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# Nez Perce (Nee-Me-Poo) National Historic Trail Visitor Capacity Draft Environmental Assessment



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Region 1, Northern Region

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Cover photo: A view of Joseph Canyon, Oregon, winter home to Chief Joseph along the Nez Perce (Nee-Me-Poo) National Historic Trail at Joseph Overlook. Photo taken by Roger M. Peterson, USFS.

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## Introduction

The Nez Perce (Nee-Me-Poo) National Historic Trail (NPNHT) is 2,184<sup>1</sup> miles long and crosses multiple jurisdictions, including Federal, State, local, tribal, and private lands. Congress designated the Trail in 1986, adding it to the nationwide system of scenic, recreational, and historic trails established by the National Trails System Act of 1968 As Amended (Trails Act). The congressional designation of the Trail was intended to provide national recognition and commemoration of the historical perspective, route, and story associated with the flight of the Nez Perce in their attempt to escape and evade the United States Army in 1877 (USDA Forest Service 1982).

The Trails Act requires the development of a Comprehensive Plan to provide broad authority and a strategic framework for the development, administration, and management of the Trail. The Forest Service is the lead trail administrator and worked collaboratively with Federal agencies, State and local governments, tribes, user groups, stakeholders, and the general public to complete the comprehensive plan in 1990. Since that time, the comprehensive plan has been revised to address changes to existing conditions and to address required components that were not covered in the original plan. One of the required components not included in the 1990 comprehensive plan was the identification of visitor use capacity to assist in the protection and management of trail resources.

In this analysis, we are identifying a visitor use capacity and recommend indicators, thresholds, and monitoring direction for the Nez Perce National Historic Trail to comply with the 1968 Trails Act. The revised Comprehensive Plan (USDA Forest Service 2020) is substantially complete and will be finalized when a decision is made regarding the visitor use capacity of the Trail. The Nez Perce National Historic Trail Revised Comprehensive Plan is incorporated by reference into this analysis and is available by request by contacting the Trail Administrator.

Visitor use capacities include the amount, type, timing, and distribution of visitor activities and behaviors. Visitor use capacities are typically determined in part by assessing the areas desired conditions, current use, user conflicts, and resource issues of specific areas.

## Location

The Nez Perce National Historic Trail stretches approximately 2,184 miles, extending from the vicinity of Wallowa Lake in eastern Oregon. It crosses the Snake River at Dug Bar entering into north central Idaho, then crosses the Clearwater River, after which it parallels the Clearwater and Lochsa Rivers as it enters into Montana at Lolo Pass. The trail then runs south through the Bitterroot Valley, over Gibbons Pass, before continuing through the Big Hole Valley. It crosses Bannock Pass, re-entering Idaho near Leadore. It then runs south through the Birch Creek and Lemhi Valleys before turning eastward toward Dubois heading over Targhee Pass toward Yellowstone National Park. After entering the Park near the West Yellowstone entrance, the trail meanders through Yellowstone until it exits the national park near the east entrance. From there, the Nez Perce National Historic Trail follows the Clarks Fork River in an easterly direction, before crossing over Dead Indian Hill and heading north past Laurel and Lewistown, Montana. The designated trail ends at Bear Paw Battlefield, which is some 16 miles south of Chinook, Montana.

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<sup>1</sup> The mileage of the Nez Perce National Historic Trail has increased from the 1990 Comprehensive Plan's generalized location of 1,170 miles. The increase results from mapping the Trail and associated trails locations using more detailed roads and trails to create trail centerlines.

For descriptive purposes, this analysis will organize the Nez Perce Trail into eight trail segments (figure 1), which roughly correspond to the geographic regions identified in the eight Auto Tour Route already developed for the trail. These segments will then be broken down further by agency and geographic area where necessary to better classify visitor use trends. Visitor use capacity will only be discussed on federally owned lands.

- Segment 1 – Wallowa Valley, Oregon to Weippe Prairie, Idaho
- Segment 2 – Weippe Prairie, Idaho to Lolo, Montana
- Segment 3 – Lolo to Big Hole National Battlefield, Montana
- Segment 4 – Big Hole, Horse Prairie, and Lemhi Valleys
- Segment 5 – Leadore and Island Park, Idaho to Yellowstone National Park
- Segment 6 – Yellowstone National Park
- Segment 7 – Yellowstone National Park to Broadview, Montana
- Segment 8 – Broadview to Bear Paw National Battlefield, Montana.

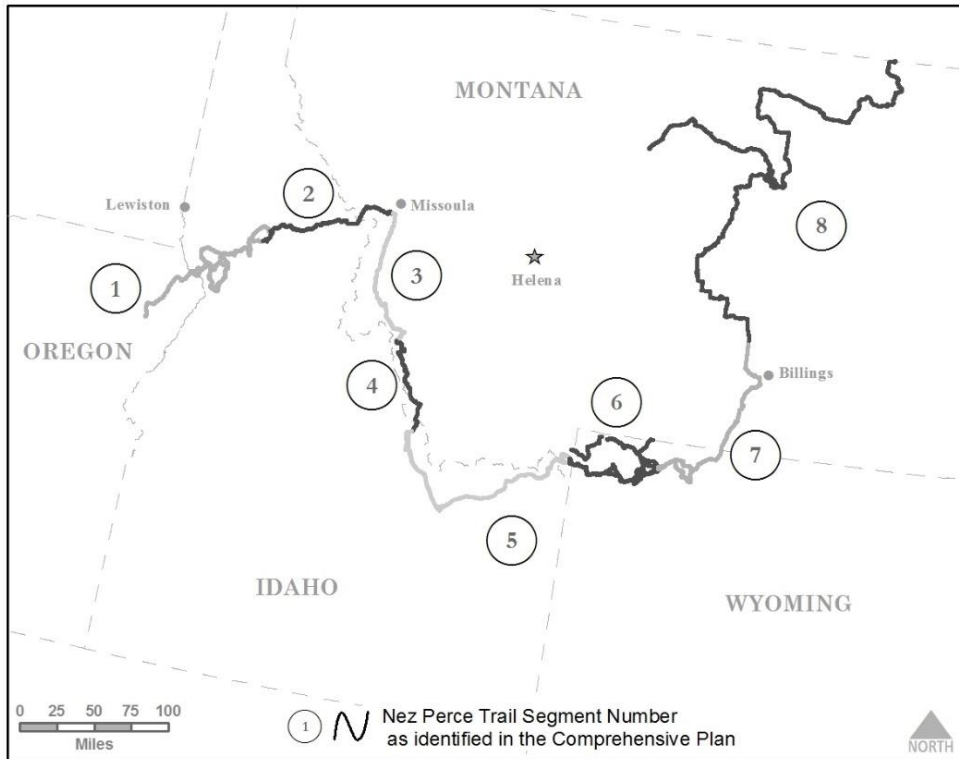


Figure 1. Vicinity map of the Nez Perce National Historic Trail

## Need for the Proposal

The National Trails System Act requires that visitor use capacity be identified in a comprehensive plan (16 U.S.C. 1244 (f) (1)). Currently, no visitor capacity is identified which does not meet the intent of the law.

Identification of a visitor use capacity is needed to meet the regulatory requirements of the Trails Act in the identification, management and protection of inherent resource values associated with the national historic trail. These values are identified in the nature and purposes statement of the Trail.

## Nature and Purposes of the Nez Perce National Historic Trail

The intent of the “nature and purposes” statement for the Nez Perce (Nee-Me-Poo) National Historic Trail is to help clarify and focus how and why the Trail should be administered and managed to ensure its status as a national treasure for present and future generations.

### Nature of the Trail

The nature of the Nez Perce National Historic Trail is derived from the Trail feasibility study, *Nez Perce (Nee-Me-Poo) Trail: A Study Report* (USDA Forest Service 1982), which details the historical perspective, route and story associated with the flight of the Nez Perce in their attempt to escape and evade the United States Army in 1877. Although the Nez Perce were known to have used many of the trails associated with the 2,184 mile route for many generations prior to 1877 and to this day, the congressional designation of the Trail was intended to provide national recognition and commemoration of a series of significant events in American history that occurred between May 14, 1877 and October 5, 1877.

### Purpose of the Trail

The purpose of the Nez Perce National Historic Trail is derived from the Trail feasibility study, *Nez Perce (Nee-Me-Poo) Trail: A Study Report* (USDA Forest Service 1982) and legislative history leading to the Trail’s official designation. The purpose of the Nez Perce National Historic Trail is to:

- Identify, protect, and interpret significant historic sites and segments associated with the 1877 Nez Perce War and Flight for public educational and recreational use;
- Foster improved cooperation and collaboration with Federal, Tribal, State, local governments, and other partners to improve opportunities for recreation, access, cultural experience, educational opportunities, and tourism along the Trail; and
- Provide historical context for the Trail, through interpretation and education, of historic events prior to, during, and following the flight of the Nez Perce from their traditional homelands in 1877.

### Existing Use of the Trail

The nature of the event that the Trail was designated for, the 1877 War and Flight of the Nez Perce, means this Trail is unique as it was not a singular linear unit that was used regularly, or even one time. For most of the flight, the Nez Perce traveled as five distinct bands that sometimes traveled and camped together, and thus took a number of different paths across the landscape during the flight. The U.S. Army in pursuit also divided into multiple units that took multiple trails. As such, the Trail is unique among the national historic and national scenic trail system, as it does not encompass a singular, on the ground route.

As part of the National Historic Trail designation process, a site-specific description of the historic route was developed for the 1982 feasibility study: *Nez Perce (Nee-Me-Poo) Trail: A Study Report* (Forest Service 1982). The 2,184 miles of the Nez Perce National Historic Trail includes a designated corridor encompassing 4,161 miles of roads, trails and routes. In some areas the Trail is identified as an individual trail on a unit, in some areas it is co-located with other system trails or routes. Although allowable uses for the trail are identified as foot and stock in the Comprehensive Plan, in many areas the trail is co-

located with a road, a mountain bike trail, or an Off Highway Vehicle (OHV) trail. There are even locations, where the trail tread does not exist, and the trail is temporarily co-located with another system trail or road.

The Nez Perce National Historic Trail offers an incredibly diverse range of recreational and other uses along its length. The Trail passes through five states, crosses 14 National Forests, two National Parks, seven Field Offices of the Bureau of Land Management, and four National Wildlife Refuges. The Trail includes auto tours, interpretive facilities, associated certified sights and High Potential Historic Sites and High Potential Historic Route Segments. With landscapes ranging from rugged canyon lands, National Wild and Scenic Rivers, high plains, remote wilderness areas, and high mountain passes, visitors can enjoy a wide variety of recreational activities along the Nez Perce National Historic Trail.

The recreation setting along the trail ranges from rugged backcountry and wilderness, to unconfined natural front-country setting, and includes developed rural settings along roads and scenic byways. Some of the typical summer recreational activities on public lands along the trail corridor include but are not limited to: boating and river-based recreation, camping, hiking, horseback riding, mountain biking, Off Highway Vehicle use, hunting, fishing, photography and wildlife observation. Winter enthusiasts find snowmobiling, cross-country skiing, snowshoeing, as well as downhill skiing. Additionally, there are traditional uses of public lands along the trail including livestock grazing, firewood cutting, forest product gathering, natural resource collection, as well as production-based industries like logging and mineral extraction. A detailed description recreation use by trail segment can be found in the *Recreation Existing Condition Report* (Greenwood 2017) for the Trail and is incorporated by reference into this analysis.

The largest documented gathering of visitors along the trail is associated with the annual Chief Joseph Trail Ride. The Chief Joseph Trail Ride is organized by the Appaloosa Horse Club in conjunction with the Nez Perce Appaloosa Horse Club. The trail ride encompasses the entirety of the Nez Perce Trail, and is completed in 100 mile increments each year. As such, it takes 13 years to complete the trail in its entirety. The ride first began in 1965; with riders from across the nation as well as international participants. On average, the Chief Joseph Trail Ride includes approximately 100 to 150 riders, and an additional 50 to 80 rider support persons.

## Proposed Action

### Visitor Use Capacity

A Visitor Use Analysis Report (Greenwood 2018) was completed for the Trail and is incorporated by reference into this analysis. This report provides the analysis used to identify the appropriate visitor capacity which was brought forward as the proposed action for this Environmental Analysis. The report describes the existing condition of visitor use along the Trail and how visitor use is currently managed by federal land management agencies: Bureau of Land Management (BLM), US Forest Service (FS), US Fish and Wildlife Service (FWS), and the National Park Service (NPS).

The proposed action identifies a visitor capacity for lands managed by the Federal Government within the official Nez Perce Historic Trail corridor described in the *Nez Perce National Historic Trail Comprehensive Plan* (USDA Forest Service 2020). The proposed action does not include auto tour routes, or trail segments on State, municipal, or private ground. Visitor capacity is a component of visitor use management and is defined as the maximum amounts and types of visitor use an area can accommodate while achieving and maintaining the desired resource conditions and visitor experiences consistent with



the purposes for which the area was established (Interagency Visitor Use Management Council (IVUMC), 2019).

**The visitor use capacity for the Nez Perce Trail is identified to be 350 persons, per day (24-hour period), per 20-miles.** See Table 1 for a breakdown of visitor use capacity by type of use. Allowable uses for the trail are identified as foot and saddle stock in the 1990 Comprehensive Plan. The capacity has been identified for these types of uses; although separating out persons from saddle stock provides for a variety of other types of allowed uses along the corridor including hiking, biking, or other recreation activities approved by individual management plans.

The identified visitor use capacity is applicable all year, accepting that some sections of the Trail are clear of snow and passable on a yearlong basis. Conversely it is recognized that many segments are snowed in, or inaccessible for multiple months of the year. Specific to this analysis, the visitor use capacity is far higher than current levels of use along most portions of the Trail, providing an opportunity for foreseeable increases in recreational opportunities.

**Table 1. Proposed visitor use capacity for the Nez Perce National Historic Trail**

| Amount | Type         | Timing   | Location |
|--------|--------------|----------|----------|
| 350    | Persons      | 24 hours | 20 miles |
| 350    | Saddle Stock | 24 hours | 20 miles |

Once the analysis and decision for this Draft Environmental Assessment are complete, the identified visitor use capacity will be incorporated as part of the revised Comprehensive Plan. The Comprehensive Plan is a long-term programmatic plan designed to provide strategic guidance and recommendations for future actions that will be pursued through agency and unit-specific land management plans, project-specific National Environmental Policy Act analyses, and agreements with landowners and land managers. It is the role of individual units to determine how and when to implement visitor use management strategies to protect the resource and recreation experiences of the trail. The proposed action does not directly implement any visitor limit, restriction, or other visitor use management regulation.

The revised Comprehensive Plan was developed under the authority of the National Trails System Act, which is independent of existing land and resource management plans. The act requires that the trail corridor “be designed to harmonize with and complement any established multiple-use plans for the specific area in order to insure continued maximum benefits” (16 U.S.C. 1246 (a) (2)). Federal agencies managing land along the trail should ensure their land management plans and resource management plans are compatible with strategic direction provided in the revised comprehensive plan. If modifications of these management plans are needed, the appropriate environmental analysis will be used to incorporate those changes.

If individual units choose to implement specific visitor use management strategies that modify trail use or trail access, additional environmental analysis would occur.

## Visitor Capacity Rationale

Based upon research of data sets and anecdotal observations by resource professionals associated with the Trail, the largest documented gathering of visitors along the Trail is associated with the annual Chief Joseph Trail Ride. The Chief Joseph Trail Ride is organized by the Appaloosa Horse Club in conjunction with the Nez Perce Appaloosa Horse Club. The Trail ride encompasses the entirety of the Nez Perce Trail, and is completed in 100 mile increments each year. As such, it takes 13 years to complete the Trail in its

entirety. The ride first began in 1965; with riders from across the Nation and included international participants. On average, the Chief Joseph Trail Ride includes approximately 100 to 150 riders, and an additional 50 to 80 rider support persons. In the past, the event has hosted upwards of 350 riders along with their associated riding stock and support personnel.

When looking at this event in the context of the Trail, it is apparent the ride is a critical recreation event and trail use to perpetuate the nature and purpose for which the Trail was designated; and positively support the historical context of the events for which the Trail was designated. The trail ride is the closest representation to a reenactment of the events for which the Trail was designated. Additionally, the Chief Joseph Trail Ride is the only event with a modern-day equivalency to the use the Trail received during the time for which it is designated, insofar as the large number of stock and persons traveling together along the Trail corridor. When discussing the protection of the cultural landscape and the cultural experience which comprise the nature and purposes for which the Nez Perce Trail was designated, it is critical to recognize the Chief Joseph Trail Ride and set a visitor use capacity that allows this event to continue on an annual basis.

Currently, the Chief Joseph Trail Ride is permitted through each Federal administrative unit the annual ride crosses, and the appropriate level of environmental analysis is completed prior to authorization of the permit. Resource professionals responsible for the management of the trail and associated Federal lands, who administer the authorization of the Chief Joseph Trail Ride have reported, based on anecdotal evidence, there have been no discernable or enduring impacts to either desired conditions or the nature and purposes for which the Trail was designated by allowing this annual event. **As such, it can be concluded the 350 riders with their associated stock spread over 20 miles of trail within a 24-hour period are not likely to produce discernable or enduring impacts to either desired conditions or the nature and purposes for which the trail was designated.**

There are some areas in which the identified capacity is expected to be exceeded regularly; these areas are typically where the trail is co-located with major roads or pass through popular recreation areas managed by the National Park Service. Additionally, it is important to note that it is expected that during periods of high use, the identified capacity may be exceeded along any segment of the Trail. Exceeding an identified capacity does not, in and of itself, trigger a form management action, but does indicate that further analysis of the area may be required to ensure the nature and purpose of the Trail are protected.

See figure 1 for the locations of Trail segments located along major state and federal roadways, or on National Park Service land, where it is anticipated the identified capacity will be regularly exceeded.

**Table 2. Areas anticipated to exceed visitor use capacity**

| Trail Segment | Area Identifier                 | Managing Agency                              |
|---------------|---------------------------------|--|
| 1             | Hwy 95                          | Bureau of Land Management                    |
| 1             | White Bird Battlefield Overlook | National Park Service                        |
| 2             | Lolo Pass                       | Forest Service                               |
| 2             | US Hwy 12                       | Forest Service                               |
| 3             | US Hwy 93                       | Forest Service                               |
| 3             | State Rd 43                     | Forest Service                               |
| 3             | Big Hole National Battlefield   | National Park Service                        |
| 4             | State Hwy 324                   | Bureau of Land Management and Forest Service |
| 4             | ID St Hwy 29                    | Forest Service                               |

| <b>Trail Segment</b> | <b>Area Identifier</b>            | <b>Managing Agency</b>    |
|----------------------|-----------------------------------|---------------------------|
| 5                    | ID St Hwy 29                      | Bureau of Land Management |
| 5                    | ID St Hwy 22                      | Bureau of Land Management |
| 5                    | US Hwy 20                         | Forest Service            |
| 6                    | US Hwy 20                         | National Park Service     |
| 6                    | US Hwy 191                        | National Park Service     |
| 6                    | Mary Mountain/Nez Perce Trailhead | National Park Service     |
| 6                    | Grand Loop Road                   | National Park Service     |
| 6                    | US Hwy 20                         | National Park Service     |
| 7                    | WY St Hwy 296                     | Forest Service            |
| 7                    | WY St Hwy 120                     | Bureau of Land Management |
| 7                    | MT St Hwy 72                      | Bureau of Land Management |
| 7                    | US Hwy 310                        | Bureau of Land Management |
| 8                    | Bear Paw National Battlefield     | National Park Service     |
| 1                    | US Hwy 95                         | Bureau of Land Management |

Some segments of the Trail pass through areas with management plans that identify more limited visitor use capacity to protect the value and character of other legislative designations (e.g., designated wilderness and wild and scenic rivers), or desired conditions. table 3 provides examples of additional visitor use management constraints, which contribute to protecting the nature and purposes for which the NPNHT was designated.

**Table 3. Existing constraints to capacity**

| Trail Segment | Agency | Special Designation                               | Visitor Use Constraint  |
|---------------|--------|---|---|
| All           | BLM    | General BLM camping guidelines                    | Developed site group size: Group size is limited 10 people and 2 vehicles per developed campsite  |
| All           | FS     | Non-commercial group use                          | Organized groups of 75 people or more require a permit  |
| All           | NPS    | Nez Perce National Historical Park                | No camping authorized   |
| 1             | FS     | Hells Canyon Wilderness                           | Group size: 8 People<br>Stock limit: 16 Head  |
| 1             |        | Snake River Wild and Scenic River, scenic section | <b>Powerboat:</b><br>Commercial: <i>Peak*</i> : 1,506 boat days<br>Private: <i>Peak*</i> : 18 Launches/day for overnight trips on weekends (Fri-Sun), 5-day trip launches/day on weekends;<br><b>Float Boat:</b><br>Commercial: Maximum group size 24 persons (including guides) <i>Peak*</i> : 224 launches from Hells Canyon Creek;<br>Private: Maximum group size 8 float craft per party. <i>Peak*</i> : 2 party launches/day weekends (Fri-Sun) and holidays; launches by reservation/permit system; <i>Secondary</i> : Self issued permits for launch |
| 6             | NPS    | Yellowstone front country camping regulations     | Overnight camping or parking is only allowed in designated campgrounds or campsites.<br>Campsite occupancy is limited to 6 people per site.<br>Fishing Bridge is for hard-sided vehicles only (no tents or tent-trailers)   |
| 6             | NPS    | Yellowstone backcountry regulations               | Permits are required for all overnight stays in the backcountry.<br>Camping outside designated sites, at sites for which you are not permitted, or within 100 feet of a water source is prohibited.<br>Campsite occupancy ranges from 4 to 12 individuals per site and is site-specific.<br>Stock use is authorized at only certain sites, and stock capacity varies per authorized site.   |
| 7             | FS     | North Absaroka Wilderness                         | Group size: 20 Persons<br>Stock group size: 30 Head of Stock  |
| 8             | BLM    | Missouri River Wild and Scenic River              | Permits: Although user numbers are not regulated all boaters must obtain a permit, and pay a fee, prior to floating.<br>Group Size: June 15 – August 1 Groups of 20+ individuals can launch only on Wednesday – Friday; Groups 30+ must obtain a special recreation permit prior to launch.<br>Motorized Use on Wild and Scenic Sections: June 15 – September 15: Motorized use allowed downstream only, no wake, Thursday – Saturday. No motorized crafts Sunday – Wednesday.  |

BLM = Bureau of Land Management; FS = Forest Service; NPS = National Park Service

# Monitoring Protocol

## Introduction

The nature and purposes of the Nez Perce National Historic Trail establish the context for appropriate activities and uses for the Trail and its corridor. The nature and purposes statement recognizes the importance of providing the historical context for the Trail, interpreting significant historic sites and segments, improving opportunities for recreation, access, access to cultural experience and educational opportunities, and tourism along the Trail. There is a constant management challenge to strike an appropriate balance between these societal benefits and resource protection and conservation.

The Trail crosses multiple jurisdictions and passes through a variety of ecosystems. Monitoring and adaptive management approaches will range from site-specific issues to regional or trail-wide conditions and trends. In most cases, selection of appropriate indicators and thresholds, monitoring, and implementation of adaptive management actions will be done at the local level by local land managers and overall monitoring trends will be reported to the Trail Administrator.

An adaptive management approach helps managers ensure that desired objectives identified in the nature and purposes statement are achieved and the intent of the plan continues to be realized as future conditions change. It is recommended that an adaptive management and monitoring plan defines the indicators, thresholds, and resulting adaptive management actions that will govern long-term management and potential adjustments needed to ensure desired conditions identified in the nature and purposes statement are being met. An adaptive management strategy allows for the monitoring of physical, social, and managerial resource objectives.

## Monitoring

Monitoring is accomplished by selecting indicators that are used to track trends in resources and experiential conditions to ensure that the nature and purposes of the Trail are protected. Established thresholds clearly define when conditions are becoming unacceptable for the selected indicators, thus alerting managers that a change in management action(s) is required (IVUM-VUM Monitoring Guidebook).

### Focus areas for monitoring:

#### *Trail experience/desired conditions*

- Changes to visitor experiences that result from visitor use (such as crowding, goal conflict, conflict between different types of uses)
- Conflict between trail users
- Crowding at key destinations
- Changes to visitor experiences or desired trail conditions that result from factors other than visitor use (such as fire, motorized use adjacent to or across the trail, availability of water, availability of campsites changes to scenic viewpoints, commercial or energy development adjacent to the trail).

#### *Natural and cultural resources*

- Impacts to natural and cultural resources that result from visitor use (such as human waste causing water quality concerns, damage to cultural sites or historic tread, user created informal trails or campsites, habituation of wildlife)

- Changes in the overall condition of natural and cultural resources within the trail corridor (such as, invasive species, trail conditions, vegetation, wildlife)

### Monitoring Process

Table 4 and Table 5 below, include potential indicators and thresholds to guide monitoring efforts. Some indicators are relevant trail-wide, and others will apply only to certain trail sections. The thresholds will need to be modified for site-specific conditions. Local trail managers should select the relevant indicators and associated thresholds, or develop additional indicators to monitor, as needed.

Items in the adaptive management toolbox include both indirect and direct management approaches. The toolbox is meant to serve as a starting point in considering appropriate management actions. It is not intended to be an exhaustive list of all potential management actions. In general, the least intensive actions, or actions that are the least restrictive to visitor opportunities and experiences, that can achieve desired conditions, protection of the nature and purpose of the Trail, should be used first.

The following management practices are included in the Comprehensive Plan:

- Consider visitor use management strategies such as increased education, information, and improved infrastructure to resolve use conflicts prior to implementing visitor use restrictions or limitations.
- Monitor visitor use on the Nez Perce National Historic Trail using such indicators as the condition of the natural environment and measures of visitor conflict and preference.
- Complete site-specific studies in high visitor use areas to determine proper use levels, management actions, and public outreach efforts needed to prevent degradation of the visitors’ trail experience as well as to prevent impacts to natural and cultural resources.
- National Park Service managers will utilize existing capacity estimates developed for General Park or Resource Management Plans. Managers should consider national historic trail resources, qualities, values and uses when developing these plans.

**Table 4. Monitoring Objectives, Indicators, Thresholds and Potential Adaptive Management Actions**

| Nez Perce National Historic Trail Objectives                                 | Indicator   | Threshold   | Potential Adaptive Management Actions Toolbox  |
|--|---|---|--|
| Heritage Standards   | Segments with intact historic tread                   | TBD by local managers dependent on segment conditions                                 | Modify terms and conditions of special event or group use permits to include additional mitigation measures, including but not limited to, staggering start times.   |
| Visitor experience, variety of recreation opportunities, adequate facilities | Visitor use levels and types of use for baseline data | Trail capacity of 350 persons, and 350 head of stock per 24 hr. period over 20 miles. | <p>Increase frequency of trail counter monitoring.</p> <p>Reduce the defined trail capacity if monitoring demonstrates issues related to resource damage, congestion, safety, and visitor experiences are on a downward trend over several years.</p> <p>Capacity could also be adjusted upwards if trends demonstrate that all objectives are improved and sustainable into the future.</p> |

| Nez Perce National Historic Trail Objectives | Indicator  | Threshold   | Potential Adaptive Management Actions Toolbox   |
|--|--|---|---|
|  | Visitor satisfaction   | To be determined by local units                               | <p>Include the Nez Perce National Historic Trail in visitor use studies such as the Forest Service National Visitor Use Monitoring Survey and explore other opportunities to collect visitor satisfaction information.</p> <p>Monitor social media and trail information mobile applications for potential issues, events, visitor use trends</p> |
|  | Trailhead capacity issues, especially for trucks with trailers, or overflow parking along the roads;                       | Number of days trailhead capacity exceeded per season         | <p>Enforce parking within established trailhead</p> <p>Construct additional trailhead facilities, include accommodations for trucks and horse trailers where equestrian use is popular.</p>   |
|  | Increase in requests for special events, or types of events  | To be determined by local units                               | Consider the number and type of competitive events trail-wide and their effect on nature and purpose of the Trail.  |
|  | Number or increase in incidence of documented accidents, conflicts, or other safety issues where the trail is on a road.   | Maximum number of reported incidents per passage, per season  | <p>Increase information and signing to warn both motorized vehicles and trail users of potential safety hazards.</p> <p>Re-route trail off of road</p>  |
|  | Adjacent activities or development affecting trail experience such as impacts to scenic views, impacts to dark night skies | To be determined by local units                               | Encourage use of design standards and best management practices to maintain scenic integrity, dark skies, etc.  |
| Water quality meets standards                | Stream segments meet state water quality standards<br>Water quality (unhealthful levels of <i>E. coli</i> )                | Requirements set by state Department of Environmental Quality | Identify possible sources of pollutants<br>Implement corrective actions to reduce pollutants to levels consistent with water quality standards  |
| Wildlife standards                           | Wildlife behavior; potential disturbance due to use levels   | TBD by local managers, dependent on wildlife species          | <p>Increase information and education about appropriate behavior around wildlife.</p> <p>Discourage off-trail use or camping as necessary.</p>  |
| Botany Standards                             | Rare, threatened or endangered plant species   | TBD by local managers, dependent on plant species             | Discourage off trail use or camping.<br>Reroute trail away from plant population  |

## Monitoring Schedule

**Table 5. Monitoring Schedule based on indicator.**

| Indicator                       | Data Source   | Monitoring Schedule          |
|---------------------------------|---|------------------------------|
| Visitor Capacity                | Trail register and trail counter data, self-reporting, encounter monitoring | Annual                       |
| Recreation Event/Group Permits  | Permit File   | End of permit/event term     |
| Resource Conditions             | Local management unit condition surveys                                     | Percentage of trail Annually |
| Trail Infrastructure Conditions | Local management unit maintenance data                                      | Annual                       |
| Intact Historic Tread           | Measure width and depth of segments with intact historic tread              | 5 years                      |

## Decision to be Made

The regional forester will decide whether to identify the visitor capacity for the Nez Perce National Historic Trail as proposed. Considerations for making this decision include the following:

1. Is the identified visitor capacity supported by direction identified in the revised Comprehensive Plan?
2. Does the identified visitor capacity protect the nature and purposes of Nez Perce National Historic Trail for which it was designated?
3. What mitigation measure(s) and monitoring will be recommended during implementation?
4. Does identifying a visitor capacity of the Nez Perce National Historic Trail have significant impacts that would trigger the need to prepare an environmental impact statement?



## Environmental Impacts

The evaluation of the current condition was completed for each resource associated with the Trail. These existing condition reports are located in the revised Comprehensive Plan project file and are incorporated by reference. This existing condition analysis has not identified any areas as having a critical resource concern as a result of visitor use. Additionally, there are no areas currently “closed” to visitors along the trail due to visitor use impacts on resource conditions or heritage resources.

This section discloses the environmental impacts of the proposed action on the nature and purposes for which the Trail was designated which could be potentially impacted by visitor use.

## Recreation

This analysis describes the effects of the identified visitor capacity on visitor use, recreation experience, and the recreation value along the Nez Perce National Historic Trail. Analysis of these components is based on the best professional judgment of recreation planners, data gathered to compile the existing condition report for the recreation resource condition report, visitor use analysis, and research from other specialists. The topics addressed in the following analysis include the potential effect of new management direction on recreation access and opportunities, quality of experience, and interpretation and education.

Impacts on visitor use and experience along the Nez Perce National Historic Trail were determined through an assessment of potential changes in access and opportunities to trail uses, as well as the character of visitor experience while recreating along the Trail. As a result, resource indicators and measures for this analysis are qualitative only, providing a large-scale overview of potential effects.

Resource indicators are addressed by evaluating the following visitor uses and associated experiences:

- **Recreational Access and Opportunities:** This includes impacts on the level of access and types of recreational opportunities that can be experienced along the Nez Perce National Historic Trail; including activities such as hiking, horseback riding, hunting, fishing, scenic driving, camping, and other recreation activities, conducted either privately or through authorized permitted providers.
- **Quality of Experience:** This includes impacts on characteristics associated with visitor experience along the trail, and consists of elements pertaining to perceived crowding, satisfaction with facilities and services, and opportunities to experience the historic nature of the trail along with the natural quality of the area.
- **Interpretation and Education:** This includes impacts on the opportunities for visitors to experience interpretation and education about the nature, purpose, history, and values associated with the Trail.

The following impact thresholds have been developed for analyzing the effects of the proposed action on visitor use and experience. To provide a metric for quantifying the intensity of the impacts to visitor use and experience, the definitions for the impact intensity and thresholds are as follows:

- **Negligible:** Most visitors would likely be unaware of any effects associated with implementation of the alternative.
- **Minor:** Changes in visitor opportunities and/or setting conditions would be slight but detectable, would affect a few visitors, and would not appreciably limit or enhance experiences identified as fundamental to the purpose and significance of the Trail.

- **Moderate:** Changes in visitor opportunities and/or setting conditions would be noticeable, would affect many visitors, and would result in some changes to experiences identified as fundamental to the purpose and significance of the Trail.
- **Major:** Changes in visitor opportunities and/or setting conditions would be highly apparent, would affect most visitors, and would result in several changes to experiences identified as fundamental to the purpose and significance of the Trail.

## Recreational Access and Opportunities

There are a wide variety of recreation activities that may be affected by implementation of visitor use management strategies as a result of the proposed action. These activities include but are not limited to trail-based recreation (hiking and horseback riding), boating, fishing, scenic driving, photography and wildlife viewing, picnicking, camping, interpretation, and education opportunities offered within the Trail corridor. The variety of recreational opportunities and access along the Trail provide long-term, major, beneficial impacts for visitors recreating along the Trail corridor, and adjacent communities.

The proposed action identifies a capacity, the maximum amounts and types of visitor use that the Trail can accommodate. However, the proposed action does not propose any specific visitor use management actions or strategies to be implemented. Implementing specific visitor use management strategies will be the decision of each unit, on a case by case basis. The proposed action has the potential for visitor use to be limited or restricted if individual units identify that conditions are deteriorating, or that visitor use may threaten the nature and purpose of the Trail. The implementation of visitor management strategies by individual units are an indirect effect of the proposed action on recreation access; however, the severity of these indirect effects will be identified and analyzed when the units propose these strategies. It is anticipated that visitors will encounter no direct impacts to recreation access as a result immediate implementation of the proposed action.

Furthermore, the proposed action does not mandate specific monitoring of resource and social conditions associated with visitor use. The proposed action provides recommended indicators, measures, and a protocol for monitoring visitor use, however it does not dictate a monitoring schedule, or specify exact management actions when a threshold is met. The lack of Trail specific monitoring may dilute any information managers do collect about visitor use and trends along the Trail corridor, making it difficult to assess the need for changes along the Trail. This could result in long term, moderate, adverse impacts on recreational opportunities and access corridor-wide, as Trail and experience degradation may not be identified in a timely manner. Degradation of trail access and opportunity may result in the permanent displacement of certain recreation activities. Conversely, if Trail specific monitoring programs are implemented, the result would have moderate, beneficial, long-term effects on recreational access and opportunities along the Trail.

## Quality of Experience

Impacts on the quality of visitor experience along the Nez Perce Trail include elements pertaining to perceived crowding and conflict, satisfaction with facilities and services, and opportunities to experience solitude and natural quiet. Currently, existing National Visitor Use Monitoring (NVUM) and National Park satisfaction surveys have determined that visitors are largely satisfied with the experiences they have while recreating along various segments of the Trail. Visitor satisfactions surveys did indicate that some attention is needed at developed facilities, parking lots, interpretive displays, and road and trail maintenance.

Increases in visitation, and external factors, such as increased motor vehicle traffic adjacent to the Trail, could contribute to noise impacts that affect visitor experience in the future. Research suggests that under current conditions, most visitors along the Trail do not feel crowded while recreating. There are locations where crowding is felt, primarily at popular recreation points, highway waysides, and within the National Parks; these locations are listed in the *Nez Perce National Historic Trail Visitor Use Analysis Report* (Greenwood, 2018).

The opportunity to experience recreation along the Trail with fewer visitors is preferable to many recreationists. The purpose and nature of the trail do not speak to specific recreation opportunities or experiences, instead to protecting and preserving cultural properties and cultural landscapes along the trail. Although the Nature and Purpose of the Trail is not necessarily to provide opportunities for solitude and primitive experiences, for many, experiencing and understanding the people and events associated with the trail and the flight of the Nez Perce, means enjoying the Trail and experience in a less crowded, more primitive, and independent setting.

Without additional monitoring of resources and social conditions pertaining to visitor use, the quality of visitor experience may be diminished in the future. If visitor use increased substantially, perceived crowding and sound-related impacts may occur, aesthetic impacts could intensify, and satisfaction may decrease. These actions may result in long-term, moderate, adverse impacts on visitor experience. However, with the implementation of monitoring efforts managing units would be better equipped to measure and address potential impacts on visitor experience. By reducing user conflicts and/or resource impacts that affect visitor enjoyment, through implementation of strategic visitor use management decisions, this proposed action could have moderate, beneficial, long-term effects on the quality of visitor experience along the Trail corridor.

## **Interpretation and Education**

There are many opportunities to experience interpretation and education within, and surrounding, the Trail corridor. These opportunities include elements such as: roadside and trailhead signage, interpretive displays, visitor centers, museums and learning structures, federal interpretive staff, and the Auto Tour Brochures. These opportunities allow visitors to learn about the Trail, and the historical context of events leading up to the 1877 War and Flight of the Nez Perce, while gaining understanding of proper behavioral ethics to protect Trail resources. Research suggests that the majority of visitors seek and receive information from these sources, suggesting that these dissemination methods are an important component of visitor use and experience (Littlejohn, 1995).

The proposed action does not directly propose implementation of new interpretation and education opportunities. The *Nez Perce (Nee-Me-Poo) National Historic Trail Interpretive Plan* (USDA, Forest Service, 2016) identifies interpretive goals and objectives and help land managers determine which stories are key for interpreting along the Trail. This plan presents adopted themes and storylines for the Trail, lists potential projects as identified in prior planning efforts and through this planning process, and present criteria as to how to prioritize future projects for implementation

It is anticipated that the proposed action will have negligible impacts on the interpretation and education to resources along the Trail.

## **Cumulative Effects**

The diverse nature of recreational access and opportunities offered along the Trail, provides visitors with long-term, moderate, beneficial impacts pertaining to visitor use and experience. Without proper visitor use management and monitoring, visitor opportunities and associated access may be diminished due to

proliferation of visitor use-related impacts such as social deterioration, crowding, aesthetic impacts, and safety concerns. These actions may result in long term, moderate, adverse impacts on recreational opportunities and access.

Empirical research and resource monitoring suggest that visitors are largely satisfied with the experiences they have while recreating along the Trail. Crowding has been experienced at some of the busier interpretive sites, viewpoints, and historical areas. Additionally, anthropogenic noise intrusions have been found to detract from visitor experience at sites near the Trail. If visitor use increased substantially, perceived crowding may occur, aesthetic impacts could intensify, and satisfaction may decrease. These actions may result in long-term, moderate, adverse impacts on visitor experience if visitor use management strategies are not implemented in the future.

There is the possibility of an increase in visitation, or a change in visitor interests and demand, due to potential changes in regional populations or national recreation trend. However, these effects are unknown at this time. If visitation were to increase, it would increase the potential for visitor use-related impacts on resources and perceived crowding, which may lead to additional impacts such as lack of solitude and increased anthropogenic noise masking the sounds of nature. Changes in recreation trends may result in social conflicts among visitors. For example, if alternative types of watercraft, such as river boards or paddleboards, become more popular, they may affect other boaters or anglers; or if an increase in the use of e-bikes is authorized on trails, resulting in conflicts with stock users. At this time, accurate descriptions of the associated impacts that may exist with alterations in recreation trends cannot be predicted, however, it is acknowledged that as trends change, as does management policy. It is not anticipated that changes in recreation trends will result in long term impacts to recreational experience on the Trail.

Other changes that could result in impacts on visitor use and experience include population fluctuation on adjacent lands. If surrounding populations and associated developments increase, they may impact opportunities to access the Trail by affecting traffic flows in and out of the surrounding protected areas. This could also affect visitor abilities to see wildlife due to habitat and migration alterations that may occur from exterior population fluctuations. Developments associated with population growth would likely impact the visibility of the night sky by introducing more light pollution and decreasing air quality.

Additionally, climate change may transform the current environment, modifying wildlife habitat and migration patterns and visitor access and recreational opportunities. Climate change modeling shows an increase in temperatures could over the long term, make more trail available for longer periods into the winter, when past snow levels made the Trail inaccessible. The natural occurring "rest" period for the Trail could therefore disappear, resulting in a greater need for visitor use management to protect the Trail recreation experience and the nature and purposes of the Trail.

## **Conclusion**

The proposed action identifies a visitor capacity, the maximum amounts and types of visitor use that the Trail can accommodate; as well as recommends a monitoring strategy, indicators, and thresholds. The proposed action does not directly implement specific visitor use management actions or strategies. Implementing specific visitor use management strategies will be the decision of each unit, on a case by case basis.

The proposed action has the potential for visitor use to be limited or restricted if individual units identify that conditions are deteriorating, or that visitor use may threaten the nature and purposes of the Trail and would be an indirect effect of the proposed action on recreation access. It is anticipated that visitors will

encounter negligible direct impacts to recreation access as a result immediate implementation of the proposed action.

It is essential that recommended monitoring is implemented to protect the nature and purposes for which the Trail was designated. If visitor use increases substantially, perceived crowding and sound-related impacts may occur, aesthetic impacts could intensify, and satisfaction may decrease. However, with the implementation of a visitor use management strategies and monitoring efforts, to measure and address potential impacts on visitor experience, negative effects could be avoided. Monitoring and adaptive visitor use management could reduce user conflicts and/or resource impacts that affect visitor experience.

## Heritage

The War and Flight of 1877 resulted in a briefly used path across the landscape from Oregon to Montana. Many of the sections utilized were trails already in existence and some portions of the landscape were transformed by the War and Flight of 1877 and later used as regular trails. High Potential Historic Sites and High Potential Historic Route Segments (HPSS) were identified through analysis for the National Historic Trails Act (Morris 2017, USDA 2019). Certain segments have been identified as historic trail tread and may be impacted if visitor capacity reaches the upper limit identified. This is most likely to happen during events when large groups use the trail. The *Existing Conditions report* (Morris 2017: 28) recommends retaining the primitive character of the trails while recognizing there are natural processes and allowing them to proceed.

Large numbers of trail users in a concentrated fashion may cause damage to the primitive character of the trails see Recommendations and Goals for *Heritage Resource Existing Condition Report for the Nez Perce (Nee-Me-Poo) National Historic Trail* (Morris 2017). Therefore, it is recommended that HPSS segments with identified historic tread should be monitored on a regular basis to ensure that the trail maintains historic character under the identified visitor capacity. In situations where group size is expected to approach recommended limits in visitor capacity, mitigations could include staggering numbers of trail users over a longer time period to prevent adverse effects.

## Design features

1. Monitoring of segments with intact historic tread, measuring width and depth, should be done on a five-year basis. This will provide baseline data to determine future requests for large numbers under a Special Use Permit and other future NEPA analyses on a site by site basis. In situations where group size is expected to reach upper limit of visitor capacity, mitigations could include staggering numbers of trail users over a longer time period to prevent adverse effects.
2. If heritage resources are identified during any project implementation (unanticipated discovery) related to this project or future projects, all work would cease immediately in that area until the situation is reviewed by a qualified archaeologist and an assessment and mitigation plan instituted to ensure protection of the site.
3. Historic properties located within the project's area of potential effect, but not in close proximity to identified disturbance areas shall be protected from indirect project impacts such as use of areas, staging, or any other activities.

## Conclusion

With implementation of the design features listed above, this proposed action will have no effect on any National Register of Historic Places (NRHP) eligible cultural resources. As a result, this project will be in

compliance with Section 106 of the National Historic Preservation Act (NHPA). The proposed visitor capacity would protect the nature and purposes for which the Trail was designated.

## Scenery

During 1877, the US Army forced the Nez Perce to flee their cherished homeland where they had dwelled for over 11,000 years. Today, scenery is a large component to how the modern visitor experiences the Trail. The same fabric of landform and vegetative cover exists in relatively similar conditions as occurred during their flight. Some vegetation types have been significantly altered such as the conversion of prairie and camas meadows into cropland and pasture. Many of the ancient trails have been armored with pavement and gravel to facilitate vehicular transportation. Many streams have been altered through water projects such as impoundments and diversions. With the exclusion of fire, forest communities have become crowded and woody plants have encroached into meadows. Much of the Trail's setting has been altered, but the essence of the landscape remains natural appearing.

The NPNHT is also unique that, in areas, it intertwines with two other National Trails: the Lewis and Clark National Historic Trail and the Continental Divide National Scenic Trail. It also shares the Bitterroot Valley with a spur of the Ice Age Floods National Geologic Trail. It crosses 5 designated National Wild and Scenic Rivers and numerous others that are eligible for designation with outstandingly remarkable values. Winding through the geyser's fields of the world's first national park, it exists east into a designated wilderness (one of two along the trail). The trail also crosses a National Monument, the Upper Missouri River Breaks. Audubon Society Important Bird Areas to the Trail, testament to the incredible ecological heritage from which the Nez Perce people have evolved.

The Scenery Management System (SMS) is the Forest Service policy for the inventory and analysis of aesthetic values on National Forest lands (USDA 1995). The NPNHT is both a nationally important, primary travelway and historic area. A large number of viewers have a high concern for scenic quality as seen from the Trail. Therefore, the SMS classifies the Trail as a concern level 1 viewing platform.

Foreground views, defined as 0 -1/2 mile, from the NPNHT are the most sensitive. From this distance zone, people can distinguish intricate details and receive other sensory messages, such as sounds. Individual forms are dominant. Middleground views, defined as 1/2 to 4 miles, from the NPNHT are the predominant distance zone that the landscapes of the NPNHT are viewed. From this distance zone, form, texture and color remain dominant, and patterns of vegetation are important. Background views, 4 miles to horizon, from the NPHT provide the backdrop to the trail's scenic quality. At this distance zone, details are lost but major contrasts are apparent.

Individual land resource management plans establish the scenic integrity objectives for their respective plan areas. For the NPHT on Forest Service lands, the SMS establishes objectives for high and very high scenic integrity. These objectives have a desired condition of "naturally evolving" or "natural appearing" scenic character with little evidence of human modification.

Within designated wilderness, research natural areas, special interest areas, and, wild & scenic rivers – both eligible and designated, the desired condition for scenic integrity is "naturally evolving". The scenic character, through which the Trail passes, expresses the natural evolution of biophysical features and processes, with very limited human intervention. Outside of aforementioned areas on Forest Service lands, the desired condition for NPNHT scenic integrity is "naturally appearing." Here human modifications may occur are not dominant to the scenic character.

Discrete areas along the Trail will be “cultural landscapes.” These areas express built structures and landscape features that display the dominant attitudes and beliefs of specific human cultures. These cultural landscapes are typically outside the Forest Service Lands, either administered by the National Park Service or privately owned.

The proposed visitor capacity will help maintain or move toward desired conditions for scenery as prescribed in land resource management plans. Effects of visitor use on scenery can include erosion, soil compaction, exposed soils, or damaged vegetation. Similar effects would have been evident after the immediate historic events in 1877. However, modern technology causes effects that differ in magnitude and duration. For instance, modern vehicles create long-lasting, double-track linear features of compacted soil through natural appearing vegetation. Whereas horse travel creates less compaction and less linear effects that contrasts less with natural appearing vegetation. Materials of trash and graffiti are also noticeable differences between effects of modern and historic visitor use. The proposed visitor capacity is expected to curtail the number of people who visit the trail at one time. This is expected to lessen the effects of visitor use.

## **Conclusion**

While visitor use can cause effects to the quality of scenery, it is not identified as an issue. Effects of visitor use can include erosion, soil compaction, exposed soils, or damaged vegetation. These visual cues can negatively affect and strongly dominate the scenic character and views, contrasting with the desire for a naturally appearing scenic character in the Trail corridor. The proposed visitor capacity would help move scenery towards desired future conditions as prescribed in individual land resource management plans. If management actions are deemed necessary to protect the trail’s resources from visitor use, goals and practices in the comprehensive plan will help to protect the Trail’s natural appearing scenery.

## **Socioeconomics**

The Nez Perce National Historic Trail provides recreational opportunities, economic benefits, historic, cultural and quality of life attributes, and other amenities to both visitors and residents of the region. The social and economic conditions of the Trail are characterized by its demographic composition, structure, and size of the economies of the communities intersected by the Trail. These conditions are outlined in the socioeconomic evaluation of the current condition of the Trail (located in the Comprehensive Plan Project File). There it is also describes recreation opportunities, quality of life amenities, and attributes of the region specific to the Nez Perce National Historic Trail corridor. Also included is a discussion of the importance of recreation and park and forest visitation to the region, the potential contribution of visitor spending to the local economy (in terms of jobs and income), as well as other potential social and economic benefits accruing to people as a result of the trail system.

Most existing land and resource management plans along the Nez Perce National Historic Trail do not specify goals, objectives, or management direction specific to social and economic outcomes. However, plans often recognize the role of the public lands in contributing to local economic activity and nearby community well-being. Additionally, management direction for other resources often overlap desired social and economic outcomes by including goals such as providing for a broad range of year-round, high quality recreation opportunities, visually appealing scenery, and preserving cultural resources.

## **Measurement Indicators and Thresholds**

Measuring the human relationship with the ecological environment requires two types of indicators: those that help to understand social and economic conditions in communities near the Nez Perce National Historic Trail and those that measure human uses of the forest’s lands and resources. In addition, an

analysis of public values, beliefs, and attitudes related to the trail and its use can in turn help understand behaviors and the relationship between the public and trail management.

There does not exist enough information specific to trail use to do an economic impact analysis. Such analysis would combine baseline economic data with resource use data—in this case recreation visitors—to estimate employment and labor income associated with trail resources and uses. In addition, the proposed action does not result in any measurable changes in recreation visitor use which would be needed to estimate changes in economic contributions related to trail recreation visitors. The socioeconomic evaluation of the current condition of the Trail (located in the Comprehensive Plan Project File) reports average Forest visitor expenditure data to help illustrate the potential economic contribution of visitors to the trail, and illustrate how these communities might benefit if trail use increases, and conversely the opportunity cost if trail use is limited or if potential users choose alternative sites due to real or anticipated trail congestion.

## Communities

The Trail passes numerous small and large communities as it travels through Oregon, Washington, Idaho, Wyoming, and Montana. Smaller gateway communities along or near the trail provide supplies and amenities for trail users (for example, Grangeville, Idaho and Hamilton, Montana). Larger communities farther from the Trail corridor provide transport hubs, specialized amenities and public services (for example, Lewiston, Idaho and Missoula, Montana). The Trail and associated sites serve as a destination attraction (for example, National Park Service's Nez Perce National Historical Park Visitor's Center), day use recreation areas for the nearby communities (for example, Tolo Lake), for visitors passing through or visiting the region, or as side trips as part of other site visits and trips. Users can also experience solitude or a deep connection to history along the Trail in many sections, for example the Musselshell Trail (No. 40) or walking the White Bird Battlefield.

Tourism contributes to economic activity in communities near outdoor recreation sites. In rural areas with relatively few economic opportunities, recreation visitor spending can be a particularly meaningful economic driver. Overall, the data suggest that many of the communities located near the Trail corridor experience higher rates of economic insecurity than the states' overall. New sources of economic activity can improve economic well-being. This indicates that tourism spending associated with the Trail has the potential to contribute to economic sustainability in gateway communities.

The Nez Perce National Historic Trail presents opportunity for the communities surrounding the Trail. The Trail offers local citizens recreation, cultural and scenic opportunities, which can translate into an improved quality of life in these places further attracting people to the communities. In addition, further increasing the attractions of the Trail has the potential to bring additional visitors to the Trail and therefore additional spending and economic opportunities to the local communities.

In addition to the foot and equestrian trail, the Auto Tour Route offers significant opportunities to draw additional users to the Trail. Maintaining and improving these interpretive displays, road side kiosks, and day use areas has the potential to continue to increase visitors to local communities, again bringing economic opportunities for local business to provide goods and services to trail visitors, while providing recreation, cultural and scenic opportunities to a variety of user types.

However, as visitor use increases there would be trade-offs to those who may appreciate the more remote, sparsely populated experience of sections of the Trail. Increased visitor use would need to be balanced with preservation of historic features for future visitors and for the cultural and historical importance the solitude of the Trail can offer.



## **Values, Beliefs, and Attitudes**

An assessment of values, beliefs, and attitudes provides insight into the relationship between the public and trail management. Controversies and disagreements over land management often are grounded in values (Allen et al 2009). Public comments have been received on the Comprehensive Plan (CP) revision for the Nez Perce National Historic Trail. The majority of the comments were received during public workshops. No public comments have been received on this proposed action, however, the comments on the CP provide insights into the potential range of values the public holds for the Trail.

Values are likely to vary considerably among the public. Some members of the public may believe that unhampered access to the Trail will improve public use and enjoyment. For example, a commenter requested the Trail corridor be accessible to mountain bikes in addition to stock and hiking while others recognized the role the Trail may play in the economic development of communities along the trail corridor. On the other hand, some public may express frustration with large groups, or even other users on the trail. This group may identify historic resource conservation and the preservation of solitude as trail values that increased trail use diminishes. These types of comments included a wide array of sentiments regarding the need for protections for the sacred and historic sites which could be adversely impacted with trail use. In the context of trail visitor capacity, these values may be the main source of conflict.

## **Environmental Justice**

An assessment of Environmental Justice communities is outlined in the socioeconomic evaluation of the current condition of the Trail (located in the Comprehensive Plan Project File). This assessment finds there exist communities which may merit consideration as potential environmental justice populations based on the presence of low-income and minority populations. The proposed action is an administrative non-ground disturbing action and therefore will not have any adverse, disproportionate effect on these populations.

Considerations as individual units consider the identified visitor capacity should include the potential disproportionate impacts to environmental justice populations—which includes concerns affecting federally recognized, State-recognized, and non-recognized tribes; individual tribal members, including those living off-reservation. The environmental justice analysis may give members of a tribe living outside a reservation or maybe having disagreement or different opinions than the formal tribal government an opportunity to express their issues or concerns (Grinspoon et al 2014). The review of values, beliefs and attitudes, may help to identify these impacts.

## **Conclusion**

The Nez Perce National Historic Trail presents opportunity for the communities surrounding the Trail. The Trail offers local citizens recreation, cultural and scenic opportunities, which can translate into an improved quality of life in these places. In addition, tourism contributes to economic activity in communities near outdoor recreation sites. In rural areas with relatively few economic opportunities, recreation visitor spending can be a particularly meaningful economic driver.

Public beliefs or perceptions play into their behavior and well-being. For example, perceptions of visitor crowding, quality of experience, beliefs of the potential impacts of visitor use on historic resources, all ultimately may impact well-being. If managers, or visitors, perceive crowded conditions along trails, data produced by monitoring can provide actual use data for planning or management action purposes.

The Plan recognizes the role of the Trail in contributing to local economic activity and nearby community well-being. Additionally, management direction for other resources often overlap desired social and

economic outcomes by including goals such as providing for a broad range of year-round, high quality recreation opportunities, visually appealing scenery, and preserving cultural resources.

The Comprehensive Plan provides practices and purposes of the Trail. The proposed action is consistent with Plan including goals and practices such as:

- Management decisions associated with the Trail are socially, economically, and ecologically sustainable.
- Use conflicts among Trail users are infrequent.
- Heritage tourism is recognized as a key component of the economy for gateway communities along the Trail.
- Visitor use is regulated as necessary to provide for user and public safety; to protect natural, cultural, and historic resources; to minimize conflict and maximize responsible use; to afford recreation experience objectives; and to comply with Federal and State laws.

## Terrestrial and Aquatic Wildlife Threatened, Endangered and Sensitive Species

The project area contains habitat for species listed in both the *Nez Perce National Historic Trail (Nee-Me-Poo) Comprehensive Plan Wildlife Existing Condition Report* (Malengo 2017), as well as the Affected Environment for Fisheries Resources Report. Existing land management plan direction protects threatened, endangered, proposed, sensitive (TEPS), other special status species, and critical habitats.

The proposed action is solely an administrative action that would not result in direct environmental consequences to threatened, endangered, proposed, sensitive (TEPS), other special status terrestrial or aquatic species, or critical habitats.

Visitor activities can have deleterious impacts to natural areas vegetation, soil, water, wildlife, and cultural resources (Marion et al 2019). Effects of recreation on animals include behavioral responses such as increased flight and vigilance; changes in spatial or temporal habitat use; declines in abundance, occupancy, or density; physiological stress; reduced reproductive success; and altered species richness and community composition. Many species respond similarly to human disturbance and predation risk, meaning that disturbance caused by recreation can force a trade-off between risk avoidance and fitness-enhancing activities such as foraging or caring for young (Larson et al 2016 and 2019).

However, the relationship between amount of recreational use and wildlife impacts is not well understood, and very few studies have systematically examined the effects of varying numbers of visitors on wildlife. Such studies are methodologically challenging because they need to measure and account for both environmental and population dynamic influence before and during the experimental addition of recreation use as a “cause-and effect” influence (Marion et al. 2019). Although placing sideboards on existing visitor Trail use could result in indirect or cumulative beneficial effects to species or habitats, there isn’t enough information about the effects, if any, of current trail use on species or habitats to know for certain. Suggested monitoring is included in the proposed action to determine when wildlife-human interactions may trigger re-evaluation and/or adjustment of trail visitor capacity. Each unit will determine the necessity of this type of monitoring based on site-specific needs. Any indirect or cumulative effects of the proposed action are expected to be beneficial and within the scope of effects analyzed in individual land management plans for wildlife impacts caused by recreation users.

It is assumed that impacts from fishing, such as direct take and behavioral modification (e.g., feeding), are closely related to the number of anglers fishing at individual sites. Potential effects of recreation on aquatic animals include behavioral responses such as increased avoidance movements; changes in spatial or temporal habitat use; declines in abundance, occupancy, or density; physiological stress; reduced reproductive success; and altered species richness and community composition. Visitor activities can also have negative impacts to aquatic habitat and adjacent riparian habitat, including vegetation and soil. Therefore, future decisions would consider any actions that could affect the quantity of visitor use at individual aquatic habitat locations, and the corresponding effects to aquatic species and their habitat.

Existing land use plans direction for terrestrial and aquatic TEPS species addresses general issues associated with trail use to determine if a change or mitigation is warranted (e.g., re-route of current trail, placing boulders to obstruct user created trails, fencing, trail/structure modification at stream crossings, etc.), and those changes would be analyzed in the appropriate level of site-specific NEPA.

## **Conclusions**

Wildlife and aquatic species are not part of the nature and purposes for which the Trail was designated. However, no direct effects to federally listed species, designated critical habitat, or Regional Forest Service Sensitive species would occur because the proposed action is solely an administrative action that identifies a visitor capacity. Although the proposed action could result in indirect or cumulative beneficial effects to species or habitats, there isn't enough information about the effects, if any, of current Trail use on species or habitats to know for certain. Suggested monitoring is included in the proposed action to determine when wildlife-human interactions may trigger re-evaluation and/or adjustment of trail visitor capacity. Each unit will determine the necessity of this type of monitoring based on site-specific needs. Any effects of the proposed action are expected to be within the scope of effects analyzed in individual land management plans for wildlife impacts caused by recreation users.

If individual units choose to implement specific visitor use strategies that would make changes to the trail use, or allow group rides via a special use permit, the NEPA analysis that would occur at that point would need to consider site-specific impacts.

### *Relevant Findings*

The project biological evaluations determined the proposed action will not affect any Regional Forester sensitive species; this conclusion is based on the administrative nature of the visitor capacity identification. Refer to the project biological evaluations for additional information.

This project complies with the Endangered Species Act, as amended. The project biological evaluations determined the proposed action will not affect federally-listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat. Refer to the project biological evaluations for additional information.

This project complies with the Migratory Bird Treaty Act of 1918, Executive Order 13186 of January 10, 2001, and the April 11, 2018 Department of the Interior memorandum. Although, the purpose of the action is not to take migratory birds, their eggs, or their nest, take of individual migratory birds would not occur as the result of the proposed action.

The proposed action would not result in take of bald or golden eagle.

## Botanical Threatened, Endangered and Sensitive Species

Botanical species are not part of the nature and purpose for which the trail was designated. However, no direct effects to federally listed species, designated critical habitat, or Regional Forest Service Sensitive species would occur because the proposed action is solely an administrative action that identifies a visitor capacity. Although the proposed action could result in indirect or cumulative beneficial effects to species or habitats, there isn't enough information about the effects, if any, of current trail use on species or habitats to know for certain.

Existing land management plan direction addresses threatened, endangered, proposed, sensitive (TEPS), other special status plant species, or critical habitats relative to the Nez Perce National Historic Trail location, its use, and associated facilities.

Existing forest plan monitoring for TES plant species would detect general issues associated with trail use that would then be analyzed if a change or mitigation is warranted (e.g., re-route of current trail, placing boulders to obstruct user created trails, fencing, trail/structure modification at stream crossings, etc.), and those changes would be analyzed in the appropriate level of site-specific NEPA.

## Conclusions

Botanical species are not part of the nature and purpose for which the Trail was designated. However, no direct effects to federally listed species, designated critical habitat, or Regional Forest Service Sensitive species would occur because the proposed action is solely an administrative action that identifies a visitor capacity. Although the proposed action could result in indirect or cumulative beneficial effects to species or habitats, there isn't enough information about the effects, if any, of current Trail use on species or habitats to know for certain.

If individual units choose to implement specific visitor use strategies that would make changes to the trail use, or allow group rides via a special use permit, the NEPA analysis that would occur at that point would need to consider site-specific impacts. The types of information that could trigger re-evaluation and adjustment of visitor capacities would be determined that may trigger re-evaluation and/or adjustment of trail visitor capacity is unavailable at this time and would require site-specific consideration.

### *Relevant Findings*

The project biological evaluation determined the proposed action will not affect any Regional Forester sensitive species; this conclusion is based on the administrative nature of the visitor capacity identification. Refer to the project biological evaluation (project file document number for additional information).

This project complies with the Endangered Species Act, as amended. The project biological evaluation determined the proposed action will not affect Federally listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat. Refer to the project biological evaluation for additional information.

## Watershed

Several Trail segments have water quality problems within the corridor. However, the Trail itself is not the cause for these water quality impairments. Under present condition roads are the most prevalent source of increased sediment into stream channels on the national forests and other federal lands within the Trail corridor. Where the Trail is on a highway or road, segments have up to moderate limitations for erosion

hazard, and a risk in some areas for geologic hazards such as landslides. These hazards are not as a result of the Trail but are inherent risks.

Under current conditions, the potential for water and soil impacts resulting from visitor use such as trampling and compaction of trail tread and erosion and sedimentation are addressed by standard mitigations called best management practices (BMPs). Through the use of BMPs, adverse effects to the trail and surrounding areas are mitigated and the trail maintained. BMPs have been effective in protecting water quality along the trail by reducing sediment erosion and runoff and maintenance of the trail tread by preventing gully and other erosion across or along the trail (USDA Forest Service, 2012).

Identifying a visitor capacity could potentially limit visitor use and could have an indirect effect of reducing the amount of soil and water impacts occurring and therefore requiring BMPs. Because there will be no new development, under the proposed action the Trail would not have a significant effect on springs and seeps, or riparian areas, and is not expected to impair any of these areas.

## **Conclusion**

The proposed action would not have significant environmental consequences. The proposed action would comply with water-related federal and state laws and regulations. There would not be a significant effect on springs and seeps, or riparian areas, and has not caused stream channel instability or streamflow changes.

Several watersheds are managed as municipal watersheds along the corridor and have various protections applied to protect water sources for municipal uses. No impacts are expected from the trail on water quality for municipal watersheds.

Through the use of best management practices (BMPs), adverse effects to the trail and surrounding areas would be mitigated and the trail maintained.

## **Findings Required by Law, Regulation, or Policy**

The following topics were not identified as issues which required detailed analysis. The following information offers a basis for the responsible official to make a decision and findings required by laws, regulations, and policy.

### **Revised Nez Perce National Historic Trail Comprehensive Plan**

The Comprehensive Plan provides practices and purposes of the Nez Perce National Historic Trail and allows regulation of visitor use to the extent necessary to provide for user and public safety; to protect natural, cultural, and historical resources, including wildlife; to minimize conflict and maximize responsible use; to afford recreation experience objectives; and to comply with Federal and State laws. Likewise, visitor use should only be regulated when other design criteria and mitigation measures have been determined to be unsuccessful (pages 61, 66). This project is consistent with the Comprehensive Plan.

### **National Trails System Act (as amended)**

To provide for addressing the ever-increasing outdoor recreation needs of an expanding population and to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the outdoor areas and historic resources of the United States, 16 U.S.C. 1241-1244 of the National Trails System Act provides for establishing trails within scenic areas and along historic travel routes of the United States. 16 U.S.C. 1244 (f) of the National Trails System Act requires all designated national historic trails to develop a comprehensive plan. The comprehensive plan will provide broad authority and a strategic framework for the development, administration, and management of the trail. The Trails Act requires also requires that visitor use capacity be addressed in a comprehensive plan (16 U.S.C. 1244 (f) (1)). The act requires identifying the visitor capacity for the trail.

The proposed action would meet the regulatory requirements of the Trails Act by identifying a visitor use capacity. Identifying visitor capacity ensures the nature and purpose of the trail, as identified in the Trails Act and the Nez Perce National Historic Trail Comprehensive Plan, can be maintained and protected in the future, while continuing to provide access to the trail and to the connected recreational and tourism opportunities for a growing and diverse public.

### **Executive Order 12898 on Environmental Justice**

This order requires Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the U.S.

An assessment of environmental justice communities is outlined in the socioeconomic evaluation of the current condition of the trail (located in the comprehensive plan project file). This assessment finds there are communities which may merit consideration as potential environmental justice populations based on the presence of low-income and minority populations. The proposed action is an administrative non-ground-disturbing action and therefore will not have any adverse, disproportionate effect on these populations.

### **Endangered Species Act of 1973 (as amended)**

This act directs Federal agencies to conserve endangered and threatened species. USDA regulation 9500-4 reflects this Endangered Species Act mandate and reinforces the need for agencies within the department

to conduct activities and programs to conserve currently listed species, as well as avoid contributing to species decline and need for future Endangered Species Act listings.

## **Finding**

This project complies with the Endangered Species Act, as amended. The project biological evaluations for terrestrial aquatic and botanical species determined the proposed action will not affect federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat. This conclusion is based on the administrative nature of the visitor capacity identification. Refer to the project biological evaluations for additional information.

## **Forest Service Manual Chapter 2670 – Threatened, Endangered, and Sensitive Plants and Animals**

2670.22 – Objectives for Sensitive Species. Maintain viable populations of all native and desired nonnative wildlife, fish, and plant species in habitats distributed throughout their geographic range on National Forest System lands.

2670.32 – Policy for Sensitive Species. Review programs and activities as part of the National Environmental Policy Act of 1969 process through a biological evaluation, to determine their potential effect on sensitive species; avoid or minimize impacts to species whose viability has been identified as a concern.

2672.4 – Biological Evaluations. Review all Forest Service planned, funded, executed, or permitted programs and activities for possible effects on endangered, threatened, proposed, or sensitive species. The biological evaluation is the means of conducting the review and of documenting the findings. Document the findings of the biological evaluation in the decision notice.

## **Finding**

The project biological evaluations determined the proposed action will not affect any Regional sensitive species. This conclusion is based on the administrative nature of the visitor capacity identification. Refer to the biological evaluations in the project record for additional information.

## **Bald and Golden Eagle Protection Act of 1940, as Amended**

This law provides for the protection of the bald eagle and the golden eagle (as amended in 1962) by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter, transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit (16 U.S.C. 668(a); 50 CFR 22). "Take" includes pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb (16 U.S.C. 668c; 50 CFR 22.3).

## **Finding**

The proposed action would not result in take of bald or golden eagle.

## **Migratory Bird Treaty Act of 1918, Executive Order 13186 of January 10, 2001**

The Migratory Bird Treaty Act 1918, as amended, protects migratory bird species. Executive Order 13186 (Responsibilities for Federal Agencies to Protect Migratory Birds) created a more comprehensive strategy

for the conservation of migratory birds by the Federal government, thereby fulfilling the government's duty to lead in the protection of this international resource.

## **Finding**

This project complies with the Migratory Bird Treaty Act of 1918, Executive Order 13186 of January 10, 2001, and the April 11, 2018 Department of the Interior memorandum. Because the proposed action is an administrative decision, no take of migratory birds would occur.

## **National Historic Preservation Act**

The National Historic Preservation Act, as amended, directs all Federal agencies to consider the effects of their undertakings (actions, financial support, and authorizations) on properties included in or eligible for the National Register.

## **Finding**

Implementation of recommended design features would maintain compliance with section 106 of the National Historic Preservation Act.

## **National Forest Management Act**

Land management plans for national forests are required under the National Forest Management Act. They provide guidance for trail management and other land uses that may affect watersheds containing the trail and trail corridor. The revised comprehensive plan was developed under the authority of the National Trails System Act, which is independent of existing land and resource management plans. The act requires that the trail corridor "be designed to harmonize with and complement any established multiple-use plans for the specific area in order to insure continued maximum benefits" (16 U.S.C. 1246 (a) (2)). The proposed action is compatible with land management plans for national forests. A complete listing of plans which apply is included in the project file (Visitor Use Analysis Report, 2018)

## **Federal Land Policy and Management Act**

The Bureau of Land Management follows resource management plans that provide guidance for watershed protection on lands they manage. Most notable is land the Bureau manages along the Idaho and Montana segments of the Nez Perce National Historic Trail. The proposed action is consistent with the FLPMA. A complete listing of plans which apply is included in the project file (Visitor Use Analysis Report, 2018)

## **National Parks and Recreation Act**

The National Parks and Recreation Act of 1978 (1978 Act) requires units of the National Park System to complete general management plans that include a requirement to identify visitor capacities for each unit. The 1978 Act additionally gives national parks management autonomy from other Federal agencies. As a result, the revised comprehensive plan, and subsequent visitor use capacity, cannot be imposed on and National Park Service lands but can be shared with their management officials to help with future planning efforts.



## Other Laws, Policies, and Regulations

A variety of Federal laws and regulations apply to the management of recreation resources and visitor use management; a full list of all applicable laws, orders, and regulations, can be found in the revised comprehensive plan, existing condition reports for each resource (located in the project file), and the visitor use analysis report (Greenwood 2018).

The following laws relate specifically to or mandate agencies to plan for and manage visitor use, and the proposed action is consistent with them:

- Federal Land Policy and Management Act of 1976, as amended (Public Law 94-579)
- General Authorities Act of 1970 (16 U.S.C. section 1a-7)
- Multiple-Use Sustained-Yield Act of 1960 (as amended through December 31, 1996, Public Law 104-333)
- National Forest Management Act of 1976 (16 U.S.C. 1600(note))
- National Park and Recreation Act of 1978 (Public Law 95-625, section 604)
- Sikes Act ((16 USC 670a-670o, 74 Stat. 1052), as amended, Public Law 86-797, approved September 15, 1960)
- The Wilderness Act of 1964
- Water Resources Development Act of 1986
- Wild and Scenic Rivers Act of 1968 (Public Law 90-542)

## Finding of No Significant Impact

The Council of Environmental Quality regulations define a finding of no significant impact as a document by a Federal agency briefly presenting the reasons why an action, not otherwise excluded (section 1508.4), will not have a significant effect on the human environment and for which an environmental impact statement therefore will not be prepared.

### Finding

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the Council on Environmental Quality regulations (40 CFR 1508.13). I have reviewed and considered the Draft Environmental Assessment and documentation included in the project record, and I have determined that the proposed action will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows.

### Context

For the proposed action and alternatives, the context of the environmental effects is based on the environmental analysis in this environmental assessment and summarized in table 6.

## Resource Conditions for Finding of No Significant Impact Consideration

The following resource conditions were evaluated to determine if the proposed action identifying a visitor capacity for the Trail would have significant effects.

**Table 6. Evaluation of resource conditions for the likelihood of significant effects**

| <b>Resources for consideration (ref. 36 CFR 220.6(b) and 40 CFR 1508.27(b))</b>  | <b>Present (yes/no)</b> | <b>If present, would the project result in adverse effects on the resource? Explain briefly</b>  | <b>Significant Effects Likely? (yes/no)</b> |
|--|-------------------------|--|---|
| Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat and Regional Forest Service sensitive species.                 | Yes                     | Project area contains habitat for species listed in the wildlife, aquatic and botanical existing conditions reports for the Nez Perce National Historic Trail (Nee-Me-Poo) Comprehensive Plan. These reports are located in the project record and incorporated by reference.<br><br>No direct effects would occur because the proposed action is solely an administrative action. Identifying visitor capacity may have indirect or cumulative beneficial effects to wildlife, aquatic or botanical species. Any indirect or cumulative effects of the proposed action are expected to be within the scope of effects analyzed in individual land or resource management plans for wildlife impacts caused by recreation users. | No  |
| Flood plains, wetlands, or municipal watersheds  | Yes                     | No direct effects to water, water quality, soils, or geologic hazards would occur because the proposed action is solely an administrative action. Identifying visitor capacity may have indirect or cumulative beneficial effects to water and soils by limiting use.<br><br>Flood plains, wetlands, and municipal watersheds are present in the project area but would not be impacted.   | No  |
| Parklands, prime farmlands   | Yes                     | Prime farmlands are present in the Trail corridor but would not be affected.   | No  |
| Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas, inventoried roadless areas or potential wilderness areas.  | Yes                     | The Trail crosses various designated areas, including wilderness, wilderness study areas, national recreation areas, national historic trails, national scenic trails, and wild and scenic rivers.<br><br>The proposed action recommends no specific management or visitor use regulation. As per direction in the various designation acts, in case of conflict between the provisions of the Acts, the more restrictive provisions shall apply. Therefore, existing regulations in designated areas that are more restrictive than the identified capacity, or any future proposed visitor use management strategy, would continue to apply.   | No  |
| Research natural areas or ecologically critical areas  | Yes                     | Candidate research natural areas are present in the trail corridor but would not be affected.  | No  |
| American Indian religious or cultural sites, archaeological sites, or historic properties or areas, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places | Yes                     | No effects are expected to cultural or archaeological resources because the proposed action includes design criteria that would prevent effects to cultural resources and the historic tread of the Trail.   | No  |

## Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this Draft Environmental Assessment and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project (described above) and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

**1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.**

No adverse impacts are expected to occur due to the implementation of the proposed action.

The proposed action is expected to have a beneficial effect of protecting the nature and purposes of the Trail and meeting the intent of the Trails Act.

Currently, the Chief Joseph Trail Ride is permitted through each Federal administrative unit the annual ride crosses, and the appropriate level of environmental analysis is completed prior to authorization of the permit. Resource professionals responsible for the management of the Trail and associated Federal lands, who administer the authorization of the Chief Joseph Trail Ride have reported, based on anecdotal evidence, there have been no discernable or enduring impacts to either desired conditions or the nature and purposes for which the Trail was designated by allowing this annual event. **As such, it can be concluded the 350 riders with their associated stock spread over 20 miles of trail within a 24-hour period are not likely to produce discernable or enduring impacts to either desired conditions or the nature and purposes for which the trail was designated.**

**2. The degree to which the proposed action affects public health or safety.**

There are no expected direct impacts from the proposed action to public health or safety.

**3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

There are no expected impacts from the proposed action to parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Based upon research of data sets and anecdotal observations by resource professionals associated with the Trail, the largest documented gathering of visitors along the Trail is associated with the annual Chief Joseph Trail Ride. The Chief Joseph Trail Ride is organized by the Appaloosa Horse Club in conjunction with the Nez Perce Appaloosa Horse Club. The Trail ride encompasses the entirety of the Nez Perce Trail, and is completed in 100 mile increments each year. As such, it takes 13 years to complete the trail in its entirety. The ride first began in 1965; with riders from across the Nation and included international participants. On average, the Chief Joseph Trail Ride includes approximately 100 to 150 riders, and an additional 50 to 80 rider support persons. In the past, the event has hosted upwards of 350 riders along with their associated riding stock and support personnel.

When looking at this event in the context of the Trail, it is apparent the ride is a critical recreation event and trail use to perpetuate the nature and purpose for which the Trail was designated; and

positively support the historical context of the events for which the Trail was designated. The trail ride is the closest representation to a reenactment of the events for which the trail was designated. The Chief Joseph Trail Ride is the only modern-day equivalent to the large number of stock and persons that traveled the Trail corridor in 1877. When discussing the protection of the cultural landscape and the cultural experience which comprise the nature and purposes for which the Nez Perce Trail was designated, it is critical to recognize the Chief Joseph Trail Ride and set a visitor use capacity that allows this event to continue on an annual basis.

**4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

There is no controversy surrounding the nature of the impacts from identifying the visitor capacity for the Trail. The proposed action is an administrative action. No ground-disturbing activities will take place based on this identification. The proposed action does not directly implement a visitor limit, restriction, or other visitor use management regulation, but is anticipated to protect the nature and purposes for which the Trail was designated.

**5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

The proposed action is an administrative action only. There are no highly uncertain risks associated with the proposed action.

**6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

The National Trails Act requires the development of a comprehensive plan to provide broad authority and a strategic framework for the development, administration, and management of the trail. As such, the Comprehensive Plan does not authorize site-specific projects, activities, or prohibitions nor does it obligate funds or commit Federal managers to take specific actions. The revised Comprehensive Plan does not amend land management plans; however, revised or amended land management plans and site-specific project decisions may adhere to strategies in the revised Comprehensive Plan.

The Forest Service is the lead trail administrator and worked collaboratively with Federal agencies, State and local governments, tribes, user groups, stakeholders, and the general public to complete the revised Comprehensive Plan.

Once the analysis and decision for this Draft Environmental Assessment are complete, the visitor capacity identification will be incorporated as part of the revised comprehensive plan. Agencies managing land along the Nez Perce National Historic Trail should ensure their land management plans and resource management plans are compatible with strategic direction provided in the revised Comprehensive Plan. If modification of these management plans is needed, the appropriate environmental analyses will be used to incorporate those changes.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.**

No significant impacts are likely to occur based on resource specialist analyses and conclusions. See table 6 for a summary of the evaluation for significant impacts.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

No direct, indirect, or cumulative effects to cultural or archaeological resources would occur because the proposed action includes design features to protect cultural resources. The proposed action would have no effect on cultural resources eligible for listing in the National Register of Historic Places. As a result, this project will be in compliance with section 106 of the National Historic Preservation Act.

**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.**

This project complies with the Endangered Species Act, as amended. The project biological evaluations determined the proposed action will not affect federally-listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat. Refer to the project biological evaluations for additional information.

Although placing sideboards on existing visitor trail use could result in indirect or cumulative beneficial effects to species or habitats, there isn't enough information about the effects, if any, of current trail use on species or habitats to know for certain. Refer to the project biological evaluations for additional information.

**10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.**

The proposed action complies with all Federal, State or local laws, agency regulations and policies. See the section of the Draft Environmental Assessment regarding "Findings Required by Law, Regulation, or Policy".

## Agencies or Persons Consulted

Forest Service personnel began the comprehensive plan revision process by consulting other Federal agencies; State and local governments; affected Indian Tribes; and interested members of the public for input on the plan development.

### Other Federal Agencies

The National Trails System Act directs the Secretary of Agriculture to consult with the heads of all other affected Federal agencies (16 U.S.C. 1246 (a) (1) (A)). The Nez Perce National Historic Trail crosses many other Federal agency lands, including:

- National Park Service (NPS)
- Bureau of Land Management (BLM)
- U.S. Fish and Wildlife Service (FWS)
- U.S. Army Corps of Engineers (COE)
- Bureau of Reclamation (BOR)
- Bureau of Indian Affairs (BIA)
- Department of Energy (DOE)

The Federal agencies listed above, together with the U.S. Department of Transportation and Federal Highway Administration, signed a memorandum of understanding on the National Trails System in 2016 in an effort to facilitate, encourage, and assist interagency cooperation at the national, regional, State and local levels to implement the National Trails System Act. The memorandum identifies roles and responsibilities of the agencies and reaffirms the responsibility of the agencies to administer and manage the Nez Perce National Historic Trail seamlessly across jurisdictional boundaries (The National Trails System Memorandum of Understanding, 2016).

## Affected Indian Tribes

The regional forester for the Northern Regions is conducting ongoing consultation with 25 federally recognized Indian Tribes, in accordance with Forest Service Handbook section 1509.13, chapter 10, *Consultation with Indian Tribes and Alaska Native Corporations* (USDA Forest Service 2016). Consultation with Indian Tribes must be government-to-government. The revision of the Nez Perce National Historic Trail Comprehensive Plan is a Federal undertaking subject to compliance with section 106 of the National Historic Preservation Act (16 U.S.C. 470), which requires Federal agencies to take into account the effects of a proposed undertaking on historic properties eligible for the National Register of Historic Places in consultation with affected tribes, State Historic Preservation Offices, and interested parties.

## State and Local Jurisdictions

The National Trails System Act directs the Secretary of Agriculture to consult with the heads of all other affected State agencies (16 U.S.C. 1246 (a) (1) (A)) and to coordinate with local jurisdictions. This plan was developed in consultation with the respective governors, departments of transportation, and State historic preservation offices of the states of Idaho, Oregon, Montana, and Wyoming.

The National Trails System Act also permits State or local agencies to nominate protected segments on State or local land to the Secretary of Agriculture for certification as part of the National Trail System. Sites and segments must meet the national historic trail criteria established in the National Trails System Act and be administered without expense to the United States (16 U.S.C. 1242 (a)).

The Forest Service and other managing Federal agencies may enter into cooperative agreements with states and local agencies to operate, develop, and maintain any portion of the Nez Perce National Historic Trail within or outside of a federally administered area. These agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of the trail (16 U.S.C. 1246 (h) (1)).

## Private Landowners

The National Trails System Act encourages coordination and collaboration with private landowners to manage national trails. With 48.6 percent, or nearly half, of the trail crossing private lands, private landowners play an integral role in its management and administration. State and local governments are encouraged to enter into written cooperative agreements or acquire such lands or interest from landowners to facilitate land management outside the boundaries of federally designated areas (16 U.S.C. 1246 (e)). Federal agencies may also enter written agreements with willing private landowners or acquire lands or interests from willing private landowners to facilitate administration and management of the trail within the boundaries of their administration (16 U.S.C. 1246 (d)).

The Forest Service may also enter into cooperative agreements with private landowners to operate, develop, and maintain any portion of the trail within or outside a federally administered area. These

agreements many include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of the trail (16 U.S.C. 1246 (h) (1)). Private landowners may also participate in the site certification process described in this plan in chapter 4.

## **Partners and Volunteers**

The National Trails System Act recognizes the valuable contributions that volunteers, private, and nonprofit trail groups have made to the development and maintenance of the nation's trails and encourages "volunteer citizen engagement in the planning, development, maintenance, and management, where appropriate, of trails" (16 U.S.C. 1246 (h) (1)).

The Forest Service and other agencies with jurisdiction over lands on and adjacent to the trail may enter into cooperative agreements with private organizations and volunteers to operate, develop, and maintain any portion of the trail either within or outside federally administered areas. These agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of the trail (16 U.S.C. 1246 (h) (1) and 16 U.S.C.1250).

## **Public Involvement**

Forest Service personnel held a series of 20 workshops between December 2010 and February 2012 and an additional 12 workshops in 2014 in gateway communities along the Nez Perce National Historic Trail. They conducted additional consultation and public involvement in 2018, prior to final approval of the Comprehensive Plan.

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