

**DECISION MEMO**  
Outfitter Base Camp Relocation

USDA Forest Service  
Shoshone National Forest  
North Zone/Wapiti Ranger District

**Project Identification: N0209**

**Park County, Wyoming**

**T53N, R109W, Section 22**

**Decision**

I have reviewed the environmental analysis and public comments and my decision is the No Action Alternative, which is to not relocate the outfitter camp as originally proposed

The proposed action was to allow Lee Livingston to relocate his Jones Creek outfitter base camp. This action falls under 1909.15 Chapter 31.1b(2 and 8) of the Forest Service Handbook on Environmental Policy and Procedures.

(2a) Proposing changes in contract terms and conditions or terms and conditions of special use authorizations.

(8a) Approving the intermittent use and occupancy by a State-licensed outfitter or guide.

This category, that does not generally require documentation in a project file or decision memo, is one established by the Chief of the Forest Service. We have decided to complete a decision memo for this action under the discretion provided to us because the Forest proposed to relocate the campsite and had scoped the proposal with the public.

Some public comments did not support the proposed base camp move, and others did.. Based on public input, we also considered limits on the time that the base camp is authorized to minimize conflicts with the public and public recreation uses such as fishing that already occur in the area. Comments from scoping and monitoring indicated that general public use of this area occurs primarily during the summer for fishing day use. In addition, monitoring of the proposed new base camp during hunting season indicated very limited use by the public in the fall and specifically during hunting season. To accommodate both the summer use by the general public and the base camp outfitter use in the fall, it was proposed that the terms and conditions of the special use authorization stipulate that the outfitter's base camp operations would not occur until after September 1 annually if the camp was relocated. This time restriction was not acceptable to the outfitter.

The effects of implementing the No Action (Alternative 1) will be of limited context and intensity and will result in little or no environmental effects to either the physical or biological components of the environment.

**Background and Proposed Action**

***Proposed Action for Relocating Outfitter Camp***

The proposal is known as the Lee Livingston outfitter camp relocation. The proposed project involved the relocation of the outfitter's campsite. Specifically:

- The Shoshone National Forest considered a request from a special-use permit holder operating an outfitter/guide business to move an existing base camp to a new location.

- The permittee, Lee Livingston, is proposing to move his existing Jones Creek camp approximately ¾ mile south to a new location along the North Fork River. Both the existing and proposed campsites are located in Township 53 North, Range 109 West, Section 22.
- The reasons for moving the camp include: 1) situating the camp in a location where green trees are available to block high winds; 2) water at the current location must be collected directly from either Jones Creek or the North Fork Shoshone River. There is a spring at the proposed new campsite that would provide higher water quality.
- This proposal is located in Park County about 55 miles west of Cody, Wyoming.

### **Reasons for Categorically Excluding the Proposed Action**

The proposed action or alternatives fall under Section 31.1b of the Forest Service Handbook 1909.15 – Environmental Policy and Procedures Handbook. Based on internal and external scoping, field reviews, specialist’s input and past experience, the effects of implementing this action or alternatives will be of limited context and intensity and will result in little or no environmental effects to either the physical or biological components of the environment. The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment.

### **Forest Plan Direction/Findings Required by Other Laws**

This proposal is consistent with laws, regulations, and policy, as well as standards and guidelines in the Shoshone National Forest Land and Resource Management Plan (LRMP). This decision is in accordance with other applicable federal regulations and laws.

### **Scoping and Public Involvement**

**Issues and Concerns.** To gather comments and suggestions, a scoping letter was sent out to solicit written comments from all concerned parties. A proposal to implement the campground relocation was listed in the Schedule of Proposed Actions and on August 16, 2002, letters were sent to approximately 22 individuals and 28 American Indian tribal contacts to scope their ideas and identify issues and concerns associated with the project and alternatives/opportunities for implementation. Some comments supported the proposal to relocate the camp and others opposed it. Copies of all correspondence are maintained in the project file. Park County supported the relocation of the camp.

### **Possible Alternatives**

- Alternative 1, the No Action Alternative – the current situation and management would continue and the proposed action would not be implemented. The proposal to relocate the camp would not be implemented.
- Alternative 2-the proposed action, to relocate the campsite.
- Alternative 3-relocate the base camp but stipulate that it could only be used after September 1.

No other actions or alternatives were identified that would meet the need.

This decision is being distributed to interested and potentially affected parties, including those who responded during the scoping process.

### **Finding of No Extraordinary Circumstances**

Under the Forest Service Handbook definition, extraordinary circumstances exist, only when *conditions* associated with the proposed action are identified “as potentially having effects which may significantly affect the environment.” Scoping was conducted to identify any conditions associated with a normally excluded action as potentially having effects, which may significantly affect the environment.

Extraordinary circumstances include, but are not limited to, steep slopes or highly erosive soils, threatened and endangered species or their critical habitat, wetlands and flood plains, wetlands, or

municipal watersheds, inventoried roadless areas, Congressionally designated areas (such as wilderness, wilderness study areas, or National Recreation Areas), Research Natural Areas, or Native American religious or cultural sites, archaeological sites, or historic properties or areas. Determinations for extraordinary circumstances were reviewed in the context of the Forest Service Handbook (1909.15 Chapter 30.3-30.5) and definition and the court decision below. Extraordinary circumstances exist, or are “present,” only when *conditions* associated with the proposed action are identified “as potentially having effects which may significantly affect the environment.”

**Summary**

I have reviewed the proposal and determined that no extraordinary circumstances exist and no significant effects would occur from implementation of the No Action Alternative. The effects of this action as determined through internal and external scoping on the human environment are not highly uncertain or involve unique risks.

Implementation of the No Action Alternative would continue the operation of the outfitter camp and outfitter’s business in the same general location. The action is not related to any actions that would result in significant cumulative impacts. The project does not represent a decision in principle about future considerations and does not violate federal, state, or local laws or requirements imposed for protection of the environment.

**Administrative Review or Appeal Opportunities**

This decision can be implemented immediately and is not subject to appeal pursuant to 36 CFR 215.8 (a) (4).

**Implementation and Contacts**

For further information on the project, contact project leader Thad Harper at 307-527-6241.

For further information on this decision, contact Marty Sharp, NEPA Coordinator, 203A Yellowstone Ave., Cody, Wyoming 82414, or telephone 307-527-6921.

*/s/ Dave Sisk*

*June 25, 2003*

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**Dave Sisk**  
**Acting District Ranger**

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**Date**

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