

UNITED STATES
DEPARTMENT OF
AGRICULTURE

Forest Service

Intermountain
Region

Caribou-Targhee
National Forest



DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

FOR THE

ENVIRONMENTAL ASSESSMENT

OF THE

Caribou Range Mountains Subsection Summer Travel Management Plan

December 2011

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BACKGROUND

1.1 Introduction

The Palisades Ranger District has prepared an Environmental Assessment (EA) for the Caribou Range Mountains Subsection Summer Travel Management Plan. This document describes a balanced network of trails that best meet the District's trail system needs while maintaining and enhancing natural resource of the area. The Open Road and Open Motorized Trail Route Density (OROMTRD) standards in the 1997 Revised Forest Plan (RFP) and the 1999 Open Road and Open Motorized Trail Analysis will not be exceeded. The need for this environmental assessment became evident during the past few years of implementing the 1999 Travel Plan as is discussed in the Environmental Assessment (pages 1-1 to 1-2)

A **summary**, of the overall **purpose** of this analysis is to:

- refine the existing trail network in the Big Hole Mountains Subsection to provide and manage trail opportunities for all recreation user groups,
- reduce user-conflicts,
- better protect the natural resources,
- and better implement the 1997 Revised Forest Plan and 1999 Open Road and Open Motorized Trail Analysis (OROMTRD) standards and guidelines.

The project area is in Southeast Idaho within Bonneville County. The area includes all National Forest System lands between Idaho Falls, Idaho and Alpine, Wyoming – south of the South Fork of the Snake River and west of Palisades Reservoir. The Forest Plan identified the areas as the Caribou Range Mountains Subsection (1997 Revised Forest Plan, page III-62 and III-63). See Figure 1.1 - Vicinity Map, page 1-3. From this analysis the District completed an Environmental Assessment (EA) that discusses the effects of the proposed alternatives. The alternatives and mitigation measures were compiled by an interdisciplinary team.

The following information explains the reasons for the final combination of trails open for particular types of motorized and or non-motorized uses.

1.2 Public Involvement

The Caribou Range Mountains Subsection Summer Travel Management Plan project was listed on the Caribou-Targhee National Forest Schedule of Proposed Actions for the 2nd quarter of FY 2008. To date, the public has been invited to participate in the project in the following ways:

- Bonneville County Idaho created the Bonneville County Trails Committee (BCTC) in March 2003 for the purpose of developing recommendations to the Caribou-Targhee National Forest on recreation related plans and issues. The BCTC consists of Bonneville and Madison County residents who represent the various motorized and non-motorized recreation user groups. The committee members are all volunteers; duly appointed by the Bonneville County Board of Commissioners. The first project the commissioner's

directed the BCTC to complete was to review the 2001 Travel Map (for the Big Hole Mountains Subsection) and provide recommendations for the Caribou-Targhee NF to consider in future travel management planning in the area. Likewise, the BCTC again met to review the 2001 Palisades District Travel Map program for the Caribou Range Mountains Subsection.

- Early involvement by the committee began in late 2005 and concluded with their report and recommendations in February 2006. They made recommendations to the Forest Service on modifications they felt were necessary to improve the current travel management system. The committee limited their recommendations to comply with the OROMTRD standards that are established in the current travel management plan (see individual Management Prescriptions in the 1997 Revised Forest Plan).
- In an effort to obtain other public comments and concerns, formal scoping began on 19 August 2008 with news releases being sent to area newspapers and media about the proposed project. Hard copies of the Scoping document were sent to approximately 125 individuals, groups, and State and Federal agencies for a 30-day Notice and Comment period. Likewise, the Scoping document was posted on the Caribou-Targhee National Forest's website. Approximately 65 letters and e-mails were received commenting on the scoping document. Internal comments from Forest Service Specialists and other State and Federal Agencies were also received. The comments received were the basis for development of the issues included in the environmental assessment. These comments are included in the project analysis folder.
- On 29 April 2011 a Legal Notice and News Release were published notifying the public that a Draft Environmental Assessment had been prepared and available for review. This Notice and Opportunity to Comment explained the time-period and procedures for submitting comments. Comments were received for 30 days after publication of the notice in the Post Register.
- There were 57 individuals, groups, and agencies who submitted comments to the Draft Environmental Assessment. Comments received were incorporated in development of the Final Environmental Assessment and Revised Alternative C – Final Decision. These comments are included in the project analysis folder.

1.3 Issues and Concerns

An issue is identified as a point of discussion, debate, or dispute. The Interdisciplinary Team (IDT) identified four pertinent issues and two areas of concern. The following were identified as significant issues:

Issue 1: Fisheries

Designated motorized travel routes have the potential to affect aquatic and riparian-dependent species, particularly where they encroach upon riparian areas and water. Potential impacts to fish habitat include decreases in riparian vegetation and its benefits to riparian areas and water (shading, large wood delivery, bank stabilization, filtering, and nutrients), increases in erosion, and increases in sediment delivery to water.

Issue 2: Water Quality and Soil Erosion

Designated trail use (non-motorized versus motorized), trail location, trail design and trail maintenance have the potential to affect soil erosion and mass instability negatively or positively which could directly affect water quality and aquatic habitats by increasing or reducing sediment into streams. Soil quality may also be affected negatively or positively.

Issue 3: Wildlife

The proposed action could affect important plant and wildlife habitat and wildlife species (including threatened and endangered species) by direct removal of habitat to make trails wider for safer ATV/UTV use, to relocate segments of trails in order to make viable loop trails and to protect riparian areas.

Issue 4: Recreational Use

Public use satisfaction and law enforcement needs may be affected negatively or positively by several factors such as having trails go and end where users want to be, providing loop trail opportunities for the various user groups, performing proper trail design for the intended use, and providing a mix of trails designated for specific user groups or mode of travel.

1.4 Other Resource Concerns

Some other concerns were brought up in a few comments from the public. They were considered in the analysis of significant issues; however they were determined not to be significant in that they would not drive alternatives. Some are already addressed through other processes or in the Forest Plan (“Items Common to All Alternatives” in Chapter 2 of the EA), or their resolution is beyond the scope of this project. A few of the concerns were with Open Road and Open Motorized Trail Route Density (OROMTRD) and Inventoried Roadless Areas. These concerns are discussed in the EA (pages 1-12 and 1-13; 3-47 thru 3-50; and 4-86 and 4-87).

THE DECISION

2.1 My Decision – Chosen Alternative

After considering the scoping comments, issues, analysis, and comments received during the 30-day notice and comment period for the Draft Environmental Assessment (EA), I have decided to select Alternative C - Proposed Action - **but with changes** – which incorporates some recommendations from Alternative B and other individuals and groups. The new name of the alternative will be changed to **“Revised Alternative C – Final Decision”**, incorporating the changes listed below. This decision WILL NOT require an amendment to the 1997 Revised Forest Plan.

Individual trail changes from the initial Alternative C – Proposed Action in the Draft Environmental Assessment include the following:

- **Golden Gate Trail 144** – This trail **will remain a single-track motorized** trail.
- **Little Current Creek Trail 199** – This trail **will remain a non-motorized** trail.
- **Tag Alder Trail 255** – This trail **will remain a single-track motorized** trail.
- **Little Elk Mountain Trail 270** – This trail **will remain a single-track motorized** trail.
- **Lighting Ridge Trail DP7** – This illegal trail (2.0 miles) **will not be added** to the trail system, but will be obliterated.
- **Palisades Westshore Trail DP8** – This old existing trail will not be reconstructed. The trail will be allowed to revert back to natural conditions and or be obliterated as necessary.

Please refer to the revised “Appendix A – Summary of Final Trail Designates for Revised Alternative C – Final Decision – Caribou Range Mountains Subsection Summer travel Management Plan – September 2011” in the Final Environmental Assessment document.

In addition, the following actions will be taken:

- ATV/UTV¹ travel on existing single track trails designated for ATV/UTV use in this EA - but not yet reconstructed for such use - will be allowed **unless** unacceptable resource damage is being done and there is a need to close them to ATV/UTV use in order to protect the natural resources until trails can be properly reconstructed for this type use.

A high priority for the district will be to focus on the construction and reconstruction of trails for ATVs/UTVs. A list of ATV/UTV trail projects will be prepared and prioritized for reconstruction and or construction so as to be able to pursue funding sources – either through partnerships or normal annual appropriated dollars – in order to develop the needed ATV/UTV trails in a timely manner. These lists will not be included in this document but can be viewed at the district office once the list is available. Site specific environmental analysis will be prepared for each proposed trail project prior to any on-the-ground work proceeding.

- Continued efforts will be given to generate additional funding levels through grants and agreements with other agencies and user groups specifically for increased signing, law enforcement, education, reroutes, construction, reconstruction, and maintenance. Such cooperation through Idaho Department of Parks and Recreation, Teton Valley Trails and Pathways, Inc., other groups and individuals have contributed substantially to the existing trail system. It is important that this cooperation continues so as to identify on-going resource protection needs while providing increased user satisfaction and enjoyment through proper design and location of reroutes, reconstruction, new construction, and annual trail maintenance.

¹ **UTV is a new type of vehicle now being used on Forest Service lands, roads, and trails. UTV use will be considered synonymous with ATV use. Therefore the same restrictions placed on ATV use will also apply to UTV use.**

- Since this environmental assessment changes the management of motorized vehicle use in the Caribou Range Mountains Subsection – in particular management of ATVs/UTVs, a new Special Order will be developed.

Likewise, a new map of the final alternative will be placed on the Caribou-Targhee National Forest website for downloading and or printing by forest users. The new directions established in this Final Environmental Assessment (Revised Alternative C – Final Decision) will not be implemented until the beginning of the Spring season in 2012 – when new district Motor Vehicle Use Maps (MVUM) and Recreation Visitor Use maps will be revised and made available.

It is important to remember that this is a Summer Travel Map only and should not be used for motorized or non-motorized winter activities. Please refer to the existing winter Travel Map on the back of the current Palisades & Teton Basin Travel Map.

Revised Alternative C – Final Decision will **eliminate** the existing designation of “Open for motorized use less than 50 inches wide but **NOT RECOMMENDED FOR ATVs**”. ATVs/UTVs will only be allowed on trails/routes designed and constructed to accommodate this type of vehicle use. This will greatly reduce the impacts to natural resources by keeping these vehicles off single track trails that are not designed and constructed for such use. This should significantly reduce impacts to soils, water and vegetation and reduce some conflicts between motorized (ATVs/UTVs and motorcycles) and non-motorized users.

Revised Alternative C – Final Decision will better protect the natural resources of the area by **closing** the remaining areas of the Caribou Range Mountains Subsection to off-trail use (cross-country use) by bicycles. This will help reduce illegal non-system trails created by non-motorized or mountain bike users, thus improving wildlife habitat and providing greater security for all species. Off trail or cross-country use by motorized vehicles is already prohibited.

2.2 Reasons for the Decision

Issues identified during the scoping and public involvement process were addressed throughout the environmental document and were used as the basis for analyzing the direct, indirect, and cumulative effects of each alternatives and this analysis was used for my decision. I also used factors other than environmental effects to help make my decision. These included recreational experience based on the type of trail uses desired, health and safety issues, conflicting activities between motorized and non-motorized users, overall public needs in this subsection, and best practices for protecting the resource values of the area. My decision was also based on the analysis and conclusions of the Biological Assessments and/or Biological Evaluations for Threatened and Endangered and Sensitive Species. My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk. This action raises no concerns over a lack of incomplete or unavailable information, nor did comments received highlight any such concern as well.

The decision to select **Revised Alternative C – Final Decision**, with the above mentioned

changes, was also based on the fact that the intent and direction of the existing Revised Forest Plan – including the 1999 Open Road and Open Motorized Trail Analysis would best be met with this alternative.

The change results in approximately 23.3 miles of trails added to the system (as shown in Alternative A- existing) of which approximately 21.7 miles currently exists on the ground. I believe this decision provides for a diversity of recreation opportunities in a manner that meets the needs of our visitors – in particular by providing more viable loop routes – while protecting natural resources. Revised Alternative C – Final Decision will allow approximately 14.1 miles of existing motorized and or non-motorized trails to be decommissioned and rehabilitated. None of these trails have been constructed or reconstructed with Idaho Department of Parks and Recreation OHV grant funds. Some trails will be re-routed and rehabilitated in order to address stream crossing impacts, duplicate routes, and steepness of grades. Another 13.7 miles of motorized trails will be changed to non-motorized use while about 2.5 miles of non-motorized trails will be changed to motorized use – a net gain of about 11.2 miles of non-motorized trails.

Revised Alternative C – Final Decision helps meet to a greater degree the desired conditions of providing a balanced mix of trails designed and managed specifically for ATVs/UTVs, motorcycles, mountain bikes and non-motorized uses. Revised Alternative C – Final Decision better meets the goal to create a balanced network of trails that are safe, environmentally sound, affordable to manage and maintain, and responsive to public needs to extent possible while protecting natural resources of the area. In summary, about 68.2 miles will be designated for ATVs/UTVs, 88.0 miles for single track motorized (which are allowed on ATV/UTV trails) for a total of 156.2 miles open for motorized use. Approximately 54.1 miles are designated for non-motorized use.

There was no particular weight or more importance given to any of the four issues or two areas of concern. All issue areas and areas of concern were important in my decision.

I have also determined that this alternative will meet all applicable laws, regulations, and policies.

Below is how Revised Alternative C – Final Decision best addresses the following needs:

1. **ATV/UTV management:** The need to designate ATV/UTV use only on trails which have been or will be designed and constructed for ATVs/UTVs.

The current designation of “Open for motorized use less than 50 inches wide but NOT RECOMMENDED FOR ATVs” is causing considerable impacts to single track motorized trails, increased risks of accidents and conflicts between users because many trails are not designed for such use, and unacceptable resource damage due to improper and inadequate trail design for these types of vehicles. During normal monitoring of the trail system, these concerns were brought to light by district specialists, individual trail users, user groups, and local advisory committees.

The restriction to ATV/UTV use is not an attempt to minimize their legitimacy to use forest lands. We realize there is a significant increase in ATV/UTV use and so will continue to provide routes for this type of use in-so-far as possible while protecting the natural resources and minimizing conflicts between the various user groups. With the designation of certain trails and the already significant number of forest roads available for ATV/UTV use, it was felt opportunities for the present and foreseeable-future would best be met as shown in this alternative.

For information regarding clarification of what constitutes an ATV and UTV, the following definitions apply (from the Idaho Code):

- All-Terrain Vehicle (ATV): A type of off-highway vehicle that travels on three or more low-pressure tires; has handle-bar steering; is less than or equal to 50 inches in width; and has a seat designed to be straddled by the operator.
- Utility Type Vehicle (UTV): Any recreational motor vehicle other than an ATV, motorbike or snowmobile, designed for and capable of travel over designated roads, traveling on four (4) or more tires, maximum width less than seventy-four (74) inches, maximum weight less than two thousand (2,000) pounds, and having a wheelbase of one hundred ten (110) inches or less. **A utility type vehicle must have a minimum width of fifty (50) inches, a minimum weight of at least nine hundred (900) pounds or a wheelbase of over sixty-one (61) inches.** Utility type vehicle does not include golf carts, vehicles specially designed to carry a disabled person, implements of husbandry as defined in section 49-110(2), Idaho code, or vehicles otherwise registered under title 49, Idaho Code.

The recent popularity of UTVs or utility type vehicles has created confusion in terms of whether UTVs are legal on trails designated for ATV use. ***UTV use will be allowed, but they will be considered synonymous with ATV use. Therefore the same restrictions placed on ATV use will also apply to UTV use (namely 50 inches in width or less). If they do not meet such requirements, then they must only be driven on roads which allow such use.***

It is important to remember that there are State requirements for riding an off-highway (OHV) – ATV, UTV or motorcycle (motorbike). Depending on where you are riding, requirements can generally be broken down into five categories: 1) off-highway, 2) on-highway, 3) unpaved roads on state and federal public land, 4) on highways specifically designated by ordinance for off-highway use, and 5) ATVs/UTVs on groomed snowmobile trails.

With regard to category 3) Unpaved Roads on Federal and State Public Lands (such as the Forest Service), the following requirements apply.

- Valid Driver's License. If you are operating a motorcycle, you must have a motorcycle endorsement. IC 49-301 and IC 49-304

- Valid Motorcycle/ATV Registration and Sticker or valid License Plate and Registration. IC 49-426.
- Valid Liability Insurance. IC 49-1229.
- Carry Proof of Liability Insurance in vehicle. IC 49-1332.
- Helmet under age eighteen (motorcycle only). IC 49-666.
- Muffler and spark arrestor. Your muffler has to pass 96 db at the half-meter test. IC 67-7125.
- Headlight after dark/poor visibility. IC 49-903 and 49-905(2).
- Taillight after dark/poor visibility. IC 49-903 and 49-906.

These laws are mentioned here for the purpose of highlighting the fact that ATVs/UTVs and motorcycles **MAY ALSO BE ALLOWED** on travel routes or roads other than designated ATV/UTV trails. Many ATV/UTV users may not be aware of these opportunities and so are not using the total system of roads and trails available to them. Every motorized road or trail user must be familiar with the above laws and requirements for riding ATVs/UTVs and motorcycles on and off public lands. Remember, State laws may change, therefore vehicle operators should check with the State for current requirements.

2. **OHV Education Requirements:** During the 2011 legislative session, the Idaho Recreation Council worked with legislators to pass SB1001. The passing of this bill brought a couple of key changes to Off-Highway Vehicle (OHV) education requirements in Idaho. All unlicensed riders who wish to operate an OHV on National Forest roads are required to take an OHV safety course. All riders age 15 and under who wish to operate an OHV on roads must be supervised. The definition of supervision was clarified. Visit this link to read all the details in the state code. Idaho Code 49-302(11) – <http://www.legislature.idaho.gov/idstat/Title49/T49CH3SECT49-302-htm>
3. **Cross-country closure to mountain bikes:** The need to restrict mountain bike use to system trails and close the area to cross-country travel by this type vehicle.

From an environmental aspect, user-created trails – whether from mountain bikes or motorized vehicles – tend to invite use by motorized and or non-motorized (mountain bike) users, thus causing the tread to increase in width over time – which places additional impacts on the natural resources while increasing management and maintenance costs not only for trails but the surrounding resources of the area as well.

Even though many existing system trails may not be the most desirable to use by all mountain bike users because of location, steepness, or other reasons, the forest can not allow continued development of user-created trails. The need for additional trails must first be assessed along with other factors such as soils, water, vegetation, wildlife and other resource protection.

Also, trails may not be adequate for all skill levels of riders. In no case does this justify the ill-legal development of new trails in order to accommodate skill levels or other desired trail conditions. Therefore, it will be necessary for improved and continued

interaction between district staff, interested individuals and groups to maintain and or develop an adequate system of trails for mountain bike use. **However, coordination must follow applicable laws and regulations pertaining to public involvement, environmental analysis, design, reconstruction, rerouting, new construction, and overall planning.** The forest cannot continue to allow indiscriminant construction of user-created trails just to accommodate a small segment of specific trail users.

The various trail program support mechanisms offered by the Idaho Department of Parks and Recreation, other groups, and individuals have contributed significant amounts of funding and man-power to on-going maintenance, reconstruction and construction projects. Without these funding and man-power efforts, many trails would not have been improved – nor will they continue to be improved. **It is critically important that on-going cooperation with agencies, groups and individuals be continued in order to maintain the existing trail system as well as accomplishing necessary planning for appropriate and sustainable future trail uses.**

Summary

I have considered both beneficial and adverse effects discussed in the Final Environmental Assessment (see Table 2.1 – Effects to Indicators by Alternative, Chapter Two, pages 2-7 through 2-10). In general, the long-term benefits of Revised Alternative C – Final Decision (with the above mentioned changes) to the natural resources, recreational experience and health and safety of forest users far outweighs the potential short-term negative impacts of rerouting, reconstructing and constructing trails to accommodate the various uses described in this analysis. Providing better trails and trail loops for ATVs/UTVs will significantly reduce the impacts to single-track motorized trails while reducing user conflicts and improving soil, water, and other resource values. Overall, the following will happen:

- Public health and safety will be improved (see Table 4.16, Chapter Four, page 4-74).
- Likely environmental effects are known and there are no highly uncertain effects or unique or unknown risks (see Table 2.1, Chapter Two, pages 2-7 through 2-10).
- The actions are not related to other actions with individually insignificant, but cumulatively significant impacts (see Table 1.1, Chapter One, page 1-14 and 1-16).
- There are no known impacts to unique characteristics which would affect Wild and Scenic River or Inventoried Roadless Area eligibility.
- The actions will not adversely affect any Wildlife Species, including Management Indicator Species (MIS), Threatened and Endangered Species, and Sensitive Species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (see Biological Evaluation for Yellowstone Cutthroat Trout and Biological Assessment for Wildlife T&E Species).
- The actions meet all Federal, State, and local law and requirements imposed for the protection of the environment (see Chapter One, pages 1-6 to 1-10 and Chapter Four).

ALTERNATIVES CONSIDERED

3.1 Alternatives

There were three (3) alternatives I considered in detail; Alternative A – Existing Situation (No Action), Alternative B - Trails Committees’, and Alternative C - Proposed Action (old Alternative C with changes – and now called Revised Alternative C – Final Decision). Brief descriptions of Alternatives A and B are included below. Only the Revised Alternative C – Final Decision (new name for Alternative C – Proposed Action) details are shown below. Details of Alternatives A and B can be viewed in the Final Environmental Assessment (on file in the Project File and on the Forest website). A comparison of these alternatives can be found in the EA on pages 2-7 through 2-10.

Alternative A – Existing Situation (No Action)

This is the current or existing situation. This alternative would leave the existing summer transportation system in place for the Palisades Ranger District within the Caribou Range Mountains Subsection. Motorized road and trail density standards would continue to be the same since no motorized routes would be eliminated or converted to non-motorized use. Also, the designation of “Open for motorized use less that 50 inches wide but NOT RECOMMENDED FOR ATVS” would continue.

Alternative B – Trails Committees’

This alternative was based on recommendations of the Bonneville County Trails Committee. This alternative would eliminate the “Open for motorized use less that 50 inches wide but NOT RECOMMENDED FOR ATVS” designation on trails. Cross-country travel by mountain bikes would still be allowed. Not all trails in the subsection were reviewed by the committee and group. As mentioned above, a detailed description of this alternative is found in the EA (Chapter Two, pages 2-3 and 2-4 and pages 2-7 thru 2-10).

Revised Alternative C – Final Decision

This alternative is based on recommendations from District and Forest personnel and comments received during the scoping process. It incorporates many recommendations from Alternative B – specifically the designation of ATV/UTV trails and other individuals, groups and agencies. This alternative will eliminate the “Open for Motorized Use less than 50 inches wide but **NOT RECOMMENDED FOR ATVs**” designation on trails. ATV/UTV use will be restricted to those trails designed, constructed, and designated for ATV/UTV use. **(See Revised Alternative C – Final Decision Map (September 2011) and Appendix A – Summary of Final Trail Designations for Revised Alternative C – Final Decision – Caribou Range Mountains Subsection Summer Travel Management Plan).**

This alternative **will close the subsection to cross-country mountain bike travel off system roads and trails.** Improved technology has allowed mountain bikes to be constructed that are more durable, lighter, have gear systems which allow greater climbing ability at slower speeds, and have better breaking systems for down-hill travel. Some mountain bike users feel many existing trails – whether motorized or non-motorized – are not suitable and or desirable for mountain bike use. Therefore, off-trail use has increased and is creating trails where they are not wanted and where they may be causing resource impacts.

Cross-country motorized travel is already prohibited and will continue to be prohibited.

This alternative will provide the following:

- Approximately 210.3 total miles of trails for motorized and non-motorized uses. All trails would be open for non-motorized use.
- Approximately 68.2 miles open to ATVs/UTVs 50 inches wide or less. These trails will also be open to single-track motorized vehicles (motorcycles).
- Approximately 88.0 miles open to single-track motorized vehicles (motorcycles). ATVs/UTVs will not be allowed on these trails.
- Approximately 156.2 total miles open for motorized use.
- Approximately 54.1 miles open to non-motorized use.
- Reconstruct approximately 7.7 miles of trails to meet ATV/UTV standards.
- Reconstruct approximately 1.5 miles of trails to meet single-track motorized standards.
- Construct approximately 3.3 miles of new ATV/UTV trails.
- Construct approximately 0.0 miles of new non-motorized trails.
- Decommission and rehabilitation of approximately 14.1 miles of existing trails.
- Decommission and rehabilitate unwanted user-created trails on an as needed basis as funding allows.
- Approximately 195,850 acres would be closed to cross-country mountain bike use (entire Subsection).
- Approximately 45-50 miles of loop trails for ATVs/UTVs will be provided.
- Essentially an unlimited number of loop trail possibilities for single-track motorized vehicles would exist.

3.2 Alternatives Considered but Eliminated from Further Analysis

During the comment phases, some comments suggested that many trails in the subsection, specifically in the “Inventoried Roadless Areas” be closed to motorized use. These areas are discussed in the FEIS for the 1997 Revised Forest Plan (RFP) for the Targhee National Forest (see pages III-77, Roadless Areas – Scale: Forest wide; pages IV-49 and IV-50, Roadless Areas; and pages B-1 thru B-4, Appendix B. All roadless areas in the project area were included in the 2008 Idaho Roadless Rule. This plan did not affect or change trail use within the roadless areas. The 1997 Revised Forest Plan FEIS states that none of the five Roadless Areas in the Caribou Range Mountains Subsection made the minimum rating (10) to qualify for wilderness recommendation. Therefore, the determination was made to manage four areas for motorized use rather than roadless. The determination for the fifth area (Poker Peak) was made to manage the area for non-motorized uses rather than motorized uses or a “Designated Roadless Area”. Therefore, an alternative to address these comments was not considered. No other alternatives were considered.

3.3 Mitigation Measures

- Applicable mitigation measures associated with the Revised Forest Plan (RFP) and the FEIS for the Open Road and Open Motorized Trail Analysis will apply.

- Additional mitigation measures are found in individual Management Prescriptions in the RFP.
- Additional mitigation measures applicable to this analysis are found in Appendix C and D of this EA.
- Site-specific review for Threatened, Endangered and Sensitive Plants will occur when specific ground disturbing activities are scheduled.
- When specific ground disturbing activities are scheduled, field surveys of those areas will be conducted and identified cultural sites will be evaluated for their significance.
- ATVs/UTVs will be allowed on single-track motorized trails designated for ATV/UTV use before the trail has been reconstructed or constructed for such use. However, these trails will be monitored on an annual basis to determine if unacceptable resource damages are occurring. If such damage is being done, then ATV/UTV use will be restricted until such trails can be properly reconstructed and or constructed for ATV/UTV use.

FINDINGS

4.1 Finding of No Significant Impact

Analysis of the environmental consequences (Chapter Four of the environmental analysis) indicates this is not a major federal action with significant effects on the quality of the human environment. Therefore, an environmental impact statement will not be prepared. I made this determination based on the following factors set forth in 40 CFR 1508.27. I have considered both the context and intensity of the alternative and its effects as shown:

1. My decision will meet the desired condition for each of the issues identified in Chapter One, as well as meet the goals and objectives outlined in the 1997 Revised Forest Plan. Beneficial and adverse impacts of this decision are addressed in Chapter Four of the environmental document.
2. This decision will have no significant or unacceptable effect on public health and safety. In fact, it will likely have positive effects in that it should reduce many conflicts between the different user types – specifically between ATVs/UTVs and single-track trail users.
3. There are no known unique geographic characteristics such as historic or cultural resources, near or within the project area that will be affected. If they are observed during project implementation, they will be avoided. This would not affect the ability of tribal members to practice their treaty rights.
4. Based upon analysis and the comments received (in the project file) and the programmatic goals established for recreation, riparian, soils, fisheries, and wildlife management in the Revised Forest Plan (Chapter III), the effects of my decision on the quality of the human environment are not likely to be highly controversial.
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. My decision is based upon Biological Assessments and known recreation information and careful analysis described in the EA.
6. The action does not set a precedent to future actions that in themselves would be potentially significant (see environmental assessment Chapter One).

7. There are no significant cumulative effects expected from the implementation of this decision regarding sedimentation and threatened, endangered, or sensitive (TES) and other wildlife species (see environmental assessment Chapter Four).
8. During previous cultural resource consultation with the Forest Archaeologist, if sites are observed prior to or during implementation, proper procedures will be followed.
9. Biological Assessments and Biological Evaluations listed below were completed that discuss an analysis of the effects the proposed action may have on Forest Service T&E and Sensitive Species. No adverse effects are expected as a result of this decision.
 - Biological Assessment and Biological Evaluation of Threatened, Endangered, Candidate and Sensitive Species, dated November 2010
 - Biological Evaluation for Yellowstone Cutthroat Trout dated 22 February 2010.This action will have no effect on Ute ladies'-tresses (*Spiranthes diluvialis*). For sensitive plant species, this action "May impact individuals or habitat, but will not likely contribute to a trend toward Federal listing or cause a loss of viability to the population or species" for three sensitive plants and "No Impact" for all others. The Biological Assessment and Biological Evaluation listed below were completed that discuss an analysis of the effects the proposed action may have on Forest Service T&E and Sensitive plant species. No adverse effects are expected as a result of this decision.
 - Biological Assessment for Ute ladies'-tresses (*Spiranthes diluvialis*), dated March 25, 2010.
 - Biological Evaluation for Sensitive Plant Species, dated March 25, 2010.
10. The Forest Service is currently investing in considerable research and study of the potential effects of forest management on climate change. Past Forest Service Chief Abigail Kimbell organized, and current Chief Tom Tidwell has continued, an agency-wide response to climate change and direction for the agency to concentrate on 16 priorities for action. While many of these priorities and much of this information is generally not applicable at the project level, much of this research (Loewen 2008) has been consulted.

On January 16, 2009, the Washington Office of the Forest Service released guidance to Forest Service units regarding the incorporation of climate change science into project-level NEPA documents (USDA 2009d). This guidance document directs that units should consider two kinds of climate change effects. First, where appropriate, units may consider the effect of a project on climate change. Second, where appropriate, units may consider the effect of climate change on a proposal. This latter category may include the effect of changed snowfall regimes on special use permit issuance for ski areas or the effect of rainfall changes on reforestation following a timber sale. Projected effects to this project from future climate change was addressed in the effects section of the EA.

The actions do not threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment.

4.2 Compliance with Other Laws

Consistency with the Revised Forest Plan

As disclosed in the environmental assessment (pages 2-1 thru 2-6) the OROMTRD is not exceeded in any of the alternatives. The decision to implement Revised Alternative C – Final Decision will therefore meet Standards and Guidelines in the Revised Forest Plan and the 1999 Targhee Travel Plan.

Endangered Species Act (ESA)

Section 2 of the ESA of 1973, as amended 1978, 1979, 1982 and 1988 declares that “all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of ESA. According to the wildlife Biological Assessment, this project will have no effect on the following species listed under ESA: grizzly bear, bald eagle, or Canada lynx. This project is not likely to jeopardize the continued existence of the experimental, nonessential population of the gray wolf. (According to the plant Biological Assessment, this project will have no effect on the following species: Ute ladies’-tresses (*Spiranthes diluvialis*). (Biological Assessment dated February 6, 2008.

Heritage Resource Conservation

The Caribou-Targhee National Forest is meeting the mandated identification and assessment of effects of the decision on cultural resources in a manner consistent with the standards and criteria of sections 800.4 through 800.5. Sec 800.4 (b) (2) *Phased identification and evaluation*. The agency official may defer final identification and evaluation of historic properties for documents used by an agency official to comply with the National Environmental Policy Act pursuant to sec 800.8. The possible effects were described in the EA, and potential site specific effects will be mitigated, as required under the National Historic Preservation Act. The Caribou-Targhee makes no distinction between “included in” or “eligible for” inclusion on the National Register of Historic Places. If a property is determined eligible, it is afforded the same protection as an officially listed property. All determinations of eligibility are reviewed by the Idaho State SHPO for concurrence, regarding effect on the site and determination of eligibility of the site.

Other Legislation

This amendment complies with other applicable legislation such as the, Noise Control Act, Clean Air Act, Wyoming Wilderness Act, and the Executive Order on Environmental Justice. This will not significantly affect human or natural resources.

Invasive Species: Executive Order 13112

Each Federal agency will, to the extent practicable and within Administration budgetary limits, use relevant programs and authorities to (i) prevent the introduction of invasive species; (ii) detect, respond rapidly to, and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and

reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (v) promote public education on invasive species and the means to address them. The noxious weed control program on the Palisades and Teton Basin Ranger Districts accomplishes all of these with the exception of conducting research. Information boards are posted at key locations to educate Forest users about noxious and invasive species. The Districts use Integrated Pest Management to control and contain invasive species. My chosen course of action does not authorize activities which would further contribute to introduction of invasive species.

Clean Water Act

Consultation with the States of Idaho Division of Environmental Quality (DEQ) has been ongoing regarding Forest requirements for meeting the intent of the Clean Water Act. The Clean Water Act requires states to identify nonpoint sources of water pollution from a range of activities that includes but is not limited to cropland agriculture, livestock grazing, recreation, mining, and forestry. States are also required to develop management programs for controlling nonpoint sources of pollution. Best management practices (BMP's) are the recognized method of control for nonpoint source pollution.

South Fork of the Snake River is currently listed in the State of Idaho's Draft 2002/2003 Integrated 303(d)/305(b) Report as Impaired Waters. No pollutants causing the impairment are listed in the report.

CONCLUSION

5.1 Implementation

If no appeal is filed within the 45-day time period, this project may be implemented five days following the end of that period. If an appeal is filed, implementation may begin 15 days following the date of the last appeal.

Construction or reconstruction activities would not occur until the Summer of 2012 – depending on funding available to do the projects. All actions will be subject to mitigation measures identified in the EA.

5.2 Appeal Opportunities

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.11 (2003 Appeal Regulations). Only individuals or organizations that submitted comments or otherwise expressed interest in the project during the 30-day Notice and Comment period are eligible for appeal (36 CFR 215.13). An appeal, including attachments must be filed with the Appeal Deciding Officer, within 45 days following the date of publication of the legal notice of this decision in the *Idaho Falls Post Register*. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. The

Appeal Deciding Officer is the Intermountain Regional Forester. Appeals may be filed by regular mail, facsimile, e-mail (Microsoft Word (.doc) or rich text (.rtf) format), hand delivery, express delivery, or messenger service. Emailed appeals must include the project name in the subject line.

Appeals must be sent to:

Appeal Deciding Officer
Intermountain Region USFS
324 25th Street
Ogden, UT 84401
Facsimile: (801) 625-5277
Electronic mail: appeals-intermtn-regional-office@fs.fed.us
Office Hours: Monday through Friday 8:00 am through 4:30 pm.

For more information on the appeal process, contact Megan Bogle (208) 557-5837/208-354-2312. For further information on this decision, contact Robbert Mickelsen or Randy Griffith at 208-523-1412, Palisades Ranger District, 3659 E Ririe Highway, Idaho Falls, Idaho 83401.


Robbert Mickelsen, District Ranger

12-9-11
Date

Equal Employment Opportunity Statement

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