primarily based on the predicted effects from the modest level of overall change that would occur as a result of the route designation process.

8. Properties On or Eligible for the National Register of Historic Places

I find the action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. There are no ground disturbing activities that would initiate consultation with the State Historic Preservation Office. Any future ground disturbing activities will require consultation. I find the action will not cause loss or destruction of significant scientific, cultural, or historical resources. Concurrence from the Idaho SHPO on this action was obtained on August 16, 2007.

9. Endangered or Threatened Species or Their Critical Habitat

Implementation of the proposed action will not likely adversely affect the gray wolf or Canada lynx. These determinations are based on the conclusions that individuals of the species and their respective habitats, prey base, or reproductive success would have a beneficial effect from implementing the proposed action.

Implementation of the proposed action would not likely adversely affect Ute ladies'-tresses orchid. Indeed, implementation of the proposed action would beneficially affect habitat conditions for the threatened orchid species. This determination is based on improved riparian conditions expected from implementing the proposed action.

Implementation of the proposed action would have no effect on the yellow-billed cuckoo. This determination is based on the conclusions in Section VI that individuals of the species and their respective habitats, food base, and reproductive success would not be affected by the proposed action.

The Biological Assessment has been prepared and delivered to the U.S. Fish and Wildlife Service. A letter of concurrence was received from US Fish and Wildlife on February 1, 2008 for this action.

10. Legal Requirements for Environmental Protection

The action will not violate Federal, or applicable State and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Sawtooth National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

Consistency with the Final Travel Rule - This decision complies with 36 CFR Parts 212, 251, 261, and 295 Travel Management; Designated Routes and Areas for Motor Vehicle Use; Final Rule published November 9, 2005. In reference to the rules' requirement to consider effects on soil, watershed, vegetation, wildlife and wildlife habitat "with the objective of minimizing" them; page 68281 of the Federal Register Rule states:

"It is the intent of EO 11644 that motor vehicle use of trails and areas on Federal lands be managed to address environmental and other impacts, but that motor vehicle use on Federal lands continue in appropriate locations. An extreme interpretation of 'minimize' would preclude any use at all, since impacts can always be reduced further by preventing them altogether. Such an interpretation would not reflect the full context of EO 11644 or other laws and policies related to multiple uses of NFS lands. Neither EO 11644, nor these other laws and policies, establish the primacy of any particular use of trails and areas over any other. The Department believes "shall consider * * * with the objective of minimizing * * * will assure that environmental impacts are properly taken into account, without categorically precluding motor vehicle use."

The Route Designation analysis reflects the guidance above. Effects were minimized in the context of the Sawtooth Forest Plan and are displayed in Chapter 3 of the EA. The wildlife effects analysis did not show any "significant disruption of wildlife habitats" – in fact, wildlife effects were reduced under the Decision. The potential for wildlife harassment has been reduced, as shown in Chapter 3 of the EA.

Consistency with Forest Plan - This decision, as designed and with mitigation and management requirements, is consistent with the Sawtooth Forest Plan goals and objectives, and standards and guidelines. This decision to designate a system of motorized routes is consistent with the intent of the Forest Plan's long- term goals and objectives listed.

National Environmental Policy Act - The EA and DN/FONSI document are in compliance with NEPA and the Council on Environmental Quality regulations (40 CFR 1500-1508) for implementing NEPA.

Endangered Species Act - This decision is consistent with the Endangered Species Act. A Biological Assessment and Biological Evaluation was prepared for listed plant, wildlife, and fish species and submitted to the U.S. Fish and Wildlife Service for review and concurrence. A letter of concurrence was received from US Fish and Wildlife on February 1, 2008 for this action.

Treaty Rights – This decision does not conflict nor affect Treaty Rights. The relationship of the U.S. Government with American Indian tribes is based on legal agreements between sovereign nations. In June 1867, an Executive Order established the Fort Hall Indian Reservation, as a collective place to consolidate the various bands of Shoshones and Bannocks from their aboriginal lands. The United States then signed the Fort Bridger Treaty of 1868 with Shoshone and Bannock Chiefs and Headmen.

Today, descendants of the Lemhi, Boise Valley, Bruneau, Weiser and other bands of Shoshoni and Bannock reside on the Fort Hall Indian Reservation. Tribal members continue to exercise off reservation treaty rights, and return to aboriginal lands to practice their unique culture and traditions.

The 1868 Fort Bridger Treaty reserves the right to continue traditional activities on all unoccupied lands of the United States for hunting, fishing, gathering of resources for subsistence purposes.

Clean Water Act - This decision is consistent with the Clean Water Act and amendments. No construction or ground disturbing activities within wetlands are involved and therefore no permit is required from the U.S. Army Corps of Engineers. No State permit for streambed alteration is required because no streambeds are involved in the project.

Nonpoint Source Water Quality Program for the State of Idaho - As described in the EA (Chapter 3, Water Quality), this decision maintains water quality within the project area and is consistent with the State of Idaho Nonpoint Source Water Quality Program.

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 will result. Based on discussions in Chapter 3 of the EA 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 Chapter 3 of the EA and the Project Record concerning floodplains, the decision complies with EO 11998 by maintaining floodplain integrity.

Executive Order 13186 of January 2001 Migratory Bird Treaty Act – This Act requires the Forest Service to provide for the protection of migratory birds. High priority migratory bird species breeding habitats are analyzed and discussed in the effects analysis chapter of the EA. Based on discussions in Chapter 3 of the EA and the Project Record, my decision complies with EO 13186 by providing for protection of migratory birds.

Environmental Justice - This decision was assessed to determine whether it would disproportionately impact minority or low-income populations, in accordance with Executive Order 12898. No impacts to minority or low-income populations were identified during scoping or the effects assessment.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer. Written comments must be submitted to: USDA - Forest Service, Appeal Deciding Officer, 324 25th Street, Ogden, UT 84401; (801) 625-5605. The Notice of Appeal may alternatively be faxed to: USDA, Forest Service, (801) 625-5277, ATTN: Appeals Deciding Officer; mailed electronically in a format (pdf, txt, rft) or document compatible with Microsoft Office applications to: appeals-intermtn-regional-office@fs.fed.us; or hand delivered between the hours of between 8:00 am and 4:30pm, Monday through Friday except legal holidays at Federal Building, 324 – 25th St., Ogden.

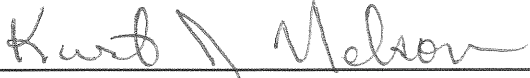
Contents of an appeal must meet the requirements of 36 CFR 215.14. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Idaho Mountain Express, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Idaho Mountain Express newspaper of record 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.

Individuals or organizations who submitted comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Terry Clark or Kim Pierson – Travel Plan Revision Team Leaders, Sawtooth Forest Supervisor's Office; 2647 Kimberly Road East, Twin Falls, by phone at (208) 737-3200.



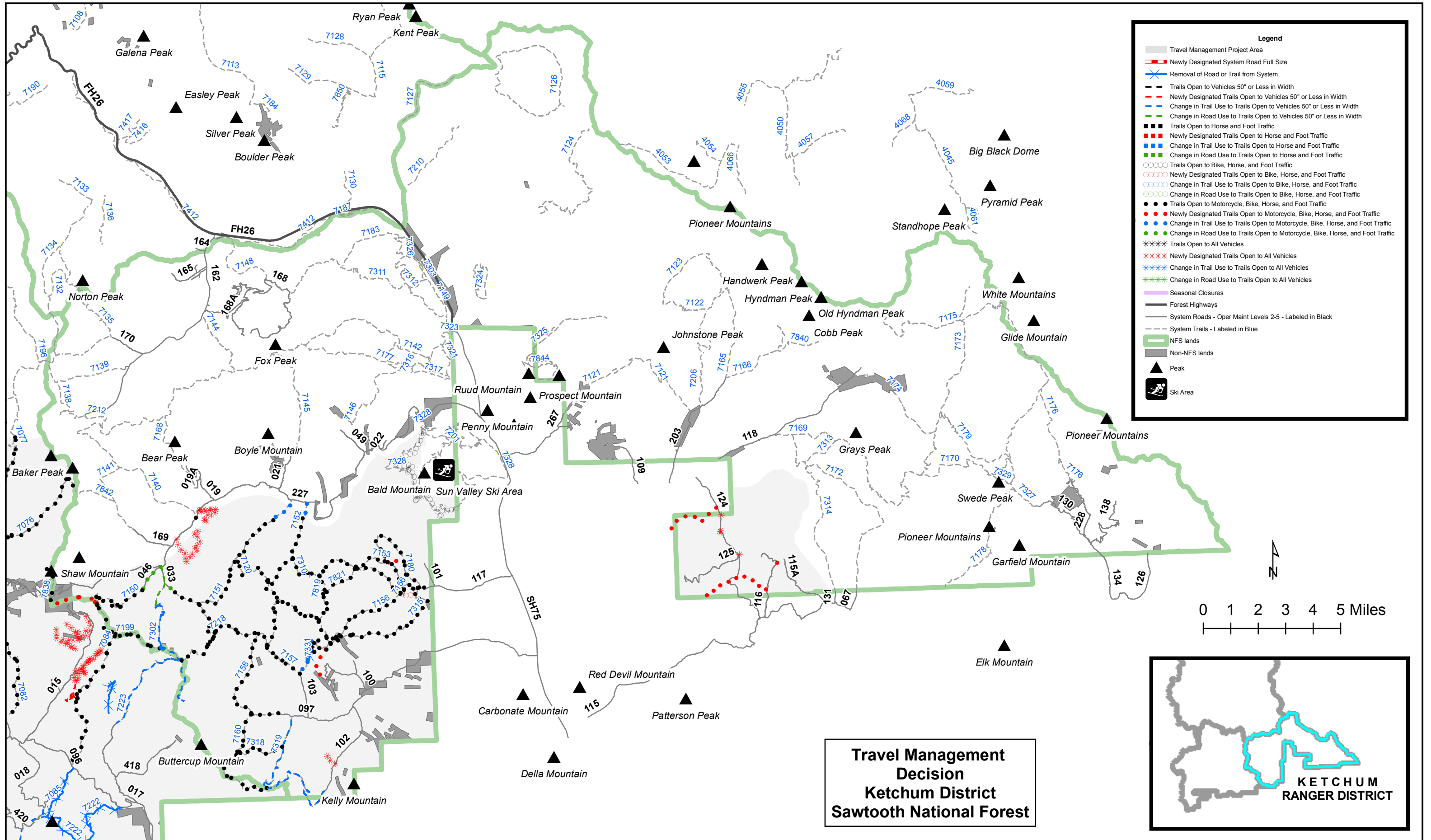
KURT J. NELSON

District Ranger Ketchum Ranger District

February 22, 2008

Date

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Legend

- Travel Management Project Area
- Newly Designated System Road Full Size
- Removal of Road or Trail from System
- Trails Open to Vehicles 50" or Less in Width
- Newly Designated Trails Open to Vehicles 50" or Less in Width
- Change in Trail Use to Trails Open to Vehicles 50" or Less in Width
- Change in Road Use to Trails Open to Vehicles 50" or Less in Width
- Trails Open to Horse and Foot Traffic
- Newly Designated Trails Open to Horse and Foot Traffic
- Change in Trail Use to Trails Open to Horse and Foot Traffic
- Change in Road Use to Trails Open to Horse and Foot Traffic
- Trails Open to Bike, Horse, and Foot Traffic
- Newly Designated Trails Open to Bike, Horse, and Foot Traffic
- Change in Trail Use to Trails Open to Bike, Horse, and Foot Traffic
- Change in Road Use to Trails Open to Bike, Horse, and Foot Traffic
- Trails Open to Motorcycle, Bike, Horse, and Foot Traffic
- Newly Designated Trails Open to Motorcycle, Bike, Horse, and Foot Traffic
- Change in Trail Use to Trails Open to Motorcycle, Bike, Horse, and Foot Traffic
- Change in Road Use to Trails Open to Motorcycle, Bike, Horse, and Foot Traffic
- Trails Open to All Vehicles
- Newly Designated Trails Open to All Vehicles
- Change in Trail Use to Trails Open to All Vehicles
- Change in Road Use to Trails Open to All Vehicles
- Seasonal Closures
- Forest Highways
- System Roads - Oper Maint Levels 2-5 - Labeled in Black
- System Trails - Labeled in Blue
- NFS lands
- Non-NFS lands
- Peak
- Ski Area

**Travel Management
Decision
Ketchum District
Sawtooth National Forest**

