

APPENDIX A – SUBSTANTIAL IMPAIRMENT WORKSHEET

File Code:	1950	Date:	February 25, 2008
Subject:	Supplement to the North Sheep FEIS– Substantial Impairment		
To:	Project Record – North Sheep Supplement		

PL 92-400, which established the Sawtooth National Recreation Area (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.

As described in Appendix I of the Sawtooth Forest Plan (Vol. 2), direction for evaluating substantial impairment of the key SNRA values originates in 36 CFR Part 292:

36 CFR 292.17 (b) (10): “Substantial impairment means that level of disturbance of the values of the SNRA which is incompatible with the standards of the General Management Plan.”

The General Management Plan is defined as “the document setting forth the land allocation and resource decisions for management of the SNRA.” The direction contained in the Sawtooth Forest Plan represents the General Management Plan as required by Public Law 92-400. The standards for management of the scenic, natural, historic, pastoral, and fish & wildlife on the SNRA can be found in the Sawtooth Forest Plan - Chapter III and Appendix I.

I have reviewed the Supplement to the North Sheep FEIS as well as the project record. I have also reviewed the North Sheep FEIS and its project record. Based on that information, this is a summary of the relevant elements that need to be addressed to follow the process outlined in Forest Plan - Appendix I for determining substantial impairment. **My findings (determinations) on substantial impairment will be documented in the decision document.**

Scenic Values

Protecting the scenic value of the SNRA is key to Public Law 92-400. Describing an acceptable level or amount of change to the visual character is defined through the inventoried Visual Quality Objectives (VQOs). On NFS lands, development or uses should meet inventoried VQOs wherever feasible. Where the inventoried VQO of Preservation, Retention or Partial Retention

cannot be met, a reduction of one VQO constitutes “impairment”. A reduction of two VQOs constitutes “substantial impairment”. As part of the project record for the North Sheep EIS, a Forest Service Landscape Architect evaluated the Proposed Action to determine what, if any effects to the VQOs would occur. That scenic evaluation concludes that objectives for VQOs will be met.

The Supplement to the North Sheep FEIS does not change this conclusion.

Natural Values

Natural values are protected and managed within the SNRA to preserve the environment and its biodiversity. The measure for assessing substantial impairment of natural values is compliance with applicable environmental laws, regulations and policies on National Forest System (NFS) lands. Substantial impairment of natural values may occur when a proposed project or agency action fails to comply with one or more law or regulation that has been established to protect a component of the natural world.

Systems are already in place through ESA consultation, oversight from other federal agencies and established regulations and processes to ensure compliance with these laws. No new processes need to be established or tested. These systems dramatically reduce any risk of establishing new thresholds for determining substantial impairment to natural values and use the best available knowledge in each resource area. (Forest Plan, Vol. 2, Appendix I, p. I-27 through I-29)

Concurrence letters that the implementation of the Proposed Action is “not likely to adversely affect” listed species or critical habitat have been received from NOAA Fisheries and US Fish and Wildlife Service. (NOAA Fisheries – June 15, 2004; USFWS – June 7, 2004) The Environmental Consequences – Chapter 4 of the North Sheep FEIS does not reveal lack of compliance with any applicable laws or regulations.

The Supplement to the North Sheep FEIS does not change this conclusion.

Historic Values

The loss of significant historic values on federal land may constitute substantial impairment when these values would be destroyed or impacts could not be mitigated. Substantial impairment may also occur when there is a loss of the inherent value or historic fabric of a significant site due to development activities surrounding the site, even when the site itself is not destroyed. As shown in section 4.5.2 of the North Sheep FEIS, there are currently no known sites being affected by sheep grazing activities. Section 106 compliance field reviews are required to be conducted prior to any construction. The proposed action is in compliance with Standard HPST01:

- Review undertakings that may affect cultural resources to identify potential impacts. Compliance with Sections 106 and 110 of the NHPA shall be completed before the responsible agency official signs the project decision document.

Consultation with SHPO occurred and a concurrence letter agreeing with the Sawtooth Forest determinations of “no adverse effect” was received on April 12, 2004.

The Supplement to the North Sheep FEIS does not change this conclusion.

Pastoral Values

The desired pastoral condition is to maintain a land use pattern that is dominated by open space, primarily irrigated and/or dry-land pastures and fields. Allowable landscape modification in pastoral areas would be improvements related to ranching such as hay-sheds and barns, corrals, loading chutes, wickets, rustic fencing and irrigation ditches, and the presence of cattle and sheep.

The desired condition of maintaining the pastoral values will be applied to all National Forest land within the SNRA that is within or directly adjacent to the private lands classified as agricultural. Portions of the Smiley Creek and Fisher Creek allotments fall into the pastoral envelope shown in the Forest Plan. (Vol. 2, Appendix I., p. I-29 Pastoral Envelope Map)

The substantial impairment of pastoral values may occur when development on National Forest System land within the pastoral area represents a departure from a land use pattern that is dominated by open space and/or dry-land pastures and fields.

- Development on National Forest System lands within the pastoral envelope shall have pastoral, agricultural, or ranching features as the dominant elements. Non-pastoral developments shall not dominate the landscape in these areas. (Forest Plan Standard 02178)

Because the decision is to continue livestock grazing, there will be no change to the existing pastoral, agricultural, or ranching features associated with this project in the Fisher Creek or Smiley Creek allotments.

The Supplement to the North Sheep FEIS does not change this conclusion.

Fish Values

The protection and conservation of the salmon and other fisheries is one of the priorities for the establishment of the SNRA. The project area is located within the upper Salmon River, a tributary to the Snake River. The upper Salmon River supports anadromous (migrate to the ocean) and resident salmonids.

The measure for assessing substantial impairment of fisheries values is compliance with applicable indicators in the Environmental Baseline Matrix in Appendix B of the Forest Plan (Volume 2). Fish values would be substantially impaired if a proposed action, when considered within the context of the effects matrix with baseline conditions at any temporal scale, would degrade or retard attainment of properly or appropriately functioning conditions related to the

population size, genetic integrity, and habitat of all native and desired non-native fish species at the appropriate spatial scale.

The desired conditions, goals, objectives, standards and guides included in the Sawtooth Forest Plan at the Forest-wide and Management Area levels adequately provide for the preservation and protection of native and desired non-native fish species. These are incorporated in the specific indicators in the Forest Plan, Vol. 2 - Appendix B matrix and will fully reflect consistency and consideration of all factors potentially affecting fisheries habitat. The substantial impairment consistency finding is then determined during the effects analysis process and in conjunction with development of a Biological Assessment and/or Biological Evaluation.

Although impacts on fisheries resources are expected in localized areas, the Proposed Action is designed to maintain or restore water, soils, and fisheries resources. Negative effects on fisheries resources or fish habitat would be reduced through the implementation of the adaptive management strategy that would allow modifications to the grazing plan as monitoring efforts would verify progression towards the attainment of desired conditions. To the degree that proposed adaptive management strategy built on the firm protection provided by Forest Plan standards and guides, additional mitigation measures and area rest and/or closures, the Proposed Action would more effectively address Forest Plan guidance and would be consistent with desired conditions.

Compliance with Forest Plan direction is documented in the biological assessment (Forest Service 2004a., pages 90-93) and biological evaluation (Forest Service 2004b), and in Environmental Consequences – Chapter 4 – Section 4.4.3 of the North Sheep FEIS.

Concurrence letters that the implementation of the Proposed Action are, “not likely to adversely affect” listed species or critical habitat have been received from NOAA Fisheries and US Fish and Wildlife Service. (NOAA Fisheries – June 15, 2004; USFWS – June 7, 2004) The Environmental Consequences – Chapter 4 of the North Sheep FEIS discloses effects to fisheries. (Section 4.4)

The Supplement to the North Sheep FEIS does not change these conclusions above.

The Supplement addresses non-native fish species and their effect on the fisheries resources. As described in the environmental baseline, many streams within the analysis area are dominated by non-native brook trout. It appears in the Smiley, Frenchman, Cabin, Vat, and Fisher Creeks that brook trout have successfully out-competed many native salmonids and may have eliminated or reduced bull trout. Unfortunately, regardless how much habitat conditions improve non-native brook trout will remain the dominant fish species and will continue to out-compete bull trout and other native fish species. The most significant risk to fish values within the allotments is not related to the Proposed Action of livestock grazing, but is directly attributable to non-native fish species.

Wildlife Values

As described in Chapter 3 – Section 3.8 of the North Sheep FEIS, the allotments within the Sawtooth NRA provide habitat for a number of terrestrial wildlife species. In this section, terrestrial habitat in the allotments is generally functioning properly with the exception of sagebrush communities and site-specific locations of aspen and riparian willow communities. Habitat for those species that depend on the allotments for part or all of their requirements is present in adequate amounts to maintain viable populations and progress towards desired conditions is being made with the exception of greater sage-grouse. Due largely to the change in fire frequency, current sagebrush habitat conditions are not contributing to the recovery of sage grouse populations (North Sheep FEIS Section 3.8.2.3.2).

Impairment of wildlife values may occur when an action results in violation of standards listed in Chapter III and Appendix I of the Forest Plan. As shown in the North Sheep FEIS - Section 4.8.7, implementation of the proposed action is in compliance with Forest Plan goals, objectives, standards and guides for terrestrial wildlife.

Relative to Threatened and Endangered Species, desired conditions for bald eagle and gray wolves are being met. Sheep depredation from wolves has occurred in the past. Additional sheep depredation and lethal control of depredating wolves and has been avoided due to the cooperation of the permittee and federal agencies responsible for implementing the recovery plan. This cooperation is expected to continue. In isolated areas where movement towards desired vegetative conditions for lynx habitat is not occurring, adaptive management practices will be used to improve habitat conditions.

Addressing concerns for sensitive species, adaptive management strategies will be used in site-specific locations where movement towards desired conditions for aspen, riparian willow and sagebrush communities is not occurring. Mitigation measures to avoid impacts to fawning and calving areas during big game calving and fawning will allow Forest Plan guideline WIGU12 to be met. Area closures and adaptive management practices will reduce potential for forage competition between sheep and mountain goats and allow for more rapid movement towards desired conditions for mountain goat habitat. Grazing closures and adaptive management strategies will also aid in improvement and restoration of sage-grouse habitat.

Section 4.8.2.2.3.2.1 “MIS Capable Habitat Greater sage-grouse” in the North Sheep Supplement discusses sagegrouse effects at length and concludes that the effects as shown in the North Sheep FEIS are still valid. Under the Proposed Action, a total of 1,300 acres (12% of sage-grouse capable habitat) have been excluded from livestock grazing within the North Sheep project area. These capable habitat acres are at high elevations that would generally be used by sage-grouse males during the late-summer and fall. A total of 9,906 acres (88% of sage-grouse capable habitat) are considered open for livestock grazing within the North Sheep project area. These acres are generally scattered through out the project area. The effects of livestock grazing on sage-grouse habitat under the Proposed Action Alternative are described in section 4.8.2.3.3.2 on page 4-79 of the North Sheep FEIS. Given the closures to protect sensitive plant communities and the more careful management under the adaptive management process, the Proposed Action would likely result in a trend towards desired conditions for vegetation and thereby contribute to the restoration of lands in less than satisfactory condition. As described in

Section 4.8.7.1.3 of the North Sheep FEIS, grazing closures and adaptive management strategies would effectively move sagebrush communities towards desired condition, thereby contributing to the restoration of lands in less than satisfactory condition for MIS.

Should big horn sheep populations in Hunt Unit 36A rebound resulting in overlap in occupied habitat between domestic sheep and big horn sheep, adaptive management strategies, including closing areas within the Fisher Creek Allotment to sheep grazing, may be used to reduce the potential for disease transmission.

A concurrence letter that the implementation of the Proposed Action is “not likely to adversely affect” listed species or critical habitat have been received from the US Fish and Wildlife Service. (USFWS – June 7, 2004)

The Supplement to the North Sheep FEIS documents that actions and effects to wildlife are in conformance with the Forest Plan direction.

Recreation Values

The desired condition for recreation is to maintain the standards established for each Recreation Opportunity Spectrum (ROS) class. Impairment of the SNRA recreational values may occur when an action creates a change in the desired recreation setting by one ROS class on any area of the SNRA and occurs over a time period of greater than 6 months cumulatively. Substantial impairment of the recreational values may occur when an action creates a long-term or permanent change in the desired recreation setting by one or more ROS class that affects 2 percent or more of the acreage in that individual ROS zone. Substantial impairment may also occur when cumulatively a ROS across the entire SNRA is altered by more than 1 percent as a result of smaller changes within individual ROS zone designations.

As shown in Section 4.6.3 of the North Sheep FEIS, the effects of implementing the proposed action do not result in an ROS change, nor does this action cumulatively affect change across the entire SNRA.

The Supplement to the North Sheep FEIS does not change this conclusion.

Compliance with PL 92-400

Based on the discussion above, the proposed action would be in compliance with PL 92-400.

/s/ Sara E. Baldwin

Sara E. Baldwin
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Area Ranger