

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
BOISE NATIONAL FOREST - CASCADE RANGER DISTRICT
PAYETTE NATIONAL FOREST – KRASSEL RANGER DISTRICT

Occupancy & Use Order
(For Public Safety & Resource Protection)

PROHIBITIONS

Pursuant to 36 CFR 261.50(a) and (b), the following acts are prohibited on the roads and area described in this order, within the administrative and proclaimed boundaries of the Cascade Ranger District, Boise National Forest, and Krassel Ranger District, Payette National Forest. This Order will be in effect annually when signed and will remain in effect until signing is removed by Forest Officers (generally June 15th through July 15th during the open Chinook salmon sport fishing season on the South Fork Salmon River).

1. Parking or leaving a vehicle on the paved surface of National Forest System Roads #474.1 or #674 outside of a designated parking zone, or parking in violation of posted instructions. **36 CFR 261.58(g)**
2. Parking or leaving a vehicle or trailer in an area posted as closed to overnight parking (between 11:00 PM and 4:30 AM). **36 CFR 261.58(g)**
3. Overnight parking a vehicle and/or trailer within 50 feet of either side of National Forest System roads #474.1 or #674 between Mile Marker 3 and Mile Marker 8. **36 CFR 261.58(g)**
4. Camping in an area posted as closed to camping. **36 CFR 261.58(e)**
5. Possessing or storing any glass food or beverage containers within the described area. **36 CFR 261.58(c)**

EXEMPTIONS

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this order:

1. Persons with a permit specifically exempting them from the effect of this Order.
2. Any Federal, State, or local Officer or member of an organized rescue or fire fighting force in the performance of an official duty.
3. Federal or State administrative personnel in the performance of an official duty.

AREA/ROAD DESCRIPTIONS

South Fork Salmon River Road – Boise and Payette National Forests - also known as National Forest System (NFS) Road #474.1 (within Boise National Forest) and NFS Road #674 (within Payette National Forest) from mile marker 3.0 (Boise National Forest) located within Township 16 North, Range 6 East, Section 23, then northerly approximately 4 miles to the common boundary of the Boise and Payette National Forests within Township 16 North, Range 6 East, Section 1, then continuing northerly on NFS Road #674 (on the Payette National Forest) approximately 23 miles to the junction with NFS Road #412 (also known as Lick Creek Road) within Township 19 North, Range 6 East, Section 3, Boise Meridian, Valley County, Idaho, within the administrative and proclaimed boundaries of the Cascade Ranger District, Boise National Forest and the Krassel Ranger District, Payette National Forest.

South Fork Salmon River Area - from the point of beginning at the confluence of the East Fork of the South Fork Salmon River and the South Fork of the Salmon River (SFSR) within Township 19 North, Range 6 East, Section 3, then due west to a point 300 feet west of the west bank of the South Fork Salmon River, then continuing southerly approximately 28 miles, and 300 feet parallel from the west stream bank of the SFSR to the confluence with Cabin Creek within Township 15 North, Range 6 East, Section 2, then crossing the SFSR to the east stream bank on the SFSR at Cabin Creek, then continuing along the north stream bank of Cabin Creek easterly to the “old” South Fork Salmon River Road (closed road bed) within Township 15 North, Range 6 East, Section 2, then continuing northerly approximately 3 miles along the “old” South Fork Salmon River Road to Dime Creek within Township 16 North, Range 6 East, Section 23, then continuing easterly up the ridgeline to mile marker 3 on NFS road #474.1/#674 (aka SFSR Road) within Township 16 North, Range 6 East, Section 23, then continuing northerly approximately 27 miles along NFS Road #474.1/#674 to the junction of NFS Road #674 and NFS Road #412 (also known as Lick Creek Road) within Township 19 North, Range 6 East, Section 3, then continuing northerly on NFS Road #412 approximately 0.1 miles to the point of beginning, Boise Meridian, Valley County, ID, within the administrative and proclaimed boundaries of the Cascade Ranger District, Boise National Forest, and the Krassel Ranger District, Payette National Forest.

DEFINITION

Overnight parking - parking between the hours of 11:00 PM and 4:30 AM

Camping - means the temporary use of National Forest System lands for the purpose of overnight occupancy without a permanently-fixed structure. Camping also includes the mere presence of camping equipment whether or not the site is continually occupied by campers.

PURPOSE

High public use is expected on this road and area during a Chinook salmon fishing season. Traffic control is necessary in this narrow road corridor to provide for public safety and to maintain access for emergency vehicles. Control of camping sites is necessary to protect the natural resources (soils, vegetation, etc.). Prohibiting glass food and beverage containers is necessary to for resource protection and public safety associated with broken glass.

IMPLEMENTATION

1. This Special Order will be in effect annually, when signed, and shall remain in effect until signing is removed by Forest Officers, generally June 15th-July 15th during the open Chinook salmon sport fishing season.
2. A map identifying the above described road and area is attached and made part of this Order.
3. Any violation of this Order is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, and/or imprisonment for not more than six months [Title 16 USC 551, Title 18 USC 3571(b)(6), Title 18 USC 3581(b)(7)].
4. This order supersedes Payette National Forest Supervisor's Order #04-12-377, dated June 14, 2007, and Boise National Forest Supervisor's Order #0402-04-20, dated June 15, 2007. Other travel restrictions identified in the Boise and Payette National Forests Travel Maps will remain in effect.
5. Further information regarding this Order may be obtained at the Boise National Forest Supervisor's Office (208-373-4007) in Boise, ID, the Payette National Forest Supervisor's Office (208-634-0700) in McCall, ID, the Cascade Ranger District (208-382-7400) in Cascade, ID and the Krassel Ranger District (208-634-0600) in McCall, ID.

Done at Boise, Idaho this 4th day of
June, 2008.

/s/ Paul Bryant for

CECILIA SEESHOLTZ
Forest Supervisor
Boise National Forest

Done at McCall, Idaho this 6th day of
June, 2008.

/s/ Suzanne Rainville

SUZANNE C. RAINVILLE
Forest Supervisor
Payette National Forest

Boise NF Order Number: 0402-04-33
Payette NF Order Number: 0412-398

Assessment of Need and Enforcement Plan

South Fork Salmon River Special Order Boise National Forest # 0402-04-33 Payette National Forest # 0412-398

1. Background: *(Description of problem and why the order is proposed. The appropriate staff prepares the order and ensures all other required documentation is complete such as NEPA)* Since 1997 the Idaho Department of Fish & Game has had an annual Chinook salmon sport fishing season on the South Fork Salmon River (SFSR). The length of the season varied yearly dependent on the number of Chinook salmon returning to the SFSR but generally ran from mid June to mid July. The SFSR provides one of the few opportunities in the State of Idaho for public sport fishing of Chinook salmon. Since 1997, the SFSR has provided 11% to 40% of the state's harvest, and 7% to 26% of the angler effort. Angler visitation to the SFSR has ranged from 14,966 in 2003 to 1,812 in 2000. Idaho Fish and Game 2002 data indicates there were an estimated 800 to 2,000 fisherman (1 fisherman per every 15 to 40 feet of river) present per day during the 30 day SFSR fish season. For this same period of time, traffic use of National Forest System (NFS) Roads #474.1/#674 tripled to greater than 40,200 seasonal vehicles.

For the 2008 Chinook salmon fishing season, the Idaho Department of Fish & Game (pending approval from the National Marine Fisheries Service) has proposed to open additional portions of the SFSR to sport fishing. Previously the portion of the SFSR open to sport fishing was from the mouth of Goat Creek upstream to the posted boundary approximately 100 yards downstream from the SFSR salmon weir and trap. For 2008, the SFSR would be opened further downstream to the confluence of the East Fork of the South Fork of the Salmon River, an additional 22 miles of the SFSR.

The river corridor access is by a single lane paved road, NFS Road #474.1/#674. This road is one of the primary access routes to the town of Yellowpine, ID. The lack of adequate parking along NFS Road #474.1/#674 has created a situation where fishermen park on the roadway in a manner that restricts traffic movement or flow. Fishermen parking off roadway on fill slopes, cut banks, in ditches and drainage areas cause damage to the existing roadway and impair drainage. It also creates damage to other resources such as soil and vegetation. Fishermen camp on riverbanks, along the shoulder and turnouts of NFS Road #474.1/# 674, which limits the amount of parking available for other fisherman and causes additional resource damage. Large amounts of litter and trash have been left along roadsides and riverbanks of the South Fork Salmon River.

From past experience, it was determined that to provide for public safety, to maintain the road for emergency vehicle access, and to prevent resource damage, parking restrictions were necessary. In addition, it was determined that certain areas needed to be posted as closed to camping and possession of glass containers. This restriction was deemed necessary to protect public safety and/or for resource protection. On April 15, 2003, Ronnie F. Julian, Cascade District Ranger and C. Quinn Carver, Krassel District Ranger, signed a decision memo for the South Fork Salmon River Fishing Event and Restoration Project. The decision included direction to implement the closures identified in this occupancy and use order. The project planning record documents the public involvement that occurred. Six letters were received in response to these efforts, all of which were supportive of the Proposed Action. Review of these external comments, as well as internal concerns, resulted in no significant issues being identified. The most common comment was directed at how the Forest Service was planning on managing the event itself (law enforcement, environmental education, etc.)

These emergency restrictions will be in place for approximately one month, or until the sport fishing season is closed by the Idaho Department of Fish & Game, without public participation per 36 CFR 295.3 to provide for public safety.

2. Intent of Subpart B order: *(The rationale behind the order and what should be accomplished)* NFS Road #474.1/#674 is the primary access to the town of Yellowpine, ID. From observation of past high public use fishing seasons, the potential risks to the public, vehicle access problems, and the resulting damage to resources, it has been determined that these restrictions must be implemented. More detailed background information on the intent can be found in the “South Fork Salmon River Fishing Season White Paper” filed at the Cascade Ranger District, Boise National Forest.

3. Enforcement Plan: *(The following activities need to occur to implement this special order in a manner that results in public acceptance and safety)* A cooperative effort will be accomplished by personnel from Forest Service LE&I and Forest Protection Officers, Valley County Sheriff’s Department, Idaho Department of Fish & Game Conservation Officers and Tribal Fish & Game Officers. Educational efforts will include: additional television and newspaper articles, an entrance check station to the event areas from the south where a “pamphlet” with event area requirements is provided to those intending to fish and camp; signing at the entrances to the restricted road corridor; posting of authorized parking and no parking zones; and signing of areas closed to parking to bring the prohibitions to the attention of the public. Forest Service Officers will patrol and make public contacts to gain voluntary compliance.

Action Plan

<u>Action</u>	<u>Responsible Official</u>	<u>Date</u>
Prepare proposed order	Robert Bryant, LEI	5/22/08
Review proposed order	Breck Young, LE&I	6/01/08
Reviewed by	R4 LE&I and OGC	6/02/08
Approve proposed order	Cecilia Seesholtz & Suzanne Rainville Forest Supervisors	6/05/08
Post order in accordance with 36 CFR 261.51.	District Staff/LEO	6/05/08
Prepare news release for local Media describing the order and Management objectives	District & PAO	6/10/08
Implementation: Patrol Area per Item #3	District FPOs/LEOs Idaho F&G, Valley Co. Sheriff, & Tribal F&G	6/15/08

Assessment and Enforcement Plan approved for implementation:

/s/ Paul Bryant for 6/4/08 /s/ Suzanne Rainville 6/6/08

CECILIA SEESHOLTZ Date
Forest Supervisor
Boise National Forest

SUZANNE C. RAINVILLE Date
Forest Supervisor
Payette National Forest