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**Forest Service**

Pacific  
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Region

Okanogan-Wenatchee  
National Forest

Methow Valley, Chelan, and  
Tonasket Ranger Districts

Chelan, Okanogan,  
Whatcom, and Skagit  
Counties, Washington



**March 2013**

# Pack and Saddle Stock Outfitter-Guide Special Use Permit Issuance

## Record of Decision



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# RECORD OF DECISION

## **Pack and Saddle Stock Outfitter-Guide Special Use Permit Issuance Okanogan National Forest Plan Amendment #47 Wenatchee National Forest Plan Amendment #28**

### **United States Department of Agriculture, Forest Service Okanogan-Wenatchee National Forest Chelan, Okanogan, Skagit, and Whatcom Counties, Washington**

#### **INTRODUCTION**

Pack and saddle stock outfitters have been operating throughout the analysis area for the past 20 to 50 years. Some operated under 5-year term permits, while others operated under short-term permits (lasting less than one year). All the 5-year permits expired around 10 years ago, and since that time, all the businesses have been issued short-term permits annually. All the current businesses have applied for 10-year special use permits and the Forest Service has determined there is a need for the outfitting-guiding.

The analysis area is located on the Okanogan-Wenatchee National Forest and a portion of the Mt. Baker-Snoqualmie National Forest administered by the Okanogan-Wenatchee. The existing outfitter-guide permits include the entire analysis area. Most of the analysis area is on the Methow Valley Ranger District with some overlap on the Tonasket and Chelan Ranger Districts. It includes the Pasayten and Lake Chelan-Sawtooth Wilderness Areas, the North Cascades, Sawtooth Backcountry, the Bear/Ramsey/Volstead area, Alta Lake, and some National Forest System land adjacent to these areas.

This Record of Decision documents my decision for the Pack and Saddle Stock Outfitter-Guide Special Use Permit Issuance and approval of Okanogan National Forest Plan Amendment #47 and Wenatchee National Forest Plan Amendment #28.

#### **DECISION AND RATIONALE**

##### **Decision**

Based on the analysis presented in the final Environmental Impact Statement for the Pack and Saddle Stock Outfitter-Guide Special Use Permit Issuance, which is hereby incorporated by reference, I am selecting Alternative 4. Alternative 4 will issue 10-year term special use permits for pack and saddle stock outfitter-guides on the Methow, Chelan, and Tonasket Ranger Districts with a maximum of 6,700 service days. Permits will be issued to Cascade Corrals, Cascade Wilderness Outfitters, Deli Llama Wilderness Adventures, Early Winters Outfitting, North Cascade Outfitters, North Cascade Safaris, and Sawtooth Outfitters. Additional permits may be issued to other acceptable pack and saddle stock businesses if any of these businesses cease operation, or have permits revoked, as long as the maximum

annual service days are not exceeded. The outfitters would have a total of 390 animal unit months for authorized grazing.

The service days will be distributed among the different portions of the analysis area, with each business receiving approximately the same proportion of service days it had in the past, compared to all pack and saddle stock outfitters. **Figure 1** shows the distribution in the different areas. When the 10-year permits are issued, the number of service days allocated to each outfitter will be determined by adding the highest actual use in the past 5 years, plus 25%, following Forest Service Handbook direction. Any unallocated service days will be held in a pool for outfitters to access on a year-to-year basis if and when demand exceeds individually allocated service days. The number of allocated service days will be adjusted at the 5-year mark in the 10-year permits using the same technique, without exceeding 6,700.

**Figure 1. Alternative 4: Number of Service Days by Area and Total**

Area	Total Service Days
Pasayten Wilderness	2,170
Lake Chelan-Sawtooth Wilderness	825
North Cascades	200
Sawtooth Backcountry	805
Bear/Ramsey	100
North Cascades (Day Rides)	1,150
Alta Lake (Day Rides)	1,450
Middle Methow	0
<b>Total</b>	<b>6,700</b>

The above service days include day rides in the North Cascades and Alta Lake areas for horse riding or hiking with pack support for a portion of or an entire day. Rides range from a half-hour to all day, with the majority lasting one hour. Day rides generally leave from private land adjacent to National Forest System (NFS) land, and occur on trails seldom used by non-outfitted hikers or horseback riders.

The rest of the service days are for overnight camping. Five camp locations will be assigned to specific horse and mule packers to allow closer monitoring. Camp management plans will be required for each assigned site. All the sites are in the Pasayten Wilderness, and already exist at Bald Mountain, Sheep Mountain, and Beaver Creek, Crow Lake, and Whistler. Assigned sites will be used for full-service trips. Outfitters will be allowed to set up camps at these locations, and leave them for the entire season. All camp equipment except hitch rails, corrals, and tent poles will be removed from the camp at the end of the season, and will not be cached over the winter. Camp locations for all other trips will be limited to existing pre-approved locations (refer to Appendix A in the FEIS for the authorized campsites). Creation of new camps will not be permitted without appropriate subsequent environmental analysis. Camping equipment and supplies cannot be left in these locations for more than 24 hours when the camp is not occupied.

I am approving base camps outside of Wilderness at the existing locations of Andrews Creek, Billygoat, Crater Creek, and Slate Creek trailheads on the Methow Valley Ranger District, and at the Fish Creek Camp on the Chelan Ranger District. Each location will have corrals, livestock watering troughs, and other improvements necessary to protect resources. These base camps will provide places where

outfitter-guides can keep pack and saddle stock during times of high use, and as starting locations where clients meet outfitters.

My decision also includes site-specific, non-significant amendments to two standards and guidelines in the Okanogan National Forest Land and Resource Management Plan (campsite location and vegetation loss at campsites) and one in the Wenatchee National Forest Land and Resource Management Plan (vegetation loss and bare, compacted mineral soil).

A non-significant amendment will make standards for outfitter-guide campsites compatible with party size limitations and provide for non-degradation of wilderness conditions as required in Okanogan Forest Plan (USDA Forest Service 1989b) (MA15B-21D, page 4-91). For the Wenatchee Forest Plan (USDA Forest Service 1990) the amendment will make outfitter-guide campsites compatible with the 'limits of acceptable change' indicators (Table IV-15, page IV-77). The amendment will only apply to pack and saddle stock outfitter-guides in the Pasayten and Lake Chelan-Sawtooth Wilderness Areas. The Okanogan Forest Plan will be amended by adding the following to standard and guideline MA15B-22B and the Wenatchee Forest Plan will be amended by adding the following to Table IV-15, page IV-77:

*Pack and saddle stock outfitter-guides are allowed to use existing barren core in established campsites, but shall not be allowed to increase the amount of barren core (bare, mineral soil).*

The Okanogan Forest Plan currently does not allow vegetation loss to exceed 400 square feet (MA15B-22B) in campsites in the Pasayten Wilderness and the portion of the Lake Chelan-Sawtooth Wilderness on the Methow Valley Ranger District. The Wenatchee Forest Plan allows areas of bare, compacted mineral soil and vegetation loss of up to 1,000 square feet (Table IV-15, page IV-77) in campsites in the portion of the Lake Chelan-Sawtooth Wilderness on the Chelan Ranger District. It is physically impracticable to fit 12 people and 18 head of stock inside areas of 400 to 1,000 square feet of barren core (vegetation loss or bare, compacted mineral soil) in every campsite. Due to topography, vegetation type, historical use - including large party-sizes and livestock grazing, and the current party size of 12 people and 18 head of stock, many existing camps exceed these levels. Continued use and short growing seasons have perpetuated barren core in some of these camps even though livestock grazing is no longer occurring and party size is now limited.

The Preferred Alternative in the DEIS (Alternative 2) allowed use of up to 5,250 square feet of barren core in wilderness campsites (without creating additional barren core), based on the campsite calculations shown in Appendix C of the FEIS. The Forest Service measured the barren core in the wilderness camps used by the outfitter-guides, and found that six campsites have over 5,250 square feet of barren core (vegetation loss or bare, compacted soil) (FEIS pages 3-47 through 3-49). Although I am allowing the pack and saddle stock outfitter-guides to use all of the existing barren core in wilderness campsites, I want to closely monitor camps with more than the 5,250 square feet allowance in Alternative 2. I am requiring camp management plans to be developed for these 6 campsites. These plans will track barren core and ensure it is not increasing. Slight year-to-year fluctuations will be acceptable and expected as a result of annual vegetative growth and use patterns, or when camps are being restructured. Camp management plans will be developed by the end of the 2014 operating season. However, the plans can only be developed when the outfitter-guide is occupying the camp, and not every camp is used annually. Those not completed by the end of 2014 will be done as soon as possible in the following operating seasons. This amendment will continue the overall trend of improving wilderness conditions, specifically related to campsite conditions.

Another non-significant amendment to the Okanogan Forest Plan will allow pack and saddle stock outfitter-guides to use existing campsites within 200 feet of meadows, lakes, streams and key interest areas in the Pasayten and Lake Chelan-Sawtooth wilderness areas. Outfitters will continue to use popular camps they are accustomed to using (FEIS page 3-19). The Wenatchee Forest Plan (USDA Forest Service 1990) does not have a standard and guideline restricting camping near these features. The following standard and guideline will be amended as follows:

*MA15B-21L Campsites should be located at least 200 feet slope distance from meadows, lakes, streams, and key interest areas, except for established campsites used by pack and saddle stock outfitter-guides. Camping may be restricted or prohibited in certain areas to protect wilderness values.*

My decision also includes many mitigation measures to avoid or minimize impacts to resources. These are covered in detail on pages 2-19 through 2-26 of the FEIS. The measures will avoid or minimize impacts to aquatic resources, native vegetation, soil, water, wilderness character, and terrestrial wildlife. The monitoring plan is included on pages 2-26 through 2-29, and includes monitoring outfitter-guide operations, wilderness, pack and saddle stock grazing, and riparian areas.

**Rationale and Factors Other than Environmental Effects Considered in Making the Decision**

I have chosen Alternative 4 because it best meets the Purpose and Need for the project (FEIS page 1-18) evaluated with the Decision Factors listed on FEIS page 1-23. The components of the Purpose and Need and corresponding Decision Factors are displayed in the following figure.

Purpose and Need (FEIS page 1-18)	Decision Factor (FEIS page 1-23)
<ul style="list-style-type: none"> <li>• Respond to special use permit applications</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the alternative responds to applications in a manner that provides stability to outfitter-guide businesses</li> </ul>
<ul style="list-style-type: none"> <li>• Protect wilderness character while providing necessary commercial services</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the alternative meets the minimum extent necessary for commercial services in Wilderness while protecting wilderness character</li> </ul>
<ul style="list-style-type: none"> <li>• Reconcile inconsistencies between Forest Plan standards and guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• Extent to which the alternative designates an amount of campsite barren core that is compatible with party size</li> </ul>
	<ul style="list-style-type: none"> <li>• Effects of the alternative on the environment, particularly those aspects of the environment identified as Significant Issues.</li> </ul>

Alternative 4 will respond to the permit applications by issuing 10-year outfitter-guide special use permits. It fully meets the Decision Factor associated with this part of the purpose and need because it will provide the greatest stability to the outfitter-guide businesses (FEIS page 2-16 and 3-19). The Forest Service Handbook guidance is to issue the highest number of service days actually used over the previous 5 years, increased by 25% to allow for growth. There was a substantial decline in actual use levels between the early 2000s, and those in 2006 through 2011. The reason for this decline is unknown, however may have been a result of wildfires, the downturn in the economy, decreased

demand, or other factors (FEIS page 3-24). For this alternative, I have decided to go beyond the previous 5 years and use the highest level of actual use over the past 10 years (plus 25%) to ensure the outfitter-guide businesses can expand to meet the demand if it rebounds to previous levels, thus increasing business stability (FEIS page 3-19). I will assign service days to the individual permits following the handbook direction (the highest amount of annual use by each permittee over the past 5 years, plus 25%), and create a pool of days with the remaining service days. The outfitters will have the opportunity to request days from the pool if demand exceeds their allocation. The days will be returned to the pool at the end of each season (FEIS page 2-16).

Alternative 4 will protect the wilderness character, and fully meet the Decision Factor by managing at providing the upper end of the range of the minimum extent of commercial service necessary. The analysis of the effects of Alternative 4 on wilderness character found that there will be no effect on the untrammled or undeveloped qualities of the Pasayten or Lake Chelan-Sawtooth Wildernesses (FEIS page 3-64). The outfitter-guide activities will continue to have localized impacts to the natural quality, however the impacts will be minor because plant communities will not be altered (FEIS page 3-258). The activities will likely affect some R6 sensitive plant species by trampling, and a loss of some populations or individuals may occur where species are in close proximity to established camps and use patterns overlap. Sensitive plant populations are recovering from past livestock grazing, and the populations will continue to improve with Alternative 4. The mitigation measures will ensure species viability is not compromised (FEIS pages 3-78 and 3-257). There will be isolated spots of damage to stream banks, but not at a level that will degrade aquatic habitat or water quality (FEIS page 3-78).

Outfitter-guide activities will impact opportunities for solitude in and around campsites, and along trails because the sights and sounds of their activities and clients will detract from the remoteness of those localized areas (FEIS page 3-77). The Forest Plan amendments allowing the outfitters to use existing campsites within 200 feet of meadows, streams, lakes, and key interest areas, and to use the existing barren core at any campsite without increasing the barren core will prevent degradation of wilderness character by avoiding creation of new campsites and not increasing the current amount of barren core (FEIS page 3-77).

The Needs Assessment and Minimum Extent Necessary Determination established a range of service days needed to meet the minimum amount of commercial services necessary to provide for recreation in wilderness (FEIS pages 3-25 and Appendix B-35). Alternative 4 will have enough service days to meet the upper end of the range in the Pasayten (2,170 service days) and Lake Chelan-Sawtooth (825), thus satisfying the need for additional services as a result of changes in demographics from an aging population (FEIS pages 3-2, Appendix B-39-41, and Appendix B-42).

Alternative 4 will also reconcile the inconsistencies between Forest Plan standards and guidelines. Pack and saddle stock outfitter-guides will be allowed to use existing barren core in established campsites, and will not be allowed to increase the amount of barren core in any campsite. The amount of barren core will fluctuate every year based on a number of factors, including weather (influencing vegetation growth), use patterns, and accuracy and pattern of actual measurements (refer to FEIS pages 3-32, 3-45 and Glossary-3). There may also be temporary increases in the amount of barren core in any campsite if it is being restructured or if camps sections are being restored, but over time, no net increase in barren core will be allowed (FEIS page 2-20).

Alternative 2 would have allowed the outfitters to use up to 5,250 square feet of barren core in any wilderness camp. After reviewing the calculations used to reach the 5,250 square feet (FEIS page

Appendix C-1), and considering comments received on the DEIS, I determined that this will not be adequate for a party with 12 people and 18 head of stock at all campsites. Therefore, Alternative 4 was developed to fully meet the Decision Factor of authorizing a campsite barren core size compatible with the party size. I have decided to require a Camp Management Plan on every campsite with over 5,250 square feet of barren core, in addition to all assigned sites, however, to closely monitor these large camps. There are 6 campsites in the Pasayten Wilderness (none in the Lake Chelan-Sawtooth) with more than 5,250 square feet, and 2 assigned sites that are less than 5,250 square feet.

Alternative 4 will also amend the Okanogan Forest Plan to allow the pack and saddle stock outfitter-guides to use established campsites in the Pasayten Wilderness and the portion of the Lake Chelan-Sawtooth Wilderness on the Methow Valley Ranger District within 200 feet of meadows, lakes, streams, and key interest areas (FEIS page 2-18). The pack and saddle stock outfitter-guides use approximately 99 campsites within the Pasayten and this portion of the Lake Chelan-Sawtooth. Of these, 86 fall within 200 feet of these identified features. The remaining 13 campsites would not be an adequate number for their operations (FEIS page 1-20). Many of the 86 are in the most desirable locations, so allowing their use will allow the outfitters to continue offering the high quality camping experiences they have in the past. It will also avoid the possibility of new campsites being created in the future, under separate NEPA decisions, to compensate for what would be a lack of adequate sites (FEIS page 3-77).

The environmental effects of Alternative 4 are all acceptable, and very similar to the existing condition, and the projected effects of Alternative 2. Each issue, and how Alternative 4 addresses the issue are discussed in detail below. Impacts to resources have been adequately mitigated. The outfitter-guide operations will have minor, localized impacts to the natural quality of wilderness. The impacts will be minor because the dispersed, loose-grazing stock will not alter plant communities, and will only slightly increase impacts to sensitive or rare plant species. There will be isolated spots of damage to stream banks, but not at a level that will degrade aquatic habitat or water quality (FEIS pages 3-65, 3-66, and 3-78). Opportunities for solitude or primitive and unconfined recreation, another quality of wilderness character, will be protected by managing campsites to keep the size and condition on a stable trend, avoiding creating additional barren core, or exposing roots on trees (FEIS pages 3-66 and 3-67). Campsite use limitations will limit pack and saddle stock outfitter-guide use in areas popular with non-outfitted recreationists or in areas with limited graze or other resource concerns (FEIS pages 3-67 and 3-68). Mitigation measures pertaining to campfires and firewood will protect standing snags, and not allow firewood to be stored at non-assigned sites, reducing impacts to visual quality (FEIS page 3-68). Requiring the outfitters and their clients to follow Leave-No-Trace principles will reduce the sights and sounds of outfitter-guide parties (FEIS page 3-68). Prohibiting new trail construction, and limiting maintenance to only National Forest System trails and campsite access trails unless prior approval is granted will avoid increases in trail density (FEIS page 3-69). Requiring proper disposal and management of human waste, stock manure, and hunting refuse will improve campsite conditions (FEIS page 3-69). Allowing oversized parties only when Forest Plan limitations are met will continue to minimize encounters, impacts from grazing stock, and impacts to campsites (FEIS pages 3-69, 3-98, and 3-101).

Impacts to soil would be reduced or avoided by using Camp Management Plans in assigned and large campsites to track barren core and ensure the amount is not increasing over time, prohibiting new campsites, prohibiting construction of new trails, encouraging loose grazing, properly placing stock containment facilities, prohibiting overnight picketing of stock in subalpine meadows, requiring efforts to minimize trampling or damaging vegetation, requiring displaced soils to be replaced or smoothed out, and managing stock travel routes through wetlands (FEIS pages 3-161 and 3-162).

Best Management Practices that will protect water quality include mitigation measures to reduce the following: soil disturbance and compaction at campsites; the potential for decreased water quality as a result of erosion from trails; and sedimentation and fecal coliforms at trail crossings, watering spots, and campsites. Practices addressing vegetation and soil will reduce the risk of water quality degradation by minimizing damage to vegetation, wet soils, and meadows, and by restoring areas of soil damage. Practices addressing aquatic resources will help protect riparian areas, and reduce the risk of impacts to water quality by decreasing sedimentation, protecting streamside vegetation to maintain shade, and minimizing risks of contamination from hazardous materials (FEIS pages 3-176 and 3-177; ROD page 24 Errata Sheet).

Aquatic resources will be protected by managing large campsites and avoiding the creation of additional barren core, restricting outfitter-guides to existing campsites and trails, minimizing damage to vegetation, wet soils and meadows to reduce overland flows, and protecting riparian areas to reduce impacts to water quality by decreasing sedimentation, protecting streamside vegetation to maintain shade, and minimizing risks of contamination from hazardous materials (FEIS 3-220 and 3-221, ROD page 24 Errata Sheet).

Impacts to botany resources, including sensitive species and native plant populations, will be avoided or minimized by managing large camps and reducing the amount of barren core, limiting outfitter-guide use to established campsites and trails, encouraging loose grazing, prohibiting the use of pickets overnight in sub-alpine meadows, requiring outfitters to bring in weed free feed when it becomes necessary to restrict or limit the use of native forage, concentrating stock on a minimum number of trails through wetlands and preventing the spread and introduction of noxious weeds (FEIS pages 3-257 and 3-258).

Impacts to wildlife will be mitigated by prohibiting new campsites and snag cutting (FEIS page 3-276), and protecting deciduous and riparian habitats by limiting use to existing trails, minimizing use of wet soil and meadow areas, and ensuring protection of riparian habitat (FEIS page 3-283). Prohibiting picketing of stock overnight in sub-alpine meadows and limiting outfitter-guide use to existing trails will be highly effective in limiting impacts to meadows by prohibiting additional trails in meadows, and allowing loose grazing stock to move freely to avoid over-grazing (FEIS page 3-289). Stock that loose graze tend to do so in a widely dispersed pattern and forage use is will distributed (FEIS page 3-14). Impacts to gray wolves will be avoided by prohibiting establishment of new camps or trails, so the potential for disturbance to den or rendezvous sites will be low. The possibility of species misidentification will be mitigated by requiring the outfitter-guides to make hunting clients aware of the consequences of shooting a wolf (FEIS page 3-296). Grizzly bears will be protected by requiring food and other attractants to be stored in bear resistant manners, prohibiting feeding of wildlife, reporting sighting of grizzly bears as soon as possible, and reporting negative encounters with bears. The possibility of species misidentification will be reduced by requiring outfitter-guide to make hunting clients aware of the consequences of shooting a grizzly bear (FEIS page 3-299). The possibility of shooting a lynx will be mitigated by requiring the outfitter-guide to educate hunting clients about the species, and consequences of shooting one (FEIS page 3-302). Great gray owl habitat will be protected by prohibiting snag cutting (FEIS page 3-310).

Invasive species prevention measures are included to reduce the potential for spread (FEIS, page 3-332 and 3-333). Over-utilization of forage will be prevented by loose grazing, requiring outfitters to carry supplemental feed if utilization standards are close to being exceeded, prohibiting picketed stock in sub-alpine meadows overnight, and limiting stock grazing during times of high use (FEIS page 3-353). There

will be no effects to cultural resources since there will be no new ground disturbance, and each permit will contain a resource protection clause (FEIS page 3-372). The alternative complies with Section 106 of the National Historic Preservation Act. It meets the conditions listed in Appendix B of the Programmatic Agreement and has been excluded from case-by-case review by SHPO (FEIS page 3-375).

This alternative may affect but is not likely to adversely affect Federally listed threatened or endangered species nor will it cause a trend toward Federal listing of sensitive species as threatened or endangered (FEIS, pages 3-218, 3-219, 3-255, 3-296, 3-299, 3-302, 3-304, 3-307, 3-308, 3-309, 3-310, 3-311, 3-312, 3-313, 3-314, 3-315, 3-316, 3-317, 3-318).

In addition to the environmental factors listed above, Alternative 4 provides the potential for outfitter-guides to expand their businesses (FEIS page 3-19), and increase the number of jobs created, thus increasing their potential to contribute economically to Okanogan County (FEIS page 3-366).

### **Other Alternatives Considered**

Alternative 1, the no action alternative, would not have issued any pack and saddle outfitter-guide permits. I did not choose it because it did not meet the purpose and need of providing necessary pack and saddle stock outfitter-guide commercial services in wilderness (FEIS page 3-64) or elsewhere. It does respond to the permit applications, however the response would be to deny the applications, so it does not meet the Decision Criteria of providing stability to outfitter-guide businesses. Inconsistencies between standards and guidelines pertaining to pack and saddle stock outfitter-guide businesses would have been resolved by this alternative by not allowing the outfitters to operate. There would be no environmental effects from pack and saddle stock outfitter-guides with Alternative 1.

I did not choose Alternative 2, which would have issued 10-year permits to the current pack and saddle stock outfitter-guides or suitable replacements, with a total of 4,620 service days. It would have amended the Forest Plans to allow the use of up to 5,250 square feet of barren core in wilderness campsites exceeding that amount, but not allow additional barren core to be created. After additional analysis subsequent to the DEIS, I determined that 5,250 square feet would be inadequate for a party size of 12 people and 18 head of stock in every campsite due to differences in terrain, vegetation, natural barriers, and other factors. Restricting barren core to 5,250 square feet could lead to unsafe situations between stock and people (FEIS 3-17).

An amendment of the Forest Plan standard and guideline prohibiting camps within 200 feet of meadows, lakes, streams, and key interest areas was added to the version of Alternative 2 in the DEIS after these camps were brought to my attention in the comments responding that document. The amendment would have allowed the outfitters to use existing campsites within 200 feet of meadows, lakes, streams, and key interest areas (FEIS page 2-9 through 2-12).

Alternative 2 would have fully met the purpose and need by issuing the permits in response to the permit applications, however the number of service days would not provide as much stability to the outfitter-guide businesses as Alternative 4, and would have limited their ability to make financial commitments (FEIS page 3-17). The number of service days for this alternative was the highest amount of actual use over the past 5 years, increased by 25%, as specified in the Forest Service Handbook (FEIS page 2-9). Wilderness character would have been protected, and the number of service days in Wilderness would have been within the range of the minimum extent necessary. If the need for such

services increased due to the aging population, this alternative would have fallen short of meeting the need (FEIS page 3-73).

The environmental effects of this alternative would be acceptable, and very similar to the current condition.

Alternative 2 would have limited the authorized service days to the highest amount of actual use over the past 5 years, increased by 25%, as specified in the Forest Service Handbook (FEIS page 2-9), while Alternative 3 would issue the average amount of actual use, increased by 25%, falling short of handbook direction (FEIS page 2-12).

I did not choose Alternative 3, which would have issued 10-year permits to the current pack and saddle stock outfitter-guides or suitable replacements, with a total of 2,660 service days. It would have amended the Forest Plans to allow the use of up to 2,800 square feet of barren core in wilderness campsites exceeding that amount, but not allow additional barren core to be created. An additional Forest Plan amendment would have reduced the pack and saddle stock outfitter-guide party size to 12 (combination of people and stock) (FEIS page 2-12 through 2-15). The barren core allowance would have been adequate for the outfitter-guide camps because of the reduced party size.

An amendment was added to the version of Alternative 3 in the DEIS that would have prohibited use of campsites within 200 feet of wet meadows, lakes, and streams. Approximately 46 campsites, including two currently assigned sites, would have been closed to pack and saddle stock outfitter-guides with this amendment. This would have impacted the quality of camping the outfitters could offer their clients, since many of these 46 are the most popular and desirable campsites (FEIS page 3-18).

Although Alternative 3 would have met the purpose and need to respond to the permit applications by issuing 10-year permits, it would have a substantial impact on the viability of the outfitters due to the reduction of allowable service days (FEIS page 3-18). The 2,660 service days is the average of actual use over the past 5 years, increased by 25%. Using the average annual use instead of the highest actual use does not follow the guidance in the Forest Service Handbook. The Forest Plan amendment in Alternative 3 that would have reduced the party size for pack and saddle stock outfitter-guides to 12 heartbeats which would also have a financial impact on the outfitters because it would have likely increased operation costs (FEIS page 3-18).

Alternative 3 would not have authorized enough service days to be within the range of the minimum extent necessary for commercial services in Wilderness as determined by the 2012 Needs Assessment (FEIS pages 1-20 and 3-77). Opportunities for primitive and unconfined recreation would have been reduced for people requiring the services of an outfitter-guide. Pack and saddle stock wilderness recreation would have been available for approximately half of the people needing the services due to physical limitations, or lack of skill and equipment. The unserved half would not have the opportunity to experience the primitive and unconfined recreation offered in wilderness (FEIS page 3-77).

## **IDENTIFICATION OF THE ENVIRONMENTALLY PREFERABLE ALTERNATIVE**

The Council on Environmental Quality Regulations at 40 CFR 1505.2(b) require an agency to specify the alternative or alternatives that are considered to be environmentally preferable in the process of reaching its decision. The definition of environmentally preferable is the alternative that causes the least damage to the physical and biological environment, and which best protects, preserves, and

enhances historic, cultural, and natural resources. Alternative 1, no action, best meets this definition. No environmental impacts would occur under this alternative as a result of pack and saddle outfitter-guide use because no pack and saddle stock outfitter-guides would be permitted to operate on National Forest System lands within the analysis area.

Of the action alternatives, Alternative 3 is the environmentally preferable alternative because it would reduce the amount of pack and saddle stock outfitter-guide activity on National Forest System lands, and reduce the party size in wilderness to a total of 12 heartbeats. This would slightly reduce impacts to National Forest System lands and resources.

Reasons for not choosing these alternatives are detailed above in the “Other Alternatives Considered” section.

## **PUBLIC INVOLVEMENT and CONSULTATION**

In the late 1990s, the Methow Valley Ranger District started receiving comments and concerns from a few individuals and groups about pack and saddle stock outfitter-guide activities in the Pasayten Wilderness. Field observations from some people indicated that recreation activities in general, and outfitter-guide activities in particular, did not meet Forest Plan standards and guidelines. In response to the concerns, the District developed a “Wilderness Recreation, Stock, and Outfitter Use Strategy and Action Plan”, signed by the Forest Supervisor on April 24, 2000 (USDA Forest Service 2000e). This plan, and subsequent accomplishment reports and action plans were mailed to everyone who expressed concern or interest in the topic, inviting further comments on the situation.

A scoping letter requesting comments on the proposed action that was developed to issue pack and saddle stock outfitter-guide special use permits was mailed to persons and organizations on the District mailing list on November 15, 2000. The proposed action included a non-significant amendment to Okanogan Forest Plan standard and guideline MA15B-22B and Wenatchee Forest Plan Table IV-15 on page IV-77 to allow outfitter campsites in wilderness to exceed the specified amount of barren core (referred to as “vegetation loss” in the Okanogan Forest Plan, and “vegetation loss and bare, compacted mineral soil” in the Wenatchee Forest Plan). A total of 110 letters were received in response to the Wilderness Action Plan and the scoping letter.

Following publication of a notice of intent to file an environmental impact statement in the Federal Register on June 22, 2005, an updated scoping letter was mailed on June 23, 2005 to those who provided input on the Wilderness Action Plan or responded to the November 15, 2000 scoping letter, in addition to those on the Tonasket, Chelan, and Methow Valley Ranger District mailing lists. The initial proposal identified in the November 15, 2000 scoping letter had changed to increase the number of service days, and to eliminate the Forest Plan amendment. Eleven letters were received in response to the scoping letter and Notice of Intent.

The proposed action was refined after publication of the Forest Service Handbook 2709.11, which gave specific direction on calculating service days, and upon further analysis of compliance with Forest Plan standards and guidelines. The Forest Service determined that an amendment would be needed to implement the proposed action. An updated Notice of Intent was published in the Federal Register on July 21, 2010, correcting the estimated publication date and number of service days, and including specifics about the proposed Forest Plan amendments to enlarge barren core size. A letter was also sent

on July 30, 2010 to those on the project mailing list updating the DEIS release date, and explaining the proposed Forest Plan amendments.

A Notice of Availability for the DEIS was published in the Federal Register on September 17, 2010 initiating the formal 45 day comment period. A letter was sent to 28 federal, state and local agencies; 3 tribes; 28 organizations; 41 businesses; and 198 individuals to notify them of the availability of the DEIS and the start of the comment period. On October 20, 2010 the comment period was extended another 20 days in response to a request received from a member of the public. A total of 259 comment letters were received. A number of comments were received stating that the barren core allowance in Alternative 2 (5,250 square feet) was too small, and that more service days were needed. Comments were also submitted stating the value and need for the pack and saddle stock outfitter-guides. Several other comments were received expressing concern about impacts to wetlands, native plants, wildlife habitat, wilderness character, water quality, and aquatic habitat, and questioning the need for the commercial service in wilderness.

Given the length of the FEIS and the addition of Alternative 4, I intentionally released the FEIS 30 days before I signed the Record of Decision to give people extra time to review the information and analysis. No new substantive comments, concerns, or information were received during the 30 days.

### **Consultation and Coordination**

Government-to-government letters were mailed to the Yakama Indian Nation and the Confederated Tribes of the Colville Reservation in June, 2005, requesting consultation on the proposal. Neither tribe identified concerns about the proposal, nor did they submit comments on the DEIS.

Consultation with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) was initiated in August 2011. Subsequent clarification was sent to both agencies. The USFWS concurred with the determinations of may affect, not likely to adversely affect bull trout and its critical habitat, gray wolf, grizzly bear, lynx and the northern spotted owl, and no-effect for designated critical habitat for Canada lynx and northern spotted owl in a letter dated January 28, 2013. NMFS concurred with the determinations of may affect, not likely to adversely affect for bull trout, steelhead, and spring Chinook, and critical habitats in a letter dated November 13, 2012.

### **Issues**

Issues were identified during the public scoping process that raised concerns about the proposed action. The Significant Issues were used to develop alternatives or additional mitigation and monitoring not included in the proposed action. Other issues were also raised. These were considered as the project was developed and analyzed. However they are less focused on the elements of the Purpose and Need and did not influence formulation of alternatives. Each issue is listed below, followed with a description of how Alternative 4 will respond to the issue.

### **Significant Issues**

Significant Issue #1. Current and proposed pack and saddle outfitted use does not comply with some Forest Plan wilderness standards and guidelines or with the Wilderness Act because the party size and amount of use perpetuates large camps and degrades the condition of the wilderness.

*A Forest Plan amendment will allow the outfitters to use existing barren core in established campsites, but prohibit creation of additional barren core. All established camps with more than 5,250 square feet of barren core, in addition to all outfitter-guide assigned sites, will have camp management plans to ensure protection of resources. Another amendment will allow use of existing wilderness campsites within 200 feet of meadows, lakes, streams, and key interest areas on the Okanogan portion of the National Forest to allow the outfitters to continue to use the camps they are accustomed to using, rather than seeking out other existing camps locations away from these features (FEIS pages 2-17, 2-18 and 3-19). Mitigation measures will insure that outfitter-guides do not further degrade the condition of the wilderness (FEIS pages 3-65 through 3-69). See decision rationale above.*

*Outfitter-guides activities will comply with the amended standards and guidelines. The forest plan amendment concerning barren core will result in no degradation to the opportunities for solitude from the current minor, localized impacts. The amendment allowing outfitter-guides to use existing campsites within 200 feet of meadows, streams, lakes and key interest areas will maintain the current impacts to opportunities for solitude since only existing campsites will be used (FEIS page 3-78).*

*The outfitter-guide activities will comply with all other standards and guidelines. There will be a 20% increase in authorized allowable service days in the Pasayten Wilderness compared to current levels, however overall use (outfitted and non-outfitted) will only increase approximately 2%. The number of authorized allowable service days in the Lake Chelan-Sawtooth will increase 6% over current levels, and result in virtually no increase in overall use levels compared to current numbers. The untrammled and undeveloped qualities of wilderness will be unaffected since they are influenced by intentional manipulation of wilderness ecosystems, or use of motorized or mechanical equipment or transportation methods (FEIS page 3-64). The natural quality of the Pasayten and Lake Chelan-Sawtooth wilderness areas will continue to receive minor, localized impacts (FEIS page 3-78).*

*There will be a small increase in the total number of people using pack and saddle stock in wilderness under Alternative 4 compared to the current condition, so any changes to the opportunities for solitude will likely be unnoticeable. People will continue to encounter pack and saddle stock outfitter-guides in the places the outfitters frequent. Campsite occupancy will increase slightly, but not enough to make finding established campsites difficult for non-outfitted recreationists (FEIS page 3-78).*

*The barren core and campsite location amendments will result in no degradation to the opportunities for solitude, from the current minor, localized impacts. The outfitter-guides will use existing barren core in established campsites, and not be permitted to create new barren core or travel routes, or expose roots on trees (FEIS page 3-78).*

Significant Issue #2. Current and proposed pack and saddle stock outfitted use could degrade wetlands and habitat for native plant species when pack and saddle stock trample wetland and riparian vegetation and graze in wetlands and other areas.

*Current pack and saddle stock outfitter-guide activities are impacting approximately 86 acres of wetlands, based on proximity of campsites to wetlands (FEIS page 3-242). These impacts will continue, but 99% of the wetland habitat will remain in good ecological condition since there will*

*be no potential impact from outfitter-guide camps (FEIS page 3-266). The outfitter-guides will continue to use a combination of loose grazing and stock containment. Loose grazing stock have less of a tendency to overgraze an area because they graze in a dispersed pattern, and don't travel over the same ground repeatedly. They may travel through wetland habitats as they access upland grazing areas, but do not tend to linger in wetlands because they avoid wet soil, and their preferred graze grows in drier, upland habitat (FEIS page 3-239 and 3-348 to 3-349).*

*Alternative 4 will continue to maintain high quality aquatic and riparian conditions at the reach, 6<sup>th</sup> and 5<sup>th</sup> field watershed scales. There are approximately 21 campsites within riparian reserves scattered across the analysis area. Loose grazing will be encouraged to minimize impacts to riparian areas. Loose grazing stock tend to move rapidly to and from water sources with very little feeding or loafing activities near drinking water (FEIS page 3-211 and 3-230). Stock containment areas within camps will be designed to minimize off-site effects (FEIS page 2-23 and 3-230).*

*The effects of outfitter-guide activities on riparian areas will be immeasurable because there will be no increase in barren core, and no new trails or campsites (FEIS page 3-217). The outfitter-guide activities will be consistent with PACFISH because they will be unlikely to hinder the attainment of the RMOs, not affect pool frequency since sediment inputs from bank trampling will be marginal, not change large woody debris levels, and not affect water temperature since stream shading will essentially not be reduced (FEIS page 3-227). The outfitter-guide activities will also be consistent with the Northwest Forest Plan's Aquatic Conservation Strategy Objectives. Some localized impacts will occur across the analysis area, however, the outfitter-guide activities will have negligible effects at the site scale and virtually no effect at the reach, sub-watershed, or watershed scales (FEIS page 3-234).*

*The pack and saddle stock outfitter-guide activities will not cause unacceptable impacts to habitat for native plant species. Stock grazing in and around campsites will not result in landscape modifications of natural plant succession due to the limited amount of area where the animals graze and the small number of animals compared to past use, and other current use by the public (FEIS page 3-258).*

*There would be "no effect" on any listed plant species (FEIS page 3-257). Alternative 4 will not contribute to a downward trend of Federally Listed Threatened or Endangered, R6 Special Status or Survey and Manage species across the analysis area (FEIS page 3-270).*

Significant Issue #3. Current and proposed pack and saddle stock outfitted use could degrade some habitat for threatened, endangered, or sensitive wildlife species through increased encounters between people and animals, or through habitat degradation.

*The biological assessment for these species reached the following determinations: "may affect, not likely to adversely affect" gray wolf (FEIS page 3-296), grizzly bear (FEIS page 3-299), lynx (FEIS page 3-302), and northern spotted owl (FEIS page 3-305); "no effect" on all other threatened or endangered wildlife species and designated critical habitat for Canada lynx and northern spotted owl (FEIS pages 3-303, 3-304 and 3-306); "may impact individuals, but not likely to cause a trend toward Federal listing or a loss of population viability" on great gray owl (FEIS page 3-310); and "no impact" on all other sensitive wildlife species (FEIS pages 3-307 through 3-309, 3-311 through 3-318).*

Significant Issue #4. Current and proposed pack and saddle stock outfitted use could degrade water quality and aquatic resources when pack and saddle stock cross streams on trails, or access water sources and damage riparian vegetation, break down stream banks, and degrade water quality.

*This alternative will have minor, localized impacts to aquatic resources and water quality. There may be a slight increase in stream sedimentation at some stream crossings or watering areas and campsites, but the sedimentation contribution from the damaged sections of stream banks will not be detectable compared to background in-stream bank erosion (FEIS page 3-176 and 3-228). Minor impacts to riparian vegetation will occur when pack stock access water to drink and at stream crossings. Impacts to riparian vegetation will be limited to areas near camps, day use areas, and along trails at stream crossings (FEIS pages 3-233 and 3-350).*

*There will be very little to no reduction in water quality in the vicinity of the camps. Nearly all surface erosion from the barren core within camps will be captured by ground vegetation before it reaches waterways (FEIS page 3-164). Stream bank erosion at trail crossings and watering spots, and increases in turbidity from stock fording streams or rivers will not be detectable compared to ongoing channel and hill slope erosion, except at the point of disturbance in the stream channel during the time of traffic crossing in water. Stream turbidity is not expected to change because the suspended sediment will not change by measureable levels (FEIS page 3-176).*

*Fecal contamination may occur in areas where pack stock cross streams and water, adding to the background level from wildlife and non-outfitted pack stock. This may cause increased nutrient levels at the site scale. Any increases will only occur on a limited basis compared to the analysis area as a whole due to the fact that the outfitter-guide campsites, trail crossings, and stock watering sites are isolated and infrequent across the landscape. Fecal coliform in streams will be quickly diluted, keeping levels well below the state water quality standard (FEIS page 3-174).*

*This alternative will comply with the Clean Water Act, and the Aquatic Conservation Strategy Objectives and Riparian Management Objectives. There will be no new created openings in riparian areas, and no measurable reduction in stream shading. Water temperature in any stream in the analysis area will not be raised as a result of pack and saddle stock outfitter-guide activities. Therefore, water temperature within the analysis area or further downstream in 303(d) listed segments will not change (FEIS page 3-176). Refer to the discussion under Significant Issue #2 above for details of compliance with the Aquatic Conservation Strategy Objectives and Riparian Management Objectives.*

*Alternative 4 “may affect, but is not likely to adversely affect” bull trout, steelhead, and spring Chinook, and the critical habitat for each species. There will be no effect on all other listed fish species, and individual sensitive fish species may be impacted, but Alternative 4 will not likely cause a trend toward Federal listing or a loss of population viability (FEIS pages 3-219 through 3-220).*

Significant Issue #5. The barren core limitations in Alternative 2 would not be large enough for a party of 12 people and 18 head of stock, and the number of service days in that alternative would

not allow the businesses to respond to increases in demand for pack and saddle stock outfitter-guide services.

*This issue was added to the FEIS in response to comments received on the DEIS. Alternative 4 was added to the FEIS to address this issue. It will increase available service days to 6,700, which will give the outfitters the opportunity to meet the demand for their services if that demand rebounds to the level experienced in the early part of the last decade. According to the outfitters, the ability to increase the number of clients will likely allow them to cover increasing operating costs and remain viable businesses in the future (FEIS page 3-19).*

*The Forest Plan amendment concerning barren core will allow the outfitter-guides to use existing barren core in established campsites. The amount of barren core in each campsite is a result of topography, vegetation, past use (grazing and unlimited party sizes prior to Forest Plan implementation) and current recreation use. Monitoring has shown that larger, established camps are on an improving condition trend (FEIS pages 3-47 through 3-49). Allowing the outfitters to use the existing barren core in established campsites will give enough room for 12 people and 18 head of stock in every camp that currently accommodates this party size without changing use patterns, or impacting the quality of the camping experience for clients. It will allow safe handling and confinement of stock, and comfortable, albeit primitive wilderness campsites that will fully meet the needs and expectations of their clients (FEIS page 3-19).*

## **Other Issues**

1. Pack and saddle stock outfitter-guides could introduce noxious weeds into currently weed-free areas, such as wilderness, in stock manure.

*Outfitters and their clients will be required to prevent transport of any seeds by removing any plant material attached to vehicles, shoes, clothing or the bodies of pack and saddle stock. They will also be required to use only certified weed-free feed on all National Forest System Land. Outfitters will help identify and map newly established weed populations, aiding in early treatment. Outfitters will be required to assist in control measures as directed by the Forest Service (FEIS pages 3-332 and 3-333).*

2. Pack and saddle stock outfitter-guides could degrade air quality with smoke from campfires.

*An alternative was considered but eliminated that would prohibit cooking on open fires, instead requiring cooking on stoves. Applying this limitation to pack and saddle stock outfitter-guides was eliminated because firewood gathering by outfitters, and outfitter campfires were not found to adversely affect air quality or the ecosystem (FEIS, page 2-3). The Pasayten Wilderness is the only Class I Airshed in analysis area. It is unlikely that smoke from campfires would degrade air quality. Campfires are built with dry fuel, and burn rapidly, ventilating upwards. In addition, there would not be a large enough concentration of smoke given the dispersed location of campsites (FEIS page 3-376)*

3. Firewood gathering by outfitter-guides could degrade the environment by removing down woody debris and limiting or eliminating this habitat component.

*An alternative was considered but eliminated that would not allow campfire or firewood gathering in sub-alpine ecosystems (FEIS page 2-3). This alternative was eliminated because firewood gathering and campfires by pack and saddle stock outfitter-guides were not found to be adversely affecting resources (FEIS pages 3-274 through 3-276, 3-279, and 3-310). Firewood gathering is prohibited in areas where down woody debris is insufficient, and except where safety is an issue, no cutting of standing trees (live or dead) is allowed (FEIS, page 2-21). Less than one tenth of one percent of the analysis area would be affected by firewood gathering. There would be some loss of habitat, but abundant habitat exists away from these isolated spots (FEIS page 3-274).*

4. Reducing the number of service days allowed could lead to some existing pack and saddle stock outfitters going out of business because of reduced revenues.

*The number of authorized service days would allow the existing businesses, or suitable replacements, to increase business to approximately 25% over levels from the highest levels experienced in the past 10 years. This alternative could lead to increased revenues if demand increases over current levels (FEIS page 3-19).*

5. Pack and saddle stock outfitter-guides could degrade the experience of other recreation users outside of wilderness by perpetuating conflicts between outfitted and non-outfitted user groups, increasing the number of people recreating in any given area, and adding to conflicts between user groups.

*The amount of pack and saddle stock outfitter-guide activities will increase in areas outside wilderness which may change the recreation experience for others. There will be increases in the Alta Lake and North Cascades areas because of the increase in day rides (FEIS pages 3-116 and 3-149). There is little non-outfitted use in the areas of day riding, however, so few people will be affected. The biggest potential for change and conflict will be in the Sawtooth Backcountry, where the amount of pack and saddle stock use service days will increase approximately 104% over current levels, however overall outfitted and non-outfitted use will only increase 3%. Non-outfitted recreationists will have a noticeable increase in encounters with outfitted parties on trails and at destination locations compared to the current condition (FEIS page 3-124 and 3-125).*

6. Pack and saddle stock outfitter-guide activities could lead to soil damage and displacement in meadows and other areas by stock trampling, grazing, and crossing wet areas.

*Most existing detrimental soil damage occurred prior to implementation of the Forest Plans. Soil in and around campsites, at stock watering areas, and trail crossings would continue to be compacted and displaced by outfitted pack and saddle stock, but amount of area affected would be inconsequential (FEIS pages 3-157 through 3-158, and 3-163). Outfitter-guide activities would result in little, if any soil displacement. Nearly all displacement that will occur in camps, at stock watering areas, or along trails will be trapped by surrounding vegetation. Soil in stock containment areas in camps will be compacted and displaced, but there will be little erosion because these areas are relatively flat and surrounded by ground vegetation that will capture any eroding soil. Areas where stock loose graze will have virtually no soil impacts because of the dry soil and vegetative cover. Stock traveling through wet areas to reach grazing areas will impact and displace the soil within the trails, but these impacts will be too small and isolated to*

*change conditions on the ground, and will approximate natural processes. Outfitted stock will not further degrade stream banks at existing crossings since they will be restricted to existing campsites and trails (FEIS pages 3-164 and 3-165).*

7. Pack and saddle stock outfitter-guide grazing could exceed Forest Plan standards and guidelines pertaining to forage utilization when stock are allowed to graze unconfined around campsites.

*Outfitter-guide stock forage utilization would be well within allowable use standards and consistent with all standards and guidelines (FEIS pages 3-335 and 3-336). Loose grazing will be the preferred method. Loose grazing stock disperse and their constant movement pattern results in no concentrated grazing areas. The outfitters will be required to carry supplemental feed if forage utilization or resource monitoring shows that utilization standards are close to being exceeded. Picketing stock in subalpine meadows will be prohibited, avoiding over-utilization of forage since stock will be able to roam free in the constant movement patterns that avoid over-grazing. Finally, outfitter-guide stock grazing will be limited to suitable areas during times of high use. This will ensure that the stock do not over-graze areas where there is a high number of non-outfitted stock, or in areas where forage conditions cannot support stock grazing (FEIS page 3-353).*

8. Pack and saddle stock outfitter-guides are important to the local economy.

*Pack and saddle stock outfitter-guides currently contribute approximately \$1,293,940 annually to Okanogan County, and provide 26.6 jobs (FEIS page 3-362). The increase in service days with Alternative 4 will increase the contribution to approximately \$1,943,811, and increase the number of jobs to 40 (FEIS page 3-366) if demand increases to permitted levels.*

## **FINDINGS REQUIRED BY OTHER LAWS**

This project was prepared under and complies with the regulations for the National Environmental Policy Act. Standards and guidelines established in the amended Okanogan National Forest Land and Resource Management Plan, as applicable, and the amended Wenatchee National Forest Land and Resource Management Plan, as applicable, have been met, except where amended above as noted on pages 1-20, 2-17 and 2-18 off the FEIS. Both Forest Plans were prepared in accordance with the National Forest Management Act.

Aquatic resource standards, including but not limited to Aquatic Conservation Strategy Objectives and Riparian Management Objectives will be met. The outfitter-guide activities will be consistent with PACFISH because they will not hinder the attainment of the RMOs in the long run, not affect pool frequency since sediment inputs from bank trampling will be marginal, not change large woody debris levels, and not affect water temperature since stream shading will not be affected (FEIS pages 3-225 through 3-227, ROD page 24 Errata Sheet). The outfitter-guide activities will also be consistent with the Northwest Forest Plan's Aquatic Conservation Strategy Objective. Some localized impacts will occur across the analysis area, however, the outfitter-guide activities will have negligible effects at the site scale and virtually no effect at the reach, sub-watershed, or watershed scales (FEIS pages 3-227 through 3-234).

Botany and vegetation standards, including but not limited to wetland habitat and natural plant succession will be met. Outfitter-guide activities in and around campsites will not result in landscape

modification of natural plant succession due to the limited amount of area where the animals graze, the small number of animals compared to past use, and the other current use by the public. Alternative 4 will be consistent with the amended standard and guideline pertaining to barren core (FEIS pages 3-258 and 3-270).

The project was prepared to be consistent with the requirements of the Pacific Northwest Invasive Plant Program Final Environmental Impact Statement, Record of Decision, 2005 (FEIS page 3-319). The 2005 standards that apply to this project require an emphasis on prevention and the use of pelletized or certified weed free feed in wilderness and at wilderness trailheads (FEIS page 3-337). All Forest Plan standards and guidelines pertaining to noxious weeds will be met with the mitigation measures that will prevent noxious weed infestations from the pack and saddle stock outfitter-guide activities, to the extent practical, require use of certified weed-free feed, and require the outfitters to participate in a weed identification, mapping and treatment program (FEIS pages 3-337 and 3-338).

All standards and guidelines for forage utilization and range improvements will be met. The outfitters will be required to carry supplemental feed if utilization standards are close to being exceeded, and forage use in wilderness will conform to all wilderness standards. Outfitter-guide stock grazing will be prohibited in Whistler Basin and in the meadows at the Rainy Lake turnoff and in Management Area 10 (FEIS pages 3-355 through 3-356).

Regional soil quality standards, and Forest Plan standards and guidelines for soil resources will be met. The amount of soil compaction will be less than 0.1% of the total analysis area, and virtually no soil displacement or erosion will occur in campsites. Grazing practices will not trigger erosion because soil erosion from stock containment areas will be captured by surrounding ground vegetation. In addition, loose grazing will cause some soil trampling in travel routes through isolated wetlands leading to grazing areas, but impacts to soils will be reduced somewhat by the requirement to establish travel routes. Stock will be concentrated on a minimum number of pathways, minimizing the amount of soil compaction and erosion (FEIS page 3-260). Trail stream crossings and stock watering locations will result in some erosion into waterways, but the sediment will be quickly dissipated by flowing stream water. (FEIS page 3-167).

The outfitter-guide activities will comply with the Wilderness Act. The pack and saddle stock outfitter-guide activities will be managed to protect the wilderness character by allowing only local, minor to moderate impacts to the natural qualities, and to the opportunities for solitude or primitive and unconfined recreation. The activities will also comply with Forest Service Manual 2300, and the Wilderness Management Model. This Model is the basis for the Forest Service wilderness management policy of maintaining or improving wilderness character from its state at the time of wilderness designation (FEIS page 3-22). The Pasayten and Lake Chelan-Sawtooth wilderness areas will continue on an upward trend with implementation of Alternative 4 (FEIS page 3-91). Mitigation measures and special use permit administration will ensure the outfitter-guide activities comply with all existing and amended Forest Plan standards and guidelines. Refer to FEIS pages 3-91 through 3-107 for a complete list of relevant wilderness the standards and guidelines, and an explanation of compliance.

The Okanogan Forest Plan Forest-wide standard and guideline 8-12 requires that priority be given to authorizations that provided a needed public service, as do these permits (see Needs Assessment in FEIS Appendix B). Forest-wide standard and guideline 8-13 requires that new permits only be granted when the use is compatible with planning direction for National Forest System land, use will not cause major damage or impairment of resources and programs, and NFS land is the most logical place for the use.

The analysis in Chapter 3 of the FEIS shows the issuance of permits is compatible with the Forest Plan (see consistency findings for each resource area in Chapter 3) and that no major damage to impairment of resources or programs will occur. National Forest System land is the most logical place for these backcountry activities – sufficient land for this experience is not available on other lands. In accordance with standard and guideline 8-10, annual reviews of these authorizations will be completed and will emphasize health, safety and resource protection (FEIS page 3-149). Permits will include stipulations for protecting trails consistent with the goals and recreation opportunity of the management area consistent with standard and guideline 8-16.

The project will comply with the Clean Water Act. None of the water bodies in the analysis area are listed as impaired on the 303(d) list, and the outfitter-guide activities will not reduce water quality. There will be no newly created openings nor any meaningful reduction in stream shading, so water temperature in streams in the analysis area or further downstream will not change from current levels. There will be no measurable or detectable changes in fecal coliform levels. Best Management Practices will prevent non-point source water pollution and ensure compliance with the Clean Water Act and Washington Administrative Code Chapters 173-201 and 202 (FEIS pages 3-176 and 3-177). The outfitter-guide activities will also comply with Executive Orders 11988 and 11990 directing Federal agencies to avoid adverse impacts to floodplains and wetlands. Outfitter-guides will continue to use camps close to wetlands, and grazing stock will travel through wetlands on the way to upland areas. These activities will result in vegetation trampling, selective grazing, and soil damage in approximately 1% of the wetland habitat in the analysis area although loose grazing practices minimize the intensity of any impacts. The remaining 99% will be unaffected. The activities will comply with the Aquatic Conservation Strategy Objectives and Riparian Management Objectives, as explained earlier in this Record of Decision (FEIS page 3-337).

The project will meet air quality standards set by the Clean Air Act. The Pasayten Wilderness is the only Class 1 airshed in or near the analysis area. Clients and employees of the outfitter-guides will be allowed to have campfires, which tend to burn quickly and efficiently, with nearly total consumption of fuel. The fires occur at times, and in locations where air movement usually keeps the smoke from settling into a localized area. The outfitter-guides are required to extinguish all campfires before leaving camp, which will further reduce the possibility of a fire smoldering over a long period of time (FEIS page 3-376).

The project will comply with the Wilderness Act by permitting the minimum amount of commercial services necessary while protecting wilderness character (FEIS page 3-91 and Appendix B-35 through Appendix B-43). The project may affect, but is not likely to adversely affect or would have no effect on threatened, endangered or proposed listed species under the Endangered Species Act (see discussion of Significant Issues #2 and 3 above). The U. S. Fish and Wildlife Service and National Marine Fisheries Service have both concurred with these determinations (see above and FEIS pages Appendix M-271 through Appendix M-290 and USFWS and NMFS concurrence letters dated January 28, 2013 and November 13, 2012, respectively, in project record). The National Marine Fisheries Service letter also concurred with the determination of compliance with the Magnuson-Stevens Act (FEIS page Appendix M-271).

This project complies with the National Historic Preservation Act (NHPA) as amended, and will not adversely affect heritage resources. The projects meet the conditions listed in Appendix B of the Programmatic Agreement and has been excluded from case-by-case review by the State Historic Preservation Office (FEIS page 3-375). Consultation with affected Indian Tribes was completed in compliance with Section 106 of the NHPA (FEIS, page 3-369 and 3-370).

This project is consistent with the Roadless Area Conservation rule because no timber harvest or road construction will occur in an inventoried roadless area (FEIS, page 3-374). The project is also consistent with the Wild and Scenic Rivers Act because the only camp located along an eligible river is the Andrews Creek base camp located within ¼ mile of the Chewuch River. The maintenance of the corral at the camp will not affect future potential designation under the Wild and Scenic River system because the corral is not a permanent structure, and could be removed if the Chewuch River is designated as Wild and Scenic in the future (FEIS page 3-376). There will be no effects on prime lands since the analysis area does not contain any prime farmlands, and will not convert any prime rangelands or prime forestlands to other uses (FEIS page 3-377). It will also comply with Executive Orders 11246 (Civil Rights) and 12989 (Environmental Justice). The outfitter-guides will be prohibited from discrimination on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. It is extremely unlikely additional traffic from the outfitter-guide activities, when added to other traffic already present on roads, will be noticeable to low income or minority residents along routes leading to outfitter-guide operating areas. Okanogan County has areas of high poverty and local economies will benefit from clients passing through towns and making purchases (FEIS page 3-379).

My conclusions are based on a review of the record that shows a thorough review of relevant scientific information was conducted, opposing views were considered, and incomplete or unavailable information was acknowledged. A thorough review of scientific literature found no conflicting scientific evidence as to the effects of this project. All comments received during scoping and review of the DEIS were considered and addressed in the development of alternatives and the analysis of effects. The disposition of each comment is shown on the issue tracking forms in the analysis file. Incomplete or unavailable information was found in the analysis for fecal coliform levels and the number of people who hire an outfitter for convenience instead of actual need. The process specified in 40 CFR 1502.22 was followed for each of these.

Quantifiable bacteria data (fecal coliform) for the analysis area are unavailable. Water testing for bacteria is problematic from wilderness and backcountry areas because of the time constraints between sample collection and testing. In addition, extensive and repetitive testing of background levels of fecal coliform, followed by testing when outfitted pack and saddle stock and clients are in the area would be required to determine the precise effect. The information about the effect of pack and saddle stock outfitter-guides on fecal coliform levels is not relevant to determining effects simply because the number of outfitted stock in the analysis area is too small to significantly increase fecal coliform levels over background levels (FEIS page 3-174).

The Needs Assessment (FEIS Appendix B) uses past actual use levels in determining the minimum extent of commercial services needed in wilderness. Data does not exist that could be used to generate or calculate the percentage of clients who hire an outfitter-guide because of a legitimate need (lack of skill, knowledge, or equipment, physical limitations) versus those who hire one for convenience. The means to obtain the data to calculate this percentage are not known. No reasonably foreseeable significant adverse impacts on the human or biological environment were found in evaluating the effects of commercial services in either the Pasayten or Lake Chelan-Sawtooth Wildernesses. Therefore, determining the exact number or percentage of past use legitimately needing commercial services is not necessary (FEIS page Appendix B-36).

## ADMINISTRATIVE APPEAL RIGHTS

This decision is subject to appeal pursuant to 36 CFR 215. Any written notice of appeal of the decision must be fully consistent with 36 CFR 215.14, "Appeal Content." The notice of appeal must be postmarked, hand delivered, or faxed to the Regional Forester at the addresss or numbers shown below within 45 days of the date the legal notice for this decision appears in the *Wenatchee World*. Hand deliveries must be made between 7:45AM and 4:30 PM Monday through Friday, except legal holidays. Electronic appeals must be submitted only to the e-mail address shown above as part of the actual e-mail message, or as an attachment in Microsoft Word, rich text format or Adobe portable document format only. E-mails in other formats or containing viruses will be rejected. Note in the subject line the name of the project and that it is an appeal.

The special use permittees have the right to appeal under 36 CFR 251. They may file an appeal under 215 or 251, but not both. This decision is not appealable under 36 CFR 251 by other parties. Appeals by the permittees under 36 CFR 251 must follow the filing procedures in 251.88, and must meet all of the requirements in 251.90, including a statement of the facts of the dispute and issues raised by the appeal. The appeal must include specific references to any laws, regulations, or policies that the permittees believe have been violated. The appeal must be in writing and must be postmarked and sent within 45 days of this decision to:

Mail:  
Regional Forester  
Attention: 1570 Appeals  
P. O. Box 3623  
Portland, Oregon 97208-3623

Delivery Service or Hand Delivery:  
Regional Forester  
Attention: 1570 Appeals  
333 SW First Avenue  
Portland, OR 97804

Appeals can be faxed to FAX #503-808-2339.

Electronic appeals can be sent via email to: [appeals-pacificnorthwest-regional-office@fs.fed.us](mailto:appeals-pacificnorthwest-regional-office@fs.fed.us)

The permittees are also required to simultaneously send a copy of the appeal to the project deciding officer:

Forest Supervisor  
c/o Forest Environmental Coordinator  
215 Melody Lane  
Wenatchee, WA 98801  
Or: [appeals-pacificnorthwest-okanogan-wenatchee@fs.fed.us](mailto:appeals-pacificnorthwest-okanogan-wenatchee@fs.fed.us)

## IMPLEMENTATION

Implementation of this decision shall occur no sooner than 45 days plus 5 business days after the publication of the legal notice of the decision in the *Wenatchee World* newspaper if no appeal is received. If a 215 appeal is received and the decision is affirmed, the project cannot be implemented for 15 business days after the appeal decision. Implementation of this decision consists of issuance of 10-year outfitter-guide special use permits to the existing outfitters, or other acceptable businesses if any of the current businesses cease operation, or have permits revoked, as long as the maximum annual service days (6,700) is not exceeded.

**CONTACT PERSON**

For further information regarding the project, contact Recreation and Wilderness Program Manager, and IDT Leader Jennifer Zbyszewski at 24 W. Chewuch Road, Winthrop WA 98862; (509)996-4021; jzbyszewski@fs.fed.us.

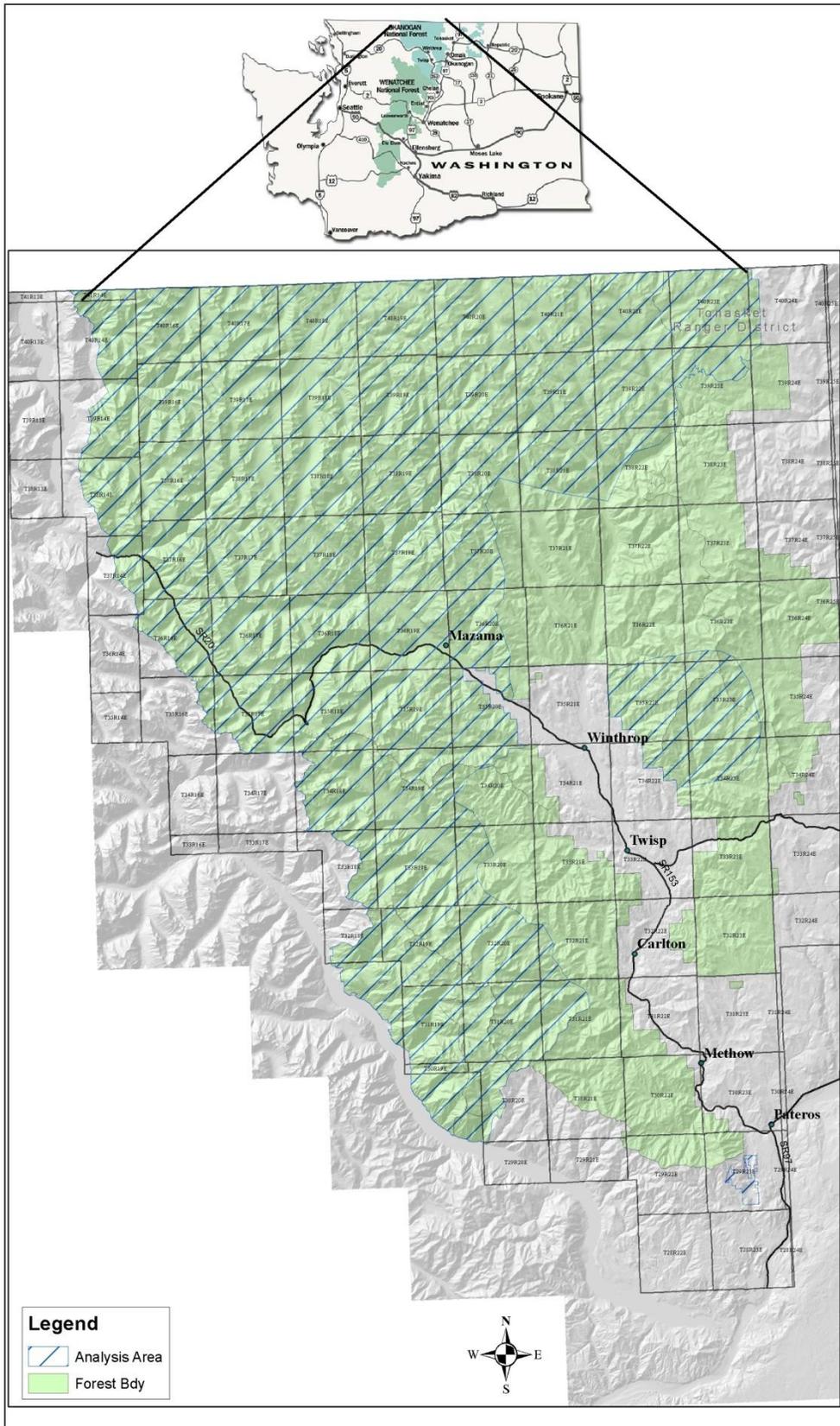


Rebecca Lockett Heath  
Forest Supervisor  
Okanogan-Wenatchee National Forest



Date

Map ROD - 1. Pack and Saddle Stock Outfitter-Guide Permit Vicinity Map



## Errata Sheet

### Pack and Saddle Stock Outfitter-Guide Special Use Permit FEIS

FEIS Page Number	Published Data	Corrected Data	Explanation
2-18, paragraph 5	"MA15B-21K..."	"MA15B-21L..."	Typographical error
3-37, paragraph 3	"Refer to Figures 3.10-1, 3.10-2, 3.10-3, and 3.10-4"	"Refer to Figures 3.2-2 and 3.2-4"	Change in Figure Numbering
3-70, paragraph 1	"Refer to Figure 3.10-8 and Figure 3.10-12"	"Refer to Figure 3.2-12 and Figure 3.2-16"	Change in Figure Numbering
3-72, paragraph 4	"1,528 square feet of undesignated barren core"	"2,290 square feet of undesignated barren core"	Calculation error
3-72, paragraph 4	"This totals 11,010 square feet..."	"This totals 11,772 square feet..."	Calculation error
3-76, paragraph 6	"A total of 13,659 square feet (three-tenths of an acre)..."	"A total of 14,109 square feet (three-tenths of an acre)..."	Calculation error
3-157, paragraph 2	"798 miles of trail converts to 376 acres"	"798 miles of trail converts to 387 acres"	Incorrect conversion factor used in calculation
3-157, paragraph 2	"Outfitter-guides use 378.7 acres of bare soil..."	"Outfitters use 389.7 acres of bare soil..."	Incorrect conversion factor used in calculation
3-157, paragraph 3	"152 miles of trail converts to 71.6 acres"	"152 miles of trail converts to 74 acres"	Incorrect conversion factor used in calculation
3-157, paragraph 3	"Outfitter-guides use 72.7 acres of bare soil..."	"Outfitter-guides use 75.1 acres of bare soil..."	Incorrect conversion factor used in calculation
3-158, paragraph 4	"150 miles of trail converts to 70.6 acres"	"150 miles of trail converts to 73 acres"	Incorrect conversion factor used in calculation
3-158, paragraph 4	"This is approximately 0.06% of total sub-area."	"This is approximately 0.03% of total sub area."	Incorrect conversion factor used in calculation
3-158, paragraph 5	"60 miles of trail converts to 28.3 acres"	"60 miles of trail converts to 29 acres"	Incorrect conversion factor used in calculation
3-201, last sentence on the page	"...4 campsites, and 35 near wetlands..."	"...4 campsites on lakeshores, and 35 near wetlands..."	Editorial error
3-213, under "Barren core within riparian campsites"	"Outfitter-guides use 21 riparian campsites within the backcountry."	"Outfitter-guides use 14 riparian campsites within the Pasayten and Lake Chelan-Sawtooth Wilderness"	Editorial error
3-177, 6 <sup>th</sup> bullet & 3-221, paragraph under "Aquatic Resources"	"...and reduce impacts to water quality from increased sedimentation, reduced shade and hazardous materials."	"...and reduce impacts to water quality by decreasing sedimentation, protecting streamside vegetation to maintain shade, and minimizing risks of contamination from hazardous materials"	Editorial error
3-277, first paragraph after figure	"...because they would be unlikely to hinder the attainment of the RMOs..."	"...because they would not hinder the attainment of RMOs..."	Editorial error

3-265, paragraph 7	“There are 64 campsites...”	“There are 86 campsites...”	Editorial error
3-266, paragraph 6	“...measures included in numbers 6, 8, 10, and 14...”	“...measures included in numbers 6, 8, 10, and 13...”	Typographical error
3-289, paragraph 4	“...and prevent picketing of stock overnight in alpine meadows...”	“...and prevent picketing of stock overnight in sub-alpine meadows...”	Editorial error
3-353, 3 <sup>rd</sup> bullet	“Prohibiting picketing of stock...”	“Prohibiting overnight picketing of stock...”	Editorial error
3-353, paragraph 2, after bulleted list	“...would increase stock use by 5%...”	“...would increase stock use by 50%...”	Typographical error
3-356, addition to compliance with MA7-11A		The pack and saddle stock outfitter-guide permits would not include any domestic livestock grazing.	Editorial error.

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