



**File Code:** 1560

**Date:** August 17, 2006

Jeffery L. Patlovich, AICP  
Fremont County Planning and Building  
151 West 1st North  
St. Anthony, ID 83445

Dear Mr. Patlovich;

The Caribou-Targhee National Forest would like to provide comments on the proposed Shadow Ridge at Stephens Ranch project currently in the Preliminary Plat review stage of the subdivision development process.

The subject property is surrounded by National Forest System (NFS) lands on all but the southern most boundary. Access to the property is from Fish Creek Road (FSR 082) which is a Forest Development Road and under easement to Fremont County for operation and maintenance as County Highway. The subject property is located within the Grizzly Bear Recovery Area (Primary Conservation Area in the proposed Conservation Strategy).

The Forest Service comments will be focused in four general areas-condition of Fish Creek Road to handle predicted traffic load, sanitation in grizzly bear habitat, wildland fire hazard mitigation and use of off-road vehicles on NFS lands.

As identified in the impact analysis for this proposed project, there is a projected traffic load of 1,812 vehicles/day traveling to and from the proposed subdivision. Fremont County has brought to the attention of the Forest Service the condition of the segment of the Fish Creek Road leading to the subdivision which does not meet standard for the amount of traffic being projected. The cost estimate to bring the road up to County standard is in excess of one million dollars. The current road standard is adequate for Forest Service needs. The improved standard is being driven by the proposed development. The Forest Service is concerned with the amount of money it would take to upgrade the road to meet the standard required for the proposed use levels of the development as there is no money available in current Forest Service budgets for upgrading the standard of the road. Would Fremont County require this road to be brought up to standard prior to the selling of lots from the subdivision and who is going to be responsible for those costs?

The proposed project area is within the Greater Yellowstone Ecosystem Grizzly Bear Recovery Area. The US Fish & Wildlife Service is currently in the process of delisting the recovered population of the Yellowstone Grizzly Bear. Many factors have contributed to the recovery of this population. One of them is the emphasis to minimize grizzly bear-human encounters which is a major source of grizzly bear mortality. This emphasis provides for human safety and protection of the bear. The US Fish & Wildlife Service, Forest Service and Idaho Department of Fish & Game have worked through the years to inform and educate the public regarding food



storage in the back country and sanitation around private developments in Fremont County. To prevent the loss or injury of any grizzly bear and to protect the landowner, the following is recommended. While these recommendations mainly focus on preventing grizzly bear-human encounters, they also prevent other wildlife from being attracted to private property and causing damage or becoming a nuisance.

1. Livestock and Pets: No animals or fowl, other than household pets, should be kept on the premises. Indoor feeding of pets is encouraged. Salt blocks are prohibited.
2. Food Storage: Food items, whether for humans or pets, should be kept in bear-resistant food and garbage storage containers or made unavailable to grizzly bears. Refrigerators used for food storage should be inside a closed building.
3. Food Preparation and Clean-up: When preparing food out-of-doors, such as for barbecues, it is important to clean up immediately afterwards to keep the area as free from food odors as possible. Ice chests and food containers used out-of-doors must be stored so they are unavailable to bears.
4. Garbage and Refuse Disposal: All garbage should be kept in bear-resistant containers, stored inside and transported to an approved garbage transfer site regularly.
5. Human Safety: Feeding bears and other wildlife for any purpose should not be done.
6. Reporting: Grizzly bear sightings and/or incidents should be reported within 24 hours to the District Ranger's Office in Ashton at (208) 652-7442.

*Definitions:*

“Bear Resistant Container” means a securable container constructed of solid non-pliable material capable of withstanding 200 pounds of energy. When secured and under stress, the container will not have any cracks, openings, or hinges that would allow a bear to gain entry by biting or pulling with its claws. Wood containers are not considered bear resistant unless they are reinforced with metal. Approved bear resistant containers can be found at a number of web sites on the internet.

“Food” means any nourishing substance, solid or liquid (excluding baled hay or water) or refuse thereof, that is not native to the immediate area, which is or may be eaten or otherwise taken into the body to sustain life, provide energy, or promote growth of any person or animal.

“Acceptable Storage” means 1) stored in a bear resistant container; 2) stored in a closed vehicle constructed of solid, non-pliable material; or 3) suspended at least 10 feet clear of the ground at all points and 4 feet horizontally from any supporting tree or pole. Bird feeders also attract bears. They should be suspended as described in 3.

The Forest Service recommends that the developer implement practices that would provide for food storage and sanitation as described above.

As Fremont County is well aware, there is a trend of people wanting to live in scenic and less densely populated surroundings. Shadow Ridge at Stephens Ranch is a text book example of satisfying this desire. The project area would create an environment where homes would be nestled among trees and other combustible vegetation adjacent to the National Forest. The

National Wildland/Urban Interface Fire Protection Program identifies an area like Shadow Ridge as wildland/urban intermix, defined as, “an area where development and wildland fuels meet with no clearly defined boundary.” Development in this wildland/urban intermix area is a concern to fire protection agencies and affected residents. Since this property was not proposed for development when the Fremont County Wildland Fire Hazard Mitigation Plan was developed in September of 2004, we recommend the Mitigation Plan be amended to incorporate this area. A fire hazard assessment should be conducted if this proposal is approved. Wilderness Ventures should describe measures they will be taking to create “defensible space” within the subdivision as part of the approval of this project. If the project is approved, the Forest Service will evaluate the wildland fire risk on NFS lands adjacent to the subdivision and implement recommended mitigation measures.

The last item to be addressed is the increasing trend of motorized vehicle access to National Forest System lands from private subdivisions. Many subdivisions in Fremont County are adjacent to National Forest System lands. This project proposal is no different. We are seeing an increasing number of motorbike or ATV owners riding from their back doors onto National Forest System lands that are closed to cross country motorized use with no designated motorized roads or trails. This is a violation of the Targhee Travel Plan and State law.

All National Forest System lands adjacent to Shadow Ridge are closed to cross country travel by motorized vehicles. The closest designated motorized trail (vehicles less than 50”) to the Shadow Ridge proposed project is the Rail-Road ROW trail beginning at Bear Gulch. The closest designated motorized unpaved road is FSR #241 (Robison Creek). Both trail and road are only accessible from the proposed project area by using the Fish Creek Road. Since this road is paved, by State law, this would be considered “on-highway” travel. To operate a motorbike or ATV on roads, which are part of the state highway system, and paved roads on public land management agency lands, the following are required: valid driver’s license, valid registration as a motor vehicle, display of a valid license plate, valid liability insurance, carrying proof of liability insurance in vehicle, brake light, headlight after dark/poor visibility, taillight after dark/poor visibility, helmet under age eighteen, muffler unaltered, mirror showing roadway 200 feet behind the vehicle; and horn that is audible at 200 feet. Many motorbikes or ATVs used by people recreating in Fremont County do not meet these requirements while traveling on paved roads either inside or outside the National Forest.

We encourage the applicant to develop information to inform purchasers of property in Shadow Ridge of the requirements of the State law and to encourage responsible riding and compliance with Forest Service travel regulations.

The Forest Service was on the field tour conducted by Idaho Department of Water Resources (IDWR) regarding an application to change two stream crossings inside the proposed development. Our comments were provided to IDWR and the applicant. We will not address that matter in these comments.

This concludes our comments on the proposed Shadow Ridge at Stephens Ranch subdivision.

Sincerely,

*/s/ Adrienne K. Keller*

ADRIENNE K. KELLER  
District Ranger

cc: Wes H Stumbo