

# FOREST SERVICE DOCUMENTS THAT REFERENCE THE PALISADES AREA

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**1972-1973 Roadless Area Review and Evaluation (RARE I)** was initiated in accordance with Section 3 of the 1964 Wilderness Act. This review resulted in 129,510 acres of the Palisades area in Idaho and Wyoming identified as a wilderness study area. A lawsuit over areas that had not been selected and concerns that the National Grasslands and Eastern Forests were not adequately inventoried resulted in the Forest Service ordering a new study of all roadless areas.

**1977-1979 Roadless Area Review and Evaluation (RARE II).** This review resulted in 135,840 acres of the Palisades area in Idaho and Wyoming identified as a Further Planning Area. However, California initiated a lawsuit challenging the RARE II decision. Both the U.S. District Court and the Ninth Circuit Court of Appeals found that the RARE II Final Environmental Impact Statement (FEIS) did not comply with the requirements of the National Environmental Policy Act (NEPA). In response, the Forest Service set the decision aside and began revising regulations for forest planning.

**1980 Palisades EA – Oil and Gas Leasing** (Environmental Assessment, Decision Notice/FONSI, Lawsuit) – U.S. BLM, Department of Interior, Casper District, Wyoming, Buffalo Resources Area Oil and Gas Environmental Assessment 86 (1980); Targhee and Bridger-Teton Natl. Forests, U.S. Forest Service, Dept. of Agriculture Environmental Assessment for Oil and Gas Exploration in the Palisades Further Planning Area 38 (June 5, 1980) (sometimes referred to as the Palisades EA). The EA analyzed a proposal for leasing the bulk of the Palisades Further Planning area for oil and gas exploration using a variety of surface stipulations, including a “conditional no-surface occupancy” stipulation for all lands with slopes greater than 40%. The Sierra Club challenged the decision in court, arguing that the lease stipulations were unenforceable and, even if enforceable, would be ineffective in preventing environmental impacts. In 1982, the D.C. District Court ruled that the agency had broad authority to place conditions on leases, therefore the stipulations were enforceable.

**1983 Palisades Backcountry Management Area Plan and Map.** This plan addressed the Palisades backcountry on the Targhee Forest (including section administered by the BTNF but not the portion on the BTNF). The Plan divided the backcountry into five management units (Rainey Creek, Palisades Creek, Big Elk Creek, Indian Creek, and Wolf Creek). The Plan established regulations to minimize the impact of visitor use (e.g. group size limit, restriction on camping with stock in the Palisades lakes high use area). The plan allowed motorcycle use on trails in the Rainey Creek and Indian Creek units and prohibited motorcycle use in the Palisades and Big Elk Creek units.

**1983 Roadless Area Re-evaluation.** Following the Court’s decision on RARE II, planning regulations were revised in 1983 requiring the evaluation of inventoried roadless areas for potential wilderness as part of forest planning. The Bridger-Teton and Targhee National Forests began the re-evaluation study and produced several draft maps. However, passage of the Wyoming Wilderness Act included a number of the study areas in the NWPS and ended further study of potential wilderness as part of forest planning.

**1984 Wyoming Wilderness Act (PL 98-550).** Designated the Wyoming portion of the Palisades area (approximately 135,840 acres) as a Wilderness Study Area. The WSA was to be reviewed for its suitability for preservation as wilderness when the Forest Plan was revised. The Act also established interim direction for the WSAs and prohibited further review of roadless areas for wilderness suitability as part of the initial Forest Plans.

**1990 Bridger-Teton National Forest Land and Resource Management Plan** (Record of Decision/FEIS). Identified Palisades and Shoal Creek as Wilderness Study Areas per the Wyoming Wilderness Act and provided general management direction including reiterating the “conditional surface-occupancy

stipulation” for energy development in the Palisades as specified in the Sierra Club v. Peterson case (Desired Future Condition class 6S). The FEIS and response to public comments contains additional info.

**1990 Teton Division Winter Travel Plan/2016 Over-snow Vehicle Use Map** (Bridger-Teton Natl. Forest) **and 1997-1998 Travel Plan** (Targhee Natl. Forest) address motorized winter travel opportunities. The Palisades WSA is not specifically addressed in either of these plans. Travel maps show the WSA as open for over-snow vehicle use although a portion of the WSA on the Targhee is closed to over-snow travel north of Alpine, Wyoming and on the BTNF, a small portion around Dog Creek is closed to all human presence to protect wintering elk and the area south of the Teton Pass highway to Black Canyon is closed to over-snow vehicle use. No groomed trails are authorized within the WSA on either Forest.

**2000 Targhee National Forest Oil and Gas Leasing Analysis.** Final EIS. This analysis focused on whether or not lands on the Forest (including the Palisades area) should be available for lease. Conclusion in 07/14/2000 Record of Decision was no surface occupancy allowed.

**1997 Targhee National Forest Revised Land and Resource Management Plan** (Record of Decision/FEIS) (revision of initial 1985 Forest Plan). Identified the Wyoming portion of the Palisades as a Wilderness Study Area with accompanying management direction per the Wyoming Wilderness Act (Prescription class 1.2). Approximately 60,200 acres of the Idaho portion of the Palisades area was classified as “recommended wilderness” with accompanying management direction (Prescription class 1.3). The FEIS and response to public comments contains additional information.

Idaho portion of the Palisades recommended wilderness area over time –wheeled motor vehicle use

Year	Amount and Type of wheeled motor vehicle use allowed
1979	All vehicle types allowed
1985	5 miles open to single track
1997	1 miles open to single track, and closed to cross country travel.

**1998 BPA/Lower Valley Transmission Project.** Record of Decision/FEIS. This project involved upgrading the powerline from Swan Valley, ID to Wilson, WY to solve a voltage stability problem in the Jackson and Afton, Wyoming areas. A new 115-kV line was proposed to be constructed next to an existing 115-kV line. However, in the WSA at Teton Pass, about 1 mile was built using double-circuit structures, thus reducing the amount of disturbance and need for new roads.(Note: the electronic site on Teton Pass that supports multiple communication companies was also upgraded in the early 2000s with analysis supported by a decision memo, Targhee National Forest).

**1999 Targhee National Forest Open Road and Open Motorized Trail Analysis** (Motorized Road and Trail Travel Plan). Record of Decision/Final EIS. Affirmed that most trails within the Palisades WSA would remain non-motorized but included the Indian Creek trail as a designated motorcycle trail. The environmental analysis and response to public comments address the effects on the Palisades WSA.

**2003 Red Top Meadows to Teton Village Fuel Reduction project,** Bridger-Teton National Forest EA, Decision Notice/FONSI. In response to the Green Knoll Fire, fire managers implemented a small scale mechanical thinning project in 2003 along portions of the private land/national forest boundary from Red Top Meadows to Teton Village. Portions of the treatment units fell inside the Palisades WSA.

**2004. Bridger-Teton National Forest Fire Management.** EA, DN/FONSI, Amendment to Forest Plan. This project amended the Forest Plan with updated standards and guidelines for fire management. This allows the Forest to implement a full range of fire management options currently authorized under Forest Service policy across the entire forest, including within the WSAs. This gives managers more flexibility when managing a wildfire to achieve resource benefits, public safety, and help control costs.

**2004 Teton Pass Trail System.** Decision memo and project file. In response to a need to improve public safety, protect natural resources, and prevent unauthorized trail construction, a new summer trail system was proposed for the Bridger-Teton Natl. Forest portion of Teton Pass. The trail system decision separated use on some trails, authorized reconstruction of some trails, and accepted four new trail corridors which had to be adopted by a group who would assume maintenance responsibility. The decision also included closure of any trails not included in the trail system, prevented consideration of new bike-specific trails in the WSA, and outlined education/information actions.

**2004-2006 High Mountain Heli-Skiing Permit Re-Issuance** (Record of Decision, FEIS, Lawsuit). HMH has operated since 1976 within portions of the Bridger-Teton and Targhee National Forests. After passage of the Wyoming Wilderness Act, more heli-skiing use began to occur in the Palisades WSA since heli-skiing areas within the Gros Ventre and Jedediah Smith Wildernesses were no longer available. The special use permit expired in 2001 and an increase in use was requested by the permittee with a new permit (1500 service days). After a series of environmental studies, the Record of Decision authorized 832 priority service days of use with an additional 368 temporary service days available if public demand for heli-skiing grew over the life of the 10-year permit. A coalition of groups challenged the decision and in November 2006, the Ninth Circuit Court ruled that the decision violated the Wyoming Wilderness Act, NEPA, and NFMA, largely due to failure of the analysis to demonstrate how the opportunity for solitude would be maintained with the proposed increase in heli-ski use compared with the opportunity for solitude that existed in 1984 when the WSA was designated. The court ordered a negotiated settlement that resulted in a phased decrease of heli-ski use in the WSA down to the amount of use documented to have occurred prior to 1984 (57 service days).

**2005 Caribou-Targhee National Forest Fire Management Plan.** This plan provides guidance in managing the fire program on the Caribou-Targhee National Forest. The plan recognizes both fire management as an inherent part of natural resource management and includes a full range of fire management actions consistent with the Land and Resource Management Plans to ensure adequate fire suppression capability and to support fire reintroduction effects. The Plan identifies *Wilderness Study Areas and Recommended Wilderness* with the following management direction: Minimum Impact Suppression Tactics will be employed to the maximum extent possible; Wildland fires and management ignited prescribed fire are allowed when they meet the objectives of the Wilderness Study Area.

**2008 Idaho Roadless Rule.** Roadless area management in Idaho is defined by themes as part of the 2008 Idaho Roadless Rule. The Palisades Roadless Area on the Targhee portion of the Caribou Targhee is contiguous to the Palisades Roadless Area on the Bridger Teton National Forest which was designated as a WSA through the 1984 Wyoming Wilderness Act. Of the 122,000 acres in the Idaho portion of the Palisades Roadless Area, roughly 60,200 acres are prescribed as recommended wilderness per the revised Forest Plan.

**2009 Off-Highway Vehicle Route Designation Project, Bridger-Teton National Forest,** Buffalo, Jackson and Big Piney Ranger Districts. Record of Decision/FEIS. This project focused on developing a designated summer wheeled motor vehicle route system in portions of the Bridger-Teton National Forest where unrestricted motor vehicle use still occurred. Relative to the WSAs, the decision resulted in closing the Taylor Mountain road (the location that pre-dated the Wyoming Wilderness Act was on an active landslide) and officially closing the Palisades WSA to summer wheeled motor vehicle use. In the Shoal Creek WSA, portions of two roads that pre-dated the 1984 Wyoming Wilderness Act became designated routes while other routes were closed.

**2009 Palisades Wilderness Study Area.** Appendix 2-C of Comprehensive Evaluation Report prepared for BTNF Forest Plan revision (later put on hold). This document describes the characteristics of the WSA relative to capability, manageability and need (criteria defined as part of 2008 Forest Planning Rule).

(Note: the 2012 Forest Planning Rule now defines the wilderness evaluation process in four phases – inventory, evaluation, analysis, and recommendation).

**2013-2014 Certified boundary and map of record for Palisades and Shoal Creek WSAs.** This project focused on determining a legally defensible boundary for both the Palisades and Shoal Creek WSAs to meet the intent of Congress per Section 202 of the Wyoming Wilderness Act. The boundary package was submitted to the Intermountain Regional Office on 8.23.2013 with a cover letter, narrative, and 12 appendices summarizing research to uncover historical records and information related to the boundary. As a result of this research, the legal boundary for the Palisades WSA was found to be based on the map generated during the 1977 RARE II process, rather than a map from 1984 that was likely generated during the RARE re-evaluation study in 1983. The Forest Service Regional and Washington office specialists concurred with the findings and the Regional Forester certified the legal boundary description and map on March 11, 2014. The certified boundary was filed with the appropriate Congressional committees in June 2014.

**2014. Summer Non-motorized Trail Assessment: Jackson Ranger District, BTNF.** Executive Summary (full document pending). The trail assessment is a strategic document intended to guide future planning and management of the non-motorized summer trail system on the Jackson Ranger District, BTNF. The primary product from this assessment is guidance for nine distinct geographic areas with respect to each area's recreation management emphasis, trail development class, and priority trail system tasks. The Palisades WSA falls within the Snake River Range and Teton Pass geographic areas. The Snake River Range is managed for primitive experiences that cater to hiking, horse use, and hunting. Many trails should remain primitive (Class 2) with some higher elevation trails undeveloped; tread indistinct making map-reading skills essential. Teton Pass is managed for high day use with emphasis on serving communities and visitors. No new trails should be developed in WSA with no overall net gain in trail/road mileage. Trails are improved (Class 3) with user-specific design consistent with designation.

**2014 Teton County, Wyoming. Teton County Community Wildfire Protection Plan.** A Community Wildfire Protection Plan (CWPP) helps a community clarify and refine its priorities for the protection of life, property and critical infrastructure in the wildland-urban interface. The Teton Area Wildfire Protection Coalition was formed in 2004 and completed Teton County's first CWPP in 2005. The updated 2014 Community Wildfire Protection Plan is designed to be a programmatic document that utilizes a new prioritization process to facilitate fuels mitigation efforts. The Palisades WSA relates to the CWPP in that the approved wildland-urban interface boundary maps for the County and Forest fall inside the WSA boundary adjacent to private lands.

**2017 Teton to Snake Fuels Management Project.** Bridger-Teton National Forest. Record of Decision and FEIS. The Teton to Snake project proposes to use mechanical thinning and prescribed fire treatments in the wildland-urban interface to reduce potential wildfire intensity and the need for aggressive suppression responses; reduce the likelihood of wildfire spreading to private lands; increase firefighter safety; and allow fire to operate more freely as a natural ecosystem process, especially in the Palisades Wilderness Study Area (WSA). The project area is located in Teton and Lincoln Counties just west of the town of Jackson. The Record of Decision and FEIS is scheduled to be released in February 2017.

