



USDA Forest Service Update

August 2011

Subject: Aerial Application of Fire Retardant Environmental Impact Statement (EIS)

Issue: Current status of ESA consultation, comment period, and stakeholder and tribal involvement for the aerial application of fire retardant (EIS).

Key Points:

- ***ESA Consultation:*** USFS is evaluating the impacts of aerial fire retardant use on listed species and designated critical habitat.
- ***Comment Period:*** Comment period ended June 27. A total of 54 individual comment letters or e-mails were received. Within the 54 responses, about 100 individual concern statements were identified and require a response. The precise number of responses will change as analysis continues.
- ***Stakeholder and Tribal Involvement is ongoing.*** Local offices continue tribal consultation.
- ***Next Steps:***
 - FEIS, ROD, and ESA consultation remain on schedule.
 - Final EIS is expected to be delivered to EPA no later than early November, 2011.
 - Record of Decision expected to be signed no later than December 30, 2011.

Background:

- In July 2010, the United States District Court for the District of Montana ruled that the Forest Service was in violation of the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) regarding its use of fire retardant applied from aircraft.
- On August 27, 2010 the Forest Service published a notice of intent to prepare an EIS and solicited comments.

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