

File Code: 5400; 5500
Date: October 15, 2020

Dear Interested Party:

This is an informational update pursuant to the Stipulated Remedy Agreement ordered by the U.S. District Court, District of Idaho, November 21, 2019 regarding authorizations for several water facilities on National Forest System (NFS) land in the Sawtooth National Recreation Area (SNRA). The Forest Service will be initiating consultation under section 7 of the Endangered Species Act (ESA) for the authorization of the water facilities to the extent required by law and as expressed in the Stipulation on Remedy filed in *Idaho Conservation League v. U.S. Forest Service*, No. 1:18-cv-00044-BLW (D. Idaho). The following is an update of ongoing work by the U.S. Forest Service in this matter:

- Draft documents related to a quiet title action are nearing completion for several facilities likely to qualify as RS2339 claims under the 1866 Mining Act.
- The CHC5 fish screen facilities and channel restoration were completed in August, 2020.
- The U.S. Forest Service Region 4 Ditch Bill Team conducted field reviews during July 2020 for all Colorado Ditch Bill applications identified in the Stipulated Remedy Agreement that are not included in an R2339 claim.

The Forest Service is progressing along the terms of the Settlement Agreement, with the knowledge that the outcome could change pending the results of an appeal. The Covid-19 virus has presented additional complications for staff, particularly for field work. If you have questions, please contact Sharon Barnes at 208-727-5005.

Sincerely,

Kirk Flannigan
AREA RANGER

