Forest Service
U.S. DEPARTMENT OF AGRICULTURE

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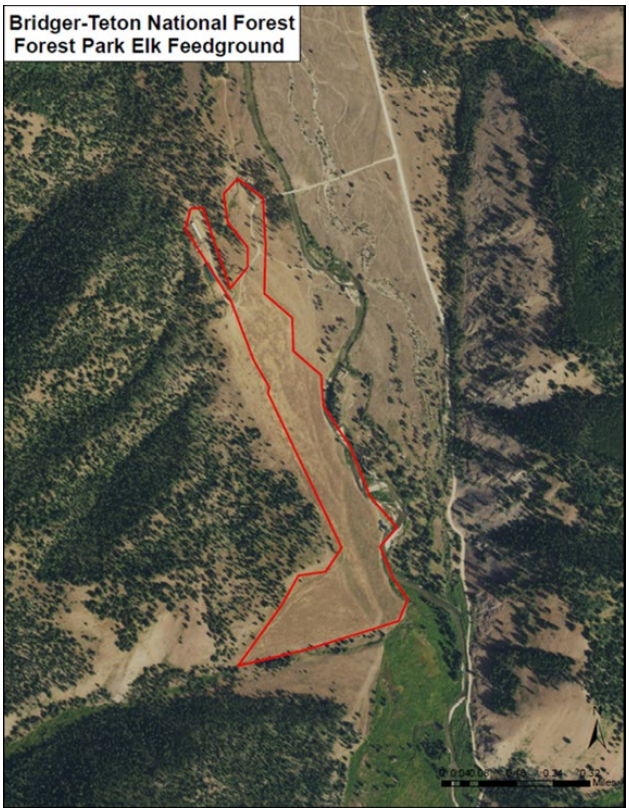
Draft Record of Decision

Dell Creek & Forest Park Elk Feedgrounds: Long-Term Special Use Permits

Big Piney and Greys River Ranger Districts

Sublette and Lincoln Counties, Wyoming



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Decision and Reason for the Decision

Background

The Wyoming Game and Fish Commission (WGFC)[1] manages a supplemental feeding program for wintering elk on 21 feedgrounds in western Wyoming, seven of which occur on the Bridger-Teton National Forest (BTNF). In addition to these 21 feedgrounds, the U.S. Fish and Wildlife Service supplementally feeds elk in the winter on the National Elk Refuge. The permits include both a use authorization and site-specific stipulations. Dell Creek and Forest Park elk feedgrounds have been in operation for at least 40 years. Permitted special use authorizations for Dell Creek and Forest Park expired in 2022 and 2017, respectively, but the Wyoming Game and Fish Department (WGFD) has been allowed to continue feeding while the WGFC application is decided through the use of one-year special use permits (SUPs) and the use of federal statute 5 U.S.C. 558(c), which states that "when the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency." The WGFC submitted a proposal to the Forest Service requesting the continued long-term use (20 years) of facilities at the Dell Creek and Forest Park elk feedgrounds to conduct elk winter feeding between November 15 and April 30, depending on winter conditions, and related management activities.

Wildlife health is an important element regarding elk management, particularly from the impacts associated with chronic wasting disease (CWD). CWD is a 100 percent fatal disease if contracted by ungulates. Locally, the first case of CWD was reported in elk harvested in northwestern Wyoming in 2020. The first confirmed case of an elk testing positive on a feedground occurred in December 2024 at the Scab Creek feedground in elk hunt area 98 (WGFD 2025a). During winter/spring 2025, a total of six elk were found dead on or near the Dell Creek feedground (hunt area 87) that subsequently tested positive for CWD (WGFD 2025b; Bruce 2025). The first CWD-positive elk detection in hunt area 84 located in the Jackson region was confirmed in December 2024 (WGFD 2024a). In March 2025, there were several confirmed cases of CWD in elk, including one detection from hunt area 93 at the Black Butte feedground (WGFD 2025c), an additional detection in hunt area 84 at the Horse Creek feedground, and a detection in hunt area 62 in the Cody Region (WGFD 2025d). The operation of elk feedgrounds increases the risk of CWD transfer among elk and other ungulates but limits the risk of brucellosis transfer to cattle on nearby private lands. Brucellosis can be transferred from elk to cattle, and is a contagious, costly disease with animal health, public health, and international trade consequences. Additionally, many hunting and tourism-based businesses rely on large elk population numbers.

The purpose of the WGFC's proposal is to (1) reduce conflicts with nearby livestock operations, (2) reduce the risk of brucellosis transmission to livestock, (3) maintain elk population objectives pursuant to the interests of their constituents without excessive winter elk mortality, and (4) prevent vehicle collisions with elk on US Highway 191. The purpose of the federal action is to decide whether to approve the WGFC's request and, if so, under what conditions to continue to permit the use. The need for the federal action is to respond to the WGFC's request to continue to use facilities on National Forest System (NFS) lands to conduct their winter elk management activities. Under 36 CFR 251.50, an authorization is required for this use of NFS lands. This action is needed because the existing authorization has expired. The WGFC is also

[1]A note on terminology: The WGFC is the policy making board of the Wyoming Game and Fish Department (WGFD) and is responsible for the direction and supervision of the Director of the WGFD. The WGFC, through efforts of WGFD, provides a system of control, propagation, management, protection, and regulation of all wildlife in Wyoming. Thus, the WGFC is the entity that is currently authorized to use and occupy National Forest System land for feedground use on the Bridger-Teton National Forest, while WGFD is the State agency that implements the WGFC's management direction, including the acts of feeding, vaccinating, and testing elk at feedgrounds.

authorized to operate elk feedgrounds on NFS lands at Dog Creek, Fall Creek, Fish Creek, Muddy Creek, and Green River Lakes. The authorization for these five feedgrounds expires on October 1, 2028. The Alkali Creek elk feedground was permitted for emergency use only through 2024 and is now closed. Under 36 Code of Federal Regulations (CFR) 251.50, authorization is required for this type of special use of NFS lands.

Analysis

The final environmental impact statement (Final EIS) documents the analyses of four alternatives. These alternatives include the Proposed Action (PA; continue current elk winter feeding and management for 20 years), No Special Use Authorization (NF; No Action – no winter elk management activities permitted), Phase-Out (PO; continue winter feeding for three feeding seasons, then discontinue winter feeding), and Emergency Feeding Only (EF; winter feeding only in emergency situations). The Final EIS analysis considered two entire elk herd units (herd unit refers to a designated area where elk are managed and monitored for population control and conservation efforts) the Afton and Upper Green River herd units, within which the Forest Park and Dell Creek elk feedgrounds are located, respectively. These herd units also include other feedgrounds within each unit. The differences between all the alternatives are predicted to be modest for most of the performance metrics at that scale. However, those differences are much larger when the same management decisions are applied to all feedgrounds on a herd unit and not just to Forest Park and Dell Creek as is done in the cumulative effects analysis. When applying the alternatives only to Forest Park and Dell Creek, the results had similar median values and overlapping uncertainty (i.e., standard deviation) at the herd unit level. The NF alternative had better predicted outcomes than the PA in terms of minimizing CWD and maximizing elk population sizes at year 20. In contrast, the PA had better predicted outcomes than the NF alternative in terms of brucellosis-related costs, private hay sale revenue, and elk-depredation payment costs.

Decision

The Responsible Official for this Draft Record of Decision is the Forest Supervisor of the Bridger-Teton National Forest. I have decided to implement a modified PA to authorize short-term continued use of the Dell Creek elk feedground (35 acres) and the Forest Park elk feedground (100 acres), and the existing facilities at each feedground, for the WGFC winter elk-management program as described in the Final EIS through September 30, 2028. Hay may be distributed from drawn sleighs daily between November 15 and April 30, depending on winter conditions. The WGFC would maintain and operate existing facilities necessary for their ongoing winter elk-management activities, including hay-storage sheds, fenced stackyards, corrals, elk traps, fencing, 0.25 miles of road, a bridge, a cabin, spring development, a water well, and a portable tack shed. No new construction or facilities would be permitted. Winter elk-management activities would include, but would not be limited to feeding, capturing, collaring, vaccinating, and testing elk–and removing diseased elk from the population.

Reason for Decision

This decision is difficult and complicated and is one that I have not taken lightly. Feeding as part of winter elk management in western Wyoming is an emotive and controversial issue, and for good reason. Elk are an iconic species that represents both the wildness of Wyoming and the role that humans have taken in managing that wildness. No alternative, with or without feedgrounds, is without tradeoffs and consequences to wildlife, resources, and people. In spite of the impacts and tradeoffs, I make this decision knowing that there is a concerted effort among local, state, and federal agencies, and the public they serve, to restore historic migration routes, ensure the production and availability of natural winter range, protect private land from elk damage, and to address current and emerging wildlife disease issues.

One of the BTNF Land and Resources Management Plan (Forest Plan) goals is to help communities continue or gain greater prosperity by helping to re-establish historic elk migration routes to provide increased viewing and hunting opportunities for outfitters and clients (page 140, goal 1.1(g), Forest Plan 1990, USFS 2015). I remain committed to this goal in the long term, but by design, feedgrounds modify migration patterns. Ongoing efforts by the Forest Service with our interagency partners to reduce reliance on supplemental feeding is contributing to meeting the existing goal as currently defined. Examples include: (1) BTNF is currently a federal cooperating agency partner for updating the Bison and Elk Management Plan and environmental impact statement (EIS) for the National Elk Refuge, (2) Forest Service participated in WGFD's collaborative process to explore management options and seek consensus regarding strategies to reduce the prevalence of CWD in Wyoming's ungulate populations, (3) BTNF actively participated as a team member for development of the WGFD's Elk Feedgrounds Management Plan, which is intended to chart a long-range path for feedground management, and (4) Closing the Alkali Creek elk feedground and removing all supporting infrastructure in 2024. Re-establishing historical elk migration routes will take the combined effort and cooperation of state and local agencies, as well as private organizations and citizens. In some cases, this may not be possible with the development pressure that has occurred since our Forest Plan was signed. The Forest Service will ensure that all interested publics, non-governmental organizations, and interagency cooperators are given the opportunity to be involved with these issues when we revise our Forest Plan.

The reason for authorizing the shortened timeframe (i.e., <20 years) is two-fold. First, the 3-year timeframe allows for continued use of the Dell Creek and Forest Park elk feedgrounds as the WGFD develops their Feedground Action Management Plans (FMAPs) for each individual elk herd and associated feedgrounds, as directed in the WGFD Wyoming Elk Feedgrounds Management Plan (WGFD 2024b). Second, the 3-year timeframe allows time to coordinate future management of the Dell Creek and Forest Park elk feedgrounds with the five other elk feedgrounds on the BTNF and how they may be affected with other non-FS feedgrounds as a result of the FMAP process. As recognized in the Final EIS, the differences among alternatives are predicted to be modest when considering impacts to the performance metrics. Since the predicted CWD prevalence and total number of CWD deaths are correlated with the proportion of the elk that are fed in a herd unit; the relatively small proportions of elk fed at Dell Creek and Forest Park results in only small differences among alternatives. However, those differences grow in magnitude when considering implementing the alternatives at the other feedgrounds in addition to Dell Creek and Forest Park. At the end of this 3-year timeframe, a new National Environmental Policy Act (NEPA) process and subsequent analysis would be prepared to collectively evaluate all seven feedgrounds on the BTNF.

The WGFD has developed the Wyoming Elk Feedgrounds Management Plan (WGFD 2024b) to provide direction for the WGFD regarding elk management in herds that utilize the WGFD operated-feedgrounds. Due to unique circumstances at each feedground, a tailored management plan is necessary at each feedground. The FMAP explores the long-term and short-term opportunities to reduce elk reliance on feed and associated disease transmission risks and could result in changes to WGFD elk management programs at feedgrounds. Each FMAP will use best available science, expertise, and local knowledge to uniquely implement the strategies identified in the management plan. Immediate and long-term obstacles, outstanding questions, and solutions will be considered. While the FMAPs will assess each feedground, they will be conducted at the herd level to maintain consistency with the WGFD standard processes for management and reporting. Each FMAP will be reviewed annually for evaluation, reporting, and updating. Major updates will be incorporated into the herd objective review process. FMAPs will be developed by working groups and are expected to be completed by March 2027.

I clearly understand and acknowledge that the WGFC's action of feeding elk in feedgrounds results in artificially high concentrations of elk during winter and early spring, which increases risk of disease transmission (see section 3.1.3.1.2.1.1 Chronic Wasting Disease, in the Final EIS). With CWD now established on the BTNF, there is a likelihood that the population-limiting effects of this disease to elk, mule deer, and moose will be hastened by supplemental feeding. I decided it would be inappropriate to act

unilaterally on this issue, for example, by selecting the NF alternative, there is potential to displace impacts, conflicts, and unintended consequences to other state, private, and federal jurisdictions. Even a small increase in brucellosis transmissions to nearby cattle operations could result in significant financial hardship or force an operator out of business. This decision is also made in the context that only an estimated 20 and 12 percent of the elk in the Afton and Upper Green River herd units, respectively, are fed at the Forest Park and Dell Creek elk feedgrounds. Thus, the differences between the alternatives are relatively small in terms of elk population projections.

As described in section 3.1.3.1.2.1.1 Chronic Wasting Disease, in the Final EIS, the use of feedgrounds is likely to increase the frequency and duration of contacts that may transmit CWD from elk to elk, from elk to the environment, and from the environment to other ungulate species. The projected rate at which CWD spreads is greater for the fed elk population under the PA than for the unfed-elk population, suggesting that CWD will spread faster among elk that utilize feedgrounds. While the influence of feedgrounds on the transmission of CWD is evident, the influence of a single feedground is more difficult to discern. The number of CWD deaths over time show relatively small differences under the PA and each of the alternatives for the Afton and Upper Green River herd units. Thus, there are not large differences in CWD prevalence rates, deaths from CWD, or deaths over time across entire herd units among the alternatives all considered in the Final EIS. However, if the alternatives were applied to all feedgrounds, or all Forest Service feedgrounds, there would be larger differences between the alternatives in CWD prevalence, CWD deaths, and elk population size within each herd unit over 20 years. If the PA feeding strategy is retained at all feedgrounds or all Forest Service feedgrounds, CWD prevalence rates and deaths from CWD would be higher than under the other alternatives, resulting in the lowest elk population size.

I recognize that authorization of feedgrounds results in browsing and mechanical damage that over the course of time, has reduced historical distributions of aspen, sagebrush and willows, the effects of which are most apparent in the immediate vicinity of the feedgrounds which can be measured in some locations as far away as one mile. Although vegetation is impacted by elk at both feedgrounds, vegetation is functioning to trap pollution and filter runoff. Qualitative and quantitative monitoring data does suggest that past elk grazing has impacted growth and rejuvenation of riparian woody species on and adjacent to feedgrounds. However, even after decades of use, soils on the two feedgrounds show the presence of fine and very-fine roots. Thus, soil is still functioning at each feedground for root penetration and water infiltration. Based on survey results, soil resources are meeting Forest standards. I also considered the potential effects of feeding elk during the winter on all wildlife, as described in Chapter 3 of the Final EIS, and find that with the exception of elk and other cervids susceptible to CWD, the impacts from allowing use and occupancy of the feedgrounds are minimal.

When compared to the other alternatives, authorizing three additional years of feedground use will allow WGFD time to implement the FMAPs for each elk herd and associated feedgrounds and allow the Forest Service to administer all of the feedgrounds located on NFS lands simultaneously, which will improve management efficiency. My decision meets the purpose and need of the project over the short-term while allowing for additional planning for a future decision. Terms and conditions will be included in each respective SUP, as provided by 36 CFR 251.56 and discussed below.

My decision is in compliance with the National Forest Management Act (Public Law 94-588). In particular, the decision contributes to the accomplishment of Forest Plan Goal 2.1 - Adequate habitat for wildlife, fish, and edible vegetation to help meet human food needs is preserved and Objective 2.1(a) to "[p]rovide suitable and adequate habitat to support the game and fish populations established by the Wyoming Game and Fish Department, as agreed to by the Forest Service" (Page 142, Forest Plan 1990, USFS 2015). As recognized in the Forest Plan, some objectives conflict with others. Consequently, some objectives will not be met on all areas of the Forest. For example, elk feedgrounds may not help reestablish historic elk migration routes as stated in Objective 1.1(g) (Page 115, Forest Plan 1990, USFS 2015). I recognize that after 20 years, the NF alternative results in the highest elk populations when compared to the other alternatives; however, in the near-term (i.e., approximately 3 years), and within the timeframe of this

decision, the PA performs better. The declines associated with feedground closures were assumed to occur rapidly. This is because the NF and PO alternatives are predicted to have immediate population reductions due to reduced carrying capacity and lack of suitable winter forage near the feedgrounds, whereas the PA is predicted to be more affected by CWD mortality as disease prevalence continues to increase over time. The project was designed in conformance with Forest Plan standards and incorporates appropriate land use and resource management plan guidelines. My decision is consistent with forest-wide and specific management prescriptions, standards and guides in the Forest Plan (see Table 50, Final EIS).

My decision would also meet the need by responding to the WGFC's request to continue to use facilities on NFS lands to conduct their winter elk management activities. Under 36 CFR 251.50, an authorization is required for this use of NFS lands. This action is needed because the existing authorization has expired.

Rationale

1. This short-term authorization would allow for consistent use of the Dell Creek and Forest Park elk feedgrounds as WGFD develops FMAPs for each individual elk herd and associated feedgrounds.
    a. Each elk herd will have individualized FMAPs, with a three-year completion objective for all seven herds (i.e., March 2027).
    b. The FMAPs will explore the long-term and short-term opportunities to reduce elk reliance on and disease transmission risks on feedgrounds in Wyoming and could result in changes to WGFD elk management programs at feedgrounds.
2. This short-term authorization will allow the Forest Service to coordinate future management of the Dell Creek and Forest Park elk feedgrounds with five other elk feedgrounds on NFS lands and how they may be affected with other non-Forest Service feedgrounds as a result of the FMAP process.

Terms and Conditions

The following terms and conditions apply to this decision for Dell Creek and Forest Park elk feedgrounds and their management:

Operation, Administration, and Maintenance of Feedground

- The permit holder shall prepare and revise (if changes are warranted) an operating plan by November 1 each year. A year of operation will consist of November through October of the next year. The operating plan shall be prepared in consultation with the Forest Service authorized officer or the authorized officer's designated representative and shall cover all operations authorized by this permit. The operating plan shall outline steps the holder will take to protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor the holder's operations for compliance with the terms and conditions of this permit. The operating plan shall be submitted by the holder and approved by the authorized officer or the authorized officer's designated representative prior to commencement of operations. The authorized officer may require an annual meeting with the holder to discuss the terms and conditions of the permit or operating plan, annual-use reports, or other concerns either party may have.
- The permit holder shall attend any meeting with the Authorized Officer scheduled by the Forest Service to review and approve any matters pertaining to the administration of the permit.
- The permit holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the Forest Service authorized officer and consistent with other provisions of the permit.

- Access to the feedgrounds includes and shall not be limited to feeding, trapping, maintenance, and hay hauling. Administrative access would be allowed throughout the winter range closure period when performing duties associated with operating and maintaining the feedgrounds. Permit holder vehicular access behind locked gates on closed roads must be approved by the Forest Service authorized officer in advance.
- The permit holder and their contractors shall not be authorized to access closed designated winter wildlife ranges for any activity that is not directly related to feedground operations.
- The permit holder shall inspect the permit area prior to use each year and make necessary repairs. Work other than routine maintenance and/or minor repairs shall be discussed and approved in advance with the Forest Service authorized officer.
- If requested by the Forest Service, the permit holder shall complete a self-inspection form to report the status of feedground compliance with the terms of the permit.
- The permit holder shall keep dogs under voice control to prevent wildlife harassment. Offending dogs must be removed or restrained when in the permit area.
- The permit holder shall contact the Forest Service authorized officer (Greys River or Big Piney District Ranger) or permit administrator when an emergency situation occurs that requires immediate action that is outside of the scope of the Permit and Operating Plan. If contact and approval cannot be made prior to action, a report of the action must be made as soon as possible after the emergency is addressed.
- Annually report chronic wasting disease monitoring and mitigation actions that have been taken with regard to feedground management on NFS lands in western Wyoming.

Wetlands, Streams, and Soils

- Feeding shall not be authorized to take place within mapped wetland areas or within 100 feet from the outer edge of the wetlands, perennial streams, or the channels that connect them. The permit holder shall monitor the condition of the aquatic resources and vegetative conditions within the 100-foot buffer at the conclusion of 2027-2028 season and provide the Forest Service a summary report of resource conditions for the permitted areas. Monitoring protocols will be approved by the Forest Service.
- Feeding operations shall be conducted over frozen ground as much as possible to reduce the potential for soil compaction from equipment and elk.
- The permit holder and Forest Service shall reduce stream-bank damage by identifying specific locations for stream crossings for feeding operations.
- If a feasible and economical soil test for prions is developed, annually test the soil on both feedgrounds to monitor for incidence of chronic wasting disease prions and annually submit reports of findings.

Weed-Free Hay

- Any hay or straw used in association with this permit shall be certified and tagged as noxious weed-free or noxious weed seed-free (Intermountain Regional Order 04-2021-03) to minimize the potential introduction of noxious weeds. Documentation of certification shall be provided annually. The operation shall comply with county ordinances where applicable.
- Annually report the geographic origin of all hay used at Dell Creek and Forest Park elk feedgrounds to document that hay does not originate from areas known to have high CWD prevalence rates.

Noxious Weed and Exotic Plant Prevention and Control

- Conduct and submit to the Forest Service an annual treatment and monitoring report concerning the presence and treatment of noxious and invasive weeds within the permit area. Data on existing species infestations will be collected using data collection protocols approved by the Forest Service. New infestations will be mapped as they are discovered. Annual monitoring will include a daily log that shows a map of specific infestations treated and other information for that treatment activity. A follow up on overall annual treatment efficacy should be completed two-three weeks after a treatment with additional treatments as necessary in the same growing season. Noxious weed-treatment methods shall meet Forest Service specifications.

Herbicide and Pesticide Use

- Herbicides and pesticides may not be used outside of buildings to control undesirable woody and herbaceous vegetation, aquatic plants, insects, rodents, or fish without the prior written approval of the Authorized Officer. A request for approval of planned uses of pesticides shall be submitted annually by the holder on the due date established by the Authorized Officer. The report shall cover a 12-month period of planned use beginning 3 months after the reporting date. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time an annual report was submitted. Only those materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be authorized for use on National Forest System lands. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers.
- Pesticide-Use Proposal.

  Requests for concurrence of any planned uses of pesticides would be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the permit holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.
- Pesticide-Use Labeling, Laws, and Regulations.

  Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

Hazardous Materials

- Consent to Store Hazardous Materials.

  The permit holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

- Cleanup and Remediation.
    - 1. The permit holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officers designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.
    - 2. Except with respect to any federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of the permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

Food and Refuse Storage

- The permit holder shall comply with the food- and refuse-storage provisions identified in the Bridger-Teton National Forest Food Storage Special Order (#04-03-23-201) year-round within each feedground.

Archaeological-Paleontological Discoveries

- The permit holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by the permit. The permit holder shall follow the applicable inadvertent discovery protocols for the undertaking provided in an agreement executed pursuant to section 106 of the National Historic Preservation Act, 54 U.S.C. 306108; if there are no such agreed-upon protocols, the holder shall leave these discoveries intact and in place until consultation has occurred, as informed, if applicable, by any programmatic agreement with tribes. Protective and mitigation measures developed under this clause shall be the responsibility of the holder. However, the holder shall give the authorized officer written notice before implementing these measures and shall coordinate with the authorized officer for proximate and contextual discoveries extending beyond the permit area.

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives, which are discussed below. The No Special Use Authorization Alternative was the environmentally preferred alternative. A more detailed comparison of these alternatives can be found in the Final EIS (sections 2.2, 2.3, and 2.4).

No Special Use Authorization Alternative (NF)

Under the NF (considered the No Action Alternative in this analysis), use of NFS lands for WGFC's winter elk-management activities would not be permitted at Dell Creek and Forest Park elk feedgrounds. Elk-feeding practices would be discontinued at the time of the decision or at the end of the current feeding season. The WGFC would remove the existing facilities and rehabilitate impacts at both locations. A SUP would be issued for 3 years to remove hay and facilities, rehabilitate the feedground area, and treat noxious weeds.

My decision not to select the NF alternative was multifaceted. Because the NF resulted in the highest number of elk on private land, it would increase the risk of brucellosis transmission from elk to livestock. By authorizing the PA for a short-term, the WGFD would be allowed sufficient time to implement the FMAPs for each individual elk herd and associated feedgrounds which would provide the Forest Service better management considerations when the new Environmental Analysis begins for all seven Forest Service feedgrounds. Although the NF alternative resulted in the lowest numbers of CWD prevalence and CWD deaths, along with the highest elk population number at year 20; since only an estimated 20 and 12 percent of the elk herds in the Afton and Upper Green River herd units, respectively, are fed at the Forest Park and Dell Creek elk feedgrounds, the differences between the alternatives are relatively small.

Phase-Out Alternative (PO)

Under the PO alternative, use of NFS lands for WGFC's winter elk-management activities would be permitted at Dell Creek and Forest Park elk feedgrounds for three feeding seasons. The feeding operations during the 3-year period would remain under the discretion of the WGFD under existing permit operations. Upon expiration of the permit, use of NFS lands for WGFC's winter elk-management activities would be terminated. A SUP would then be issued for 3 years to remove hay and facilities, rehabilitate the feedground, and treat noxious weeds. Under the PO alternative the WGFD could adjust harvest management in preparation for feedground closure.

My decision not to select the PO alternative was multifaceted. Because the PO resulted in the second highest number of elk on private land (after the NF alternative), it would increase the risk of brucellosis transmission from elk to livestock. By authorizing the PA for a short-term, the WGFD would be allowed sufficient time to implement the FMAPs for each individual elk herd and associated feedgrounds; which would provide the Forest Service better management considerations when the new Environmental Analysis begins for all seven Forest Service feedgrounds. The PO alternative resulted in the second lowest numbers of CWD prevalence and CWD deaths, along with the highest elk population number at year 20 (after the NF alternative). However, because only an estimated 20 and 12 percent of the elk herds in the Afton and Upper Green River herd units, respectively, are fed at the Forest Park and Dell Creek elk feedgrounds, the differences between the alternatives are relatively small.

Emergency Feeding Alternative (EF)

Under the EF alternative, use of NFS lands for WGFC's winter elk-management activities would be permitted at Dell Creek and Forest Park elk feedgrounds and/or the designated trailing route (Forest Park only) for emergency use only over a 20-year period. The overall intent of this alternative is to limit feeding of elk to emergency situations. Emergency feeding would occur when the provided criteria has been met. The frequency of emergency feeding cannot accurately be predicted but may be upwards of 70 percent (Cook et al. 2023).

At Forest Park, trailing or baiting elk to more suitable wintering areas may be a useful option to help reduce the need for emergency feeding. The same triggers for emergency feeding determined for the Forest Park elk feedground would be used to trigger elk baiting along designated routes between November 15 and

April 30. Trailing elk along the designated routes may be used in conjunction with feeding at the feedground or separately.

My decision not to select the EF alternative was multifaceted. In both herd units, the PA and EF had similar performance metric results. This is likely due to the use of feedgrounds in the PA and EF (100 percent of the time and 70 percent of the time, respectively). Thus, I decided that the management strategy associated with this alternative may greatly differ from what the WGFD proposes in their FMAP process, not only for Dell Creek and Forest Park but other nearby feedgrounds that could make this difficult to implement without unintended consequences to other state, private, and federal jurisdictions. Examples include: (1) Heavy snow depth making baiting to other locations not feasible or detrimental to the herd with a subsequent increase in winter mortality, (2) comingling of elk and cattle and subsequent difficulty in moving those elk out of the area and back to the feedground prior to the brucellosis transmission period, and (3) A significant increase in elk depredation costs associated with the abrupt halt in feeding, especially in and around the Dell Creek area. By authorizing the PA for a short-term, the WGFD would be allowed sufficient time to implement the FMAPs for each individual elk herd and associated feedgrounds; which would provide the Forest Service better management considerations when the new Environmental Analysis begins for all seven Forest Service feedgrounds.

Recognition of Impacts

1. I recognize the spread of disease transcends herd unit boundaries, and many of the differences among management alternatives become more substantial relative to uncertainty when the same actions are assumed to occur across all feedgrounds on NFS lands or all the feedgrounds within a herd unit. This decision provides time for more detailed analysis and management direction through the WGFD's FMAP process through the 2027-2028 feeding season; after which, all feedgrounds on the BTNF will be evaluated through the NEPA process.
2. I recognize that delaying any type of cessation of feeding could result in increasing CWD prevalence over the long-term.
3. The WGFD's elk feedground program supports the state and regional economy in a number of ways: (1) it prevents comingling of cattle and elk, (2) it reduces damage to private property, and (3) it maintains elk herd objectives. These purposes provide economic benefits by reducing or offsetting losses due to potential disease transmission between elk and cattle as well as reducing crop losses.
4. Brucellosis is the primary disease concern for transmission from elk to cattle. If a cow becomes infected, the USDA requires that the entire cattle herd and all contact herds be quarantined or culled. Brucellosis outbreaks would occur more frequently with increased interaction between cattle and elk during the high transmission risk period, which could result from reduced feeding under NF or PO compared to the PA.
5. Wildlife depredation represents a cost for agricultural producers and depredation payments are a substantial budget item for the WGFD. If depredation were to increase under an alternative with less elk feeding in either or both Units (NF or PO), then efforts to prevent depredation, either by WGFD or by individual producer investment, may need to be implemented.
6. Continuing elk management activities (including feeding) at Forest Park and Dell Creek primarily affects only the fed-segment of the herd unit population, which on average is 20 and 12 percent of the total elk in their respective herd units. This relatively small proportion of elk affected results in modest differences for some of the performance metrics among management alternatives at that scale. The alternatives for these two individual feedgrounds did not drive large differences in CWD prevalence rates, deaths from CWD, or deaths over time across entire herd units.

7. When applying the alternatives only to Forest Park and Dell Creek, the results mentioned in #6 above had similar median values and overlapping uncertainty (i.e., standard deviation) at the herd unit level. This indicated that, for many of the metrics, the average predicted differences would be small relative to the amount of uncertainty in the predictions at that scale.
8. Although the NF alternative had better predicted outcomes than the PA at minimizing CWD, maximizing elk population sizes at year 20, maximizing resident and nonresident harvest tag revenues and regional economic inputs, it is also important to recognize that the NF alternative underperformed relative to the PA on brucellosis-related costs, private hay sale revenue, and depredation costs. These results highlight the interactions between disease, population productivity, and elk space use patterns and how these factors combine to produce complex long-term outcomes.
9. Feedground closures may result in more immediate reductions in population size relative to alternatives that continue feeding, but mortality associated with CWD leads to similar population reductions over longer periods of time.
10. The NF alternative results in higher elk population sizes compared to the feeding alternative after approximately 10 years.

Public Involvement

As described in the background section, the need for this action arose from a request from WGFC. A proposal to prepare a Final EIS to re-issue long-term SUPs for continued operation of the Dell Creek and Forest Park elk feedgrounds was listed in the Notice of Intent on January 14, 2022. The proposal was provided to the public and other agencies for comment during scoping from January 14 to February 14, 2022. In addition, as part of the public involvement process, the agency held a virtual public scoping meeting on February 3, 2022, beginning with a presentation by the Forest Service followed by a question-and-answer session. Questions were answered by Forest Service and WGFD representatives.

The results of the scoping effort were captured in a scoping report, dated June 21, 2022. Using the comments from the public, other agencies, and organizations, the interdisciplinary team identified several issues regarding the effects of the PA (see section 1.7 Issue Carried into In-depth Analysis section of the Final EIS). Main issues of concern included effects on spatial distribution and migratory behavior of elk; CWD and brucellosis prevalence in elk; brucellosis transmission from elk to livestock; elk population numbers; agriculture production, private lands, regional economy, and hunting; water and soil quality; vegetation and wetland/riparian areas; mule deer population numbers; special status species; cultural resources; recreation, visual quality, hunting, and wildlife viewing; public health and safety; and climate change. To address these concerns, the Forest Service created the alternatives described above.

The BTNF Supervisors' Office prepared a Draft Environmental Impact Statement (Draft EIS) addressing the Dell Creek and Forest Park Elk Feedgrounds: Long-term Special Use Permits project, in accordance with the agency's NEPA procedures (36 CFR 220). On December 2, 2023, the legal notice of an opportunity to comment on the Draft EIS was published in the *Casper Star-Tribune*. The notice was also emailed to subscribers on the BTNF mailing list and posted on the BTNF website at https://www.fs.usda.gov/project/btnf/?project=60949. It included instructions on submitting comments. Hard copies of the notice were made available by the Forest Service to those requesting a copy. A Notice of Availability of the Draft EIS was also published in the Federal Register on December 1, 2023 (Vol. 88, No. 230, p. 83940), initiating a 45-day comment period, as stipulated in the agency's notice and comment regulations (36 CFR 215). The comment period ended on January 16, 2024. This comment period also met pertinent public involvement requirements of the National Historic Preservation Act (36 CFR 800.6[a][4]). A response to comments on the Draft EIS was prepared and is included as Appendix A in the Final EIS.

Findings Required by Other Laws and Regulations

This decision to implement a modified PA to authorize short-term continued use of the Dell Creek and Forest Park elk feedgrounds through September 30, 2028, is consistent with the intent of the forest plan's long-term goals and objectives listed on pages 140-142 (USFS 2015). The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines as discussed in section 3.10.3 of the Final EIS.

Endangered Species Act

Threatened, Endangered, Proposed, and Candidate Species and Critical Habitat

The Endangered Species Act (ESA) protects and aims to recover imperiled species listed as threatened, endangered, proposed, or candidate species, designating critical habitat, and prohibiting actions that cause "take" (i.e., harassment, harm, importing, exporting, possessing, etc.) of listed species. Critical habitat areas are considered essential for the conservation of listed species.

The analysis of potential impacts on federally listed wildlife species is documented in section 3.5 Other Wildlife. Species found in the project area that are considered Threatened under the Endangered Species act include Canada lynx, grizzly bear, and the North American wolverine. The monarch butterfly is considered Proposed Threatened, and Suckley's Cuckoo Bumble Bee is considered Proposed Endangered.

A Biological Assessment (BA) was prepared for this analysis to document compliance with the ESA as part of the PA. The BA was submitted to the FWS, initiating consultation under Section 7 of the Endangered Species Act. Consultation with the FWS has been completed and indicated that they concur with the determination that the project described is not likely to adversely affect species or critical habitat listed under the ESA of 1973, as amended (16 U.S.C. 1531 et seq.), and will not jeopardize the continued existence of proposed species or critical habitat.

Sensitive Species (FSM 2670)

This manual provides direction for the management and protection of threatened, endangered, and sensitive (TES) species, ensuring their viability and preventing actions that could lead to their listing as federally endangered or threatened.

As mentioned above under the Endangered Species Act, the analysis of potential impacts on TES wildlife species is documented in section 3.5 Other Wildlife. A Biological Evaluation (BE) has been prepared for this analysis to document compliance with the Forest Service Manual (FSM) to guide habitat management for sensitive species. The BE is found in the project record.

National Historic Preservation Act – Section 106 Review

The National Historic Preservation Act of 1966 established a national preservation program and a system of procedural protections, which encourage both the identification and protection of historic resources, including archeological resources at the federal level and indirectly at the state and local level.

Under the PA, no cultural resources were located in either feedground that could be disturbed. However, the current buildings at the Dell Creek and Forest Park elk feedgrounds will be counted as historic archaeological resources in 2025 and 2030, respectively. No disturbance would occur to these buildings under the PA, other than the normal wear and tear through continued use. After this authorization expires, the infrastructure would be considered for removal. Prior to removal of any structures, a cultural survey would need to be completed to document cultural resources at each feedground site.

Consultation with Federally Recognized Tribes

Agencies consult with Tribes and respect tribal sovereignty as they develop policy on issues that impact Indian Tribal communities. The BTNF presented the Schedule of Proposed Actions including the Dell Creek and Forest Park Elk Feedgrounds project on January 3, 2024 to the Eastern Shoshone Tribe, January 3, 2024 to the Northern Arapaho Tribe, January 24, 2024 to the Shoshone-Bannock Tribes, September 24, 2024 to the Nez Perce Tribe, September 25, 2024 to the Confederated Salish and Kootenai Tribes, September 26, 2024 to the Ft Belknap Indian Community Gros Ventre Assiniboine Tribes, and October 25, 2024 to Kiowa, Shoshone-Bannock and Northern Arapaho tribal representatives.

Multiple Tribes provided written comments on the Draft EIS and expressed concern regarding elk disease, population, and migration issues. "Big game feeding grounds create situations where ungulates gather in high densities, providing an increased risk of exposure and transmission of diseases such as CWD. Over time, this PA would increase the prevalence and spread of CWD and would reduce overall northern Wyoming elk populations. Given these issues the Tribes do not support the PA alternative. The NF alternative would lower the rate of CWD (compared to the PA) and provide for higher overall elk population numbers over 20-years." "Finally, the Tribes believe the feedgrounds disrupt the elk migration patterns in the GYA. The Tribes encourage natural migration movements of all big game herds."

Special Management Areas

Both feedground areas are located in the Wyoming Range Withdrawal Area Special Designated Area. Congress has designated numerous individual special management areas with management guidelines for each area. Six major types of designations have been enacted: national monuments, recreation areas, scenic areas, game refuges, protection areas, and other. These areas differ from the two standardized systems (wilderness and wild and scenic river corridors) in that neither have general authorizing legislation for the type of designation nor general management direction for all such areas. Rather, each special management area has been created by an act of Congress with its own management guidelines and restrictions (CRS 2010).

There are three common resource-management provisions in the many statutes designating special areas: withdrawal of the area from mining and mineral leasing laws, subject to valid existing rights; timber-harvesting restrictions, often with exemptions for fire, insect, or disease control; and fish and wildlife management, generally preserving state responsibilities and jurisdiction, allowing fishing and hunting, and authorizing area or period closures for various purposes, in consultation with state officials.

The Wyoming Range Withdrawal Area contains withdrawal areas from public land, mining, and mineral leasing laws, subject to valid existing rights; authorizes withdrawal of land from which valid existing rights are acquired under; prohibits buffer zones; directs management consistent with the management plan for the BTNF; has no effect on actions associated with prior lease sales; authorizes oil and gas leases within 1 mile inside the boundary with provisions; and directs that this authority has no effect on any authority "to modify, suspend, or terminate a lease without compensation, or to recognize the transfer of a valid existing mining or leasing right, if otherwise authorized by law." The PA complies with each of these requirements.

Clean Air Act

The Clean Air Act is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes the Environmental Protection Agency to establish National Ambient Air Quality Standards to protect public health and public welfare and to regulate emissions of hazardous air pollutants. A State Implementation Plan for Jackson, WY, includes regulations and requirements to manage air quality in the area. This plan is part of the broader efforts by the EPA to ensure compliance with air quality standards.

Under the PA, continued use of the Dell Creek and Forest Park elk feedgrounds would negligibly affect air quality and would be localized. Management activities would not cause deterioration of existing air quality.

Clean Water Act

The objective of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of all waters of the US in order to protect their beneficial uses – in this case, those assigned by the Wyoming Department of Environmental Quality. Beneficial uses reflect resources or activities that would be directly affected by a change in water quality or quantity.

Management practices under the PA are designed to minimize impacts on water quality and soil, as described in section 2.2.1.1.2, including limiting feeding to areas 100 feet or more from wetlands, perennial streams, or the channels that connect them. All aquatic resources and vegetation within the 100-foot buffer would be monitored by the permit holder, using Forest Service-approved monitoring protocols. Feeding operations would occur on frozen ground, when possible, to reduce potential from compaction by equipment and elk. Stream crossings would occur at previously identified crossing locations to reduce stream-bank damage.

Based on modeling results for the PA, CWD prevalence in both elk herd units would provide a substantial source of infectious prions to soil and water resources at each feedground. Infectious prions would be introduced to surface runoff and receiving waterbodies as water comes in contact with saliva and feces shed by elk with CWD. Prions would bind immediately with particulate matter in solution and at soil surfaces. Particulates that are not filtered by surface vegetation would reach receiving waterbodies and be carried downstream. Currently, monitoring for prions in surface waterbodies is not conducted by the Water Quality Division of Wyoming Department of Environmental Quality. When a feasible and economical soil test for prions is developed, monitoring will commence.

Under the PA, water quality on NFS land would still meet or exceed State of Wyoming standards for water quality as well as Forest Service standards, which require that management activities do not cause deterioration of existing water quality.

Pertinent Executive Orders

The responsible official and/or applicable specialist(s) have determined the PA is in compliance with the following Executive Orders (EO), which were deemed pertinent based on the nature of the project:

EO 11988, Floodplain Management – requires determination of action occurring in a floodplain, using HUD floodplain map or more detailed map if available.

Floodplain resources at each feedground site are described in section 3.3.2.1 of the Final EIS. No active floodplains are mapped in either feedground although some flooding may occur during times of peak runoff. Measures to minimize impacts in riparian corridors found along stream channel areas under the PA are described in section 3.3.3.1.1. Feeding operations would occur on frozen ground, when possible, to reduce potential from compaction by equipment and elk. Stream crossings would occur at previously identified crossing locations to reduce stream-bank damage.

EO 11990, Protection of Wetlands – avoid actions within wetlands unless there are no practical alternatives, and the action includes all practicable means to minimize harm to wetlands.

Mapped wetland features in the Dell Creek elk feedground include shrub wetlands (<0.1 acres) at the north boundary that discharge to emergent wetlands (1.2 acres) that run the length of the feedground, and 0.7 acres of riverine wetlands that border the main channel in Riling Draw (USFWS 2022). Recent field visits in spring 2022 found much of the area includes emergent wetlands consisting of a dense cover of sedges and riparian grass species.

Mapped wetlands in the Forest Park elk feedground include 1.3 acres of riverine wetlands on the east boundary parallel to the Greys River, and a small runoff channel that crosses the north end of the feedground. Shrub wetlands (0.30 acres) are found on the south end of the feedground near the confluence of Elk Creek and Greys River.

Based on monitoring conducted by the Forest Service (USFS 2021, 2022a), the wetlands and riparian areas at each feedground show the effects of elk browsing on woody riparian species above winter snow depths. While the browsed plants are able to maintain some hydrologic and ecologic functions, they do so at reduced capacity, as noted in Section 3.3 of the Final EIS.

Wetlands are protected under the PA with management practices designed to minimize impacts (as described in section 2.2.1.1.2), including limiting feeding to areas 100 feet or more from wetlands, perennial streams, or the channels that connect them. All aquatic resources and vegetation within the 100-foot buffer would be monitored by the permit holder, using Forest Service-approved monitoring protocols.

EO 13175, Consultation and Coordination with Indian Tribal Governments - agencies consult with Indian tribes and respect tribal sovereignty as they develop policy on issues that impact Indian communities.

The Forest Service consulted with Tribal governments and was addressed above in the Consultation with Federally Recognized Tribes section.

EO 13112, Invasive Species – prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause.

As described in section 3.4.2.4 of the Final EIS, the permit holder is required to use only certified weed-free hay and to treat any invasive weeds that germinate. The WGFC contracts with county weed and pest control agencies to control any weeds that become established in the feedgrounds. Dell Creek is treated by Sublette County and Forest Park is treated by Lincoln County. If weeds are identified in the feedgrounds, the plants are treated with herbicides before they go to seed. Plants that have gone to seed are physically removed. Noxious weeds have been a minor challenge at the Dell Creek and Forest Park elk feedgrounds

EO 13186, Migratory Birds – identify actions that may have a measurable negative effect on migratory bird populations.

Migratory birds affected by the PA include the bald eagle, golden eagle, and the rufous hummingbird. Under the PA, the food source for bald eagles and golden eagles provided by carcasses at feedground sites will decline over time along with herd populations. The decrease in food is determined to adversely impact individuals but is not likely to result in a loss of viability nor cause a trend toward federal listing. No impacts are anticipated for the rufous hummingbird under the PA.

EO 13443, Facilitation of Hunting Heritage and Wildlife Conservation – expand and enhance hunting opportunities.

Hunting is one of the most popular outdoor recreational activities in Wyoming. The Forest Park elk feedground is associated with the Afton Herd Unit, which has a baseline average of 1,799 resident hunters and 678 nonresident hunters per year from 2010 to 2020. The Dell Creek Elk Feedground is associated with the Upper Green River Herd Unit, which has had a baseline average of 960 resident hunters and 281 nonresident hunters during the same time period.

Elk feedgrounds improve animals' access to winter forage, which influences the health and weight of the animals. Due to the number of elk that utilize feedgrounds during the winter, winter mortality is low for the associated herd units of the project area feedgrounds (see section 3.1 Elk).

The PA supports maintenance of elk herd health and weight during the winter and subsequent opportunities for hunting during the hunting season.

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Administrative Review or Objection Opportunities

This decision is subject to the objection process pursuant to 36 CFR Part 218 Subparts A and B. Individuals or organizations who submitted comments during any designated opportunity for public comment may file an objection to this project (§ 218.5). Objections will be accepted only from those who have previously submitted timely, specific, written comments during any designated opportunity for public comment and objections based on new information not presented during the comment period, in accordance with §218.8.

The Reviewing Official for this Draft Record of Decision for this project is the Intermountain Regional Forest. Written objections, including any attachments, must be postmarked (if sent via postal mail), hand delivered, or submitted electronically within 45 days following publication of the legal notice. Mailed objections should be sent to Objection Reviewing Official, Dell Creek and Forest Park Elk Feedgrounds Project, USDA Forest Service Intermountain Region, Room 4403, 324 25th Street, Ogden, UT 84401. Hand delivery of written objections can be made during normal business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Email objections to objections-intermtn-regional-office@usda.gov. Information about the Final EIS and this draft record of decision are posted on the Bridger-Teton's projects website at: https://www.fs.usda.gov/project/btnf/?project=60949. Electronic objections must be submitted in a format such as Portable Document Format (pdf), plain text (.txt), or Word (.doc or .docx), and electronic file names must be less than 85 characters long (including spaces). It is the responsibility of objectors to ensure their objection is received in a timely manner (36 CFR 218.9).

Objections, including attachments, must be filed within 45 days from the publication date of the legal notice in the *Casper Star-Tribune*, the newspaper of record. Attachments received after the 45-day objection period will not be considered. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Those wishing to object to this project should not rely upon dates or timeframe information provided by any other source. Objectors are responsible for ensuring that their objection is received in a timely manner (36 CFR 218.10). In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. Incorporation of documents by reference in the objection is permitted only as provided for at 36 CFR 218.8(b).

The notice of objection must meet the content requirements at 36 CFR 218.8. Minimum content requirements include (1) Objector's name and address with a telephone number if available, with signature or other verification of authorship supplied upon request; (2) Identification of the lead objector when multiple names are listed, along with verification upon request; (3) name of project, responsible official, national forest/ranger district of project, (4) sufficient narrative description of those aspects of the decision objected to, specific issues related to the decision, and suggested remedies which would resolve the objection, and (5) a statement demonstrating the connection between prior specific written comments on this project and the content of the objection unless the objection issue arose after the designated opportunities for comment.

Implementation

If no objections are timely filed, the approval and signing of the Final ROD may occur on, but not before, the fifth business day following the end of the objection filing period (36 CFR 218.12(c)(2)). If an objection is filed during the objection filing period, the Final ROD will not be signed until the objection reviewing officer has responded in writing to all pending objections and all instructions identified by the reviewing officer in the objection response have been addressed (36 CFR 218.12(a) and (b)).

Per 36 CFR 218, no legal notice is required once the Final ROD is signed. However, the Forest Service will send out a letter or news release to notify any interested parties of the availability of the decision (36 CFR 220.5(g)).

Contact Person

For additional information concerning this decision or the Forest Service objection process, contact Randy Griebel, Ecosystem Staff Officer, Bridger-Teton National Forest, PO Box 1888, Jackson, WY 83001, randall.griebel@usda.gov, or 307-739-5537.

CHAD HUDSON

Digitally signed by CHAD HUDSON
Date: 2025.07.30 15:55:36 -06'00'

CHAD E. HUDSON
Forest Supervisor
Bridger-Teton National Forest

DATE