

Supplement to the Records of Decision
For the
Sawtooth, Boise and Payette
Land and Resource Management Plans
USDA Forest Service
Sawtooth National Recreation Area
Sawtooth National Forest
Custer County, Idaho

Background

On September 30, 2004, the Sawtooth National Forest issued a Record of Decision (ROD) for management of the North Sheep Grazing Allotment. The ROD approved continued sheep grazing on four allotments on the Sawtooth National Forest and incorporated management requirements to bring the permitted grazing into compliance with the 2003 Sawtooth Forest Plan.

On May 15, 2005, a lawsuit was filed in U.S. District Court for the District of Idaho (the Court) claiming, in part, that the Sawtooth Forest Plan violated the National Forest Management Act (NFMA) because it failed to determine the capability and suitability of rangelands to produce suitable food and cover for Management Indicator Species (MIS) in accordance with 36 CFR 219.20. The 2003 Sawtooth Forest Plan and supporting Final Environmental Impact Statement (FEIS) designated sage-grouse, pileated woodpecker, and bull trout as MIS for that Forest.

On February 7, 2006, a Memorandum Decision and Order was issued by the United States District Court for the District of Idaho (CV-05-189-E-BLW) that included the following finding:

“In sum, 36 C.F.R. § 219.20 requires the Forest Service to conduct a capability and suitability determination for MIS species and, for lands in less than satisfactory condition, to identify those lands and plan appropriate action for their restoration. The SNF” ... [Sawtooth National Forest] ... “Forest Plan and FEIS do not satisfy this duty for sage grouse and pileated woodpecker but do satisfy it for bull trout.” (Page 19, Memorandum Decision and Order for CV-05-189-E-BLW; February 7, 2006.)

In response to this Memorandum Decision and Order, the Forest Service prepared a supplement to the 2003 FEIS to determine the capability and suitability of rangelands to provide habitat for terrestrial MIS pursuant to 36 CFR 219. Because the deficiencies in MIS analyses identified by the Court were in the 2003 FEIS that supported revisions of two additional Forest Plans, the Boise and Payette Forest Plans, it was decided that the supplement would address the requirements of 36 CFR 219.20 for terrestrial wildlife MIS for all three National Forests, not just

the Sawtooth. The Boise and Payette Forest Plans designated pileated woodpecker, white-headed woodpecker, and bull trout as MIS.

Determination

It is my determination, upon review of the supplemental analyses completed, that the 2003 Forest Plans for the Sawtooth, Boise, and Payette National Forests now meet the requirements of 36 CFR 219.20. No amendments to the Forest Plans are necessary as a result of the supplemental analysis of terrestrial MIS habitat capability and suitability.

Rationale

The regulations at 36 CFR 219.20 Grazing Resources, require that the agency estimate the capability of lands identified as suitable for livestock grazing to provide habitat for MIS; to identify those lands in less than satisfactory condition; and to plan appropriate action for their restoration. The Supplement identifies capable MIS habitat that overlaps with livestock grazing allotments and addresses restoration needs for these lands where they are in less than satisfactory condition with livestock grazing contributing to this condition.

Pileated and White-headed Woodpeckers

Based on the Supplement's review of capable pileated and white-headed woodpecker habitats, I find that there is no need for any change to the 2003 FEIS rangeland suitability determinations. As described in the Supplement (pages 7-11), livestock grazing is not identified as a risk or threat to pileated or white-headed woodpecker habitats. Travel and use by livestock within these habitats is limited and incidental because of sparse forage and dense understory trees. I concur with the conclusion that livestock grazing effects do not contribute measurably to MIS habitat identified in less than satisfactory condition.

Sage-grouse

The Greater sage-grouse is not identified as an MIS on the Boise or Payette National Forests. Therefore, the capability of rangelands to provide habitat for sage-grouse was not analyzed in the Supplement for these two Forests. Greater sage-grouse is an MIS for the Sawtooth National Forest and of the 60 watersheds on the Forest that provided sage-grouse source habitat historically, all have open grazing allotments. Thus, sage-grouse habitat was analyzed in accordance with 36 CFR 219.20 for the Sawtooth National Forest.

Based on the Supplement's review of rangeland suitability with regard to capable sage-grouse habitat, I find that there is no need for any change to the 2003 FEIS rangeland suitability determinations. The Supplement (page 16) identifies the top five threats to sage-grouse and their habitat as: (1) invasive species, (2) infrastructure as related to energy development and urbanization, (3) wildfire, (4) agriculture, and (5) grazing. Of the top five threats to sage-grouse, invasive species and livestock grazing are relevant to the determination of rangeland suitability. Consideration of invasive species was included in development and analysis of alternatives for rangeland suitability in the 2003 FEIS. Because livestock grazing has not been identified as a primary cause for the establishment and spread of noxious weeds on the three Forests (2003 FEIS, pg. 623-624), I concur with the Supplement that no change in suitable rangelands is necessary to address invasive species. I also concur with the Supplement that the use of

Conservation Measures (2006 Conservation Plan, Sec. 4.3.4.3) and Forest-wide standards and guidelines in management of livestock grazing will provide for protection of sagebrush community conditions. Therefore, I conclude that no reductions in suitable rangelands are necessary to protect or restore capable MIS habitat.

The Supplement identifies capable sage-grouse habitats in less than satisfactory condition (pg. 18-20), displays watersheds identified as a high priority for restoration (pg. 26-28), and describes strategies for restoration of those lands (pg. 24-26) along with the applicable Forest Plan direction addressing those strategies (pg. 29-37). I concur with the findings in the Supplement that management direction in the 2003 Forest Plan, in conjunction with the 2008 Supplement to the supporting FEIS, adequately recognizes lands in less than satisfactory condition and adequately provides for the restoration of those lands.

Implementation

Administrative Review or Appeal Opportunities

This supplement was prepared in accordance with the regulations at 36 CFR 217. In accordance with the regulations at 36 CFR 217.3, decisions subject to appeal are limited to:

- (1) Decisions to approve, amend, or revise a National Forest Land and Resource Management Plan including project or activity decisions for which environmental effects have been analyzed and disclosed within a final EIS and documented in a Record of Decision including approval, significant amendments, or revisions of a land and resource management plan.
- (2) Decisions to approve or amend a regional guide prepared pursuant to 36 CFR part 219 and documented in a Decision Notice or Record of Decision are subject to appeal under this part, except as provided in Sec. 217.4.


Because the analysis documented in the supplement to the 2003 FEIS provides support to the original decisions for the three Forest Plans and does not indicate a need to amend or revise those plans, this decision is not subject to appeal.

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.



Harv Forsgren
Regional Forester



[DATE]

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