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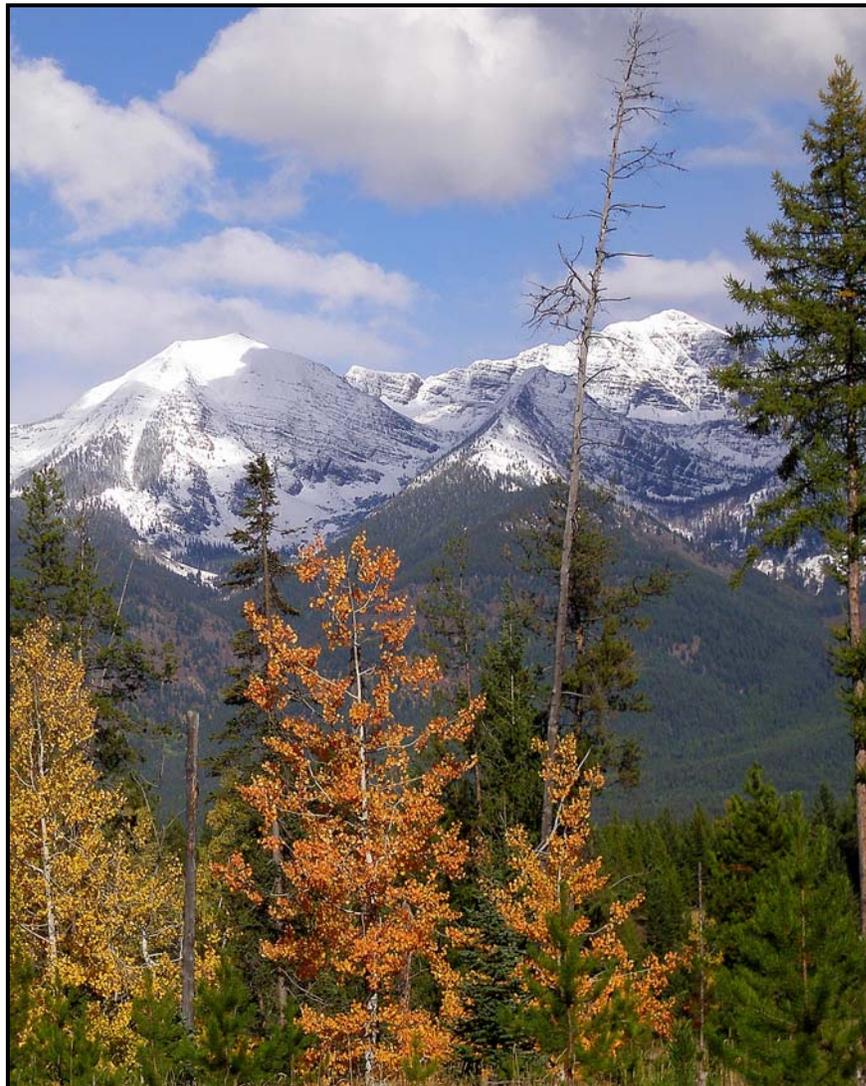


Cooney McKay Forest Health and Fuels Reduction Project

Final Environmental Impact Statement

Chapter 4 and Errata

Swan Lake Ranger District
Flathead National Forest
Lake and Missoula Counties, Montana



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Chapter 4

Public Involvement

Introduction

This chapter provides detailed information on the public involvement activities for the Cooney McKay Environmental Impact Statement and the letters received on the Draft EIS and the Forest Service Responses to those Comments. The topics are displayed in the following order:

- Public involvement activities prior to release of the Draft EIS;
- Public involvement activities after release of the Draft EIS;
- Issues raised during the public involvement process;
- Comments and the Final EIS;
- Letters and Forest Service Responses;
- List of Those Receiving the Final Document;
- Copies of the Letters received on the Draft EIS and the Forest Service Responses to the Comments within those letters.

Activities Prior to Release of the Draft EIS

Implementation of the Public Participation Plan for the Cooney McKay Analysis Area began in June 2006. A mailing list was developed that included parties that would have an interest or be directly affected by the proposed action. A survey of Missoula and Lake County property records identified landowners adjacent to the project area.

Starting in October of 2006, information on the Cooney McKay Project was listed on the Flathead National Forest's Schedule of Proposed Actions, which was mailed quarterly to interested parties.

A Notice of Intent (NOI) to prepare an EIS was published in the Federal Register on December 22, 2006. On January 16, 2007, a scoping package requesting the same information was mailed to 125 individuals or organizations with property within or adjacent to the analysis area or who had previously expressed an interest in National Forest management activities in the area. A Request for Comments for the Cooney McKay Project was published in the *Daily Inter Lake* on February 13, 2007. A total of six comment letters or electronic responses were received by the end of the scoping period. These comments were used to help identify public concerns regarding use and management of the Cooney McKay Project Area and were taken into consideration in the development of the action alternatives to the Proposed Action.

On June 19, 2007, the Swan Lake Ranger District conducted a public field tour of the project area. Thirteen individuals attended this tour.

Coordination with the following State and Federal agencies occurred throughout the planning process. Contacts are documented in the project file:

- Montana Department of Fish, Wildlife, and Parks (MDFW&P)
- U.S. Fish and Wildlife Service (FWS)

Biological Assessments (BA) were submitted to the FWS for determination of concurrence on February 13, 2007. Through consultation, the FWS concurred that the project **“May affect – but is not likely to adversely affect threatened grizzly bear, the threatened Canada lynx, the endangered gray wolf, the threatened bald eagle or the threatened water howellia”** (Project File Exhibit E-2). On May 23, 2007 the Forest Service submitted a revised BA for bull trout and requested initiation of formal consultation based on the determination of **“may affect, likely to adversely affect”** for bull trout. On January 7, 2008, the FWS submitted a Biological Opinion (BO) and concurrence for the project, with the determination that the project is **“likely to adversely affect”** the threatened bull trout.

Confederated Salish and Kootenai Tribes

The Forest Service consulted with the Confederated Salish and Kootenai Tribes during the analysis process. Participation with the Salish and Kootenai Tribe was conducted during quarterly meetings between tribal representatives and the Flathead National Forest Heritage Resource Specialists. The Tribe did not express any concerns with this project.

Activities after Release of the Draft EIS

On December 10, 2007, the DEIS was mailed to 48 members of the public (including organizations and agencies). On December 14, 2007, the Notice of Availability of the Cooney McKay DEIS was published in the Federal Register. Fourteen comment letters were received by the close of the 45-day comment period. Locally, the District published a legal notice in the *Daily Inter Lake* (newspaper of record) on December 16, 2007 alerting the public of the availability of the document. These letters were reviewed by the ID Team and the decision maker.

The Record of Decision, this Chapter, and the Errata for the Cooney McKay EIS will be mailed to individuals, organizations, American Indian Tribes, Federal and state agencies, and other interested parties. Public notification of the availability of the ROD and the 45-day appeal period will occur with legal notices to be published in the *Daily Inter Lake*.

Issues Raised During the Public Involvement Process

Comments given throughout this project have received careful consideration by the ID Team and the decision maker. Major Issues (activities in old growth and white-tailed deer winter range) identified through scoping were described and analyzed in the Draft EIS, and are summarized on pages 7 and 8 of the ROD. Modifications were made to the Alternative 3 identified in the DEIS, based on public comments on the DEIS. The ROD describes how public comments were used, specifies any changes that were made, and how the Selected Alternative addresses the issues.

Comments and the Final EIS

Comments on the DEIS are displayed starting on page F-1 of this document, along with agency responses. The comments did not disclose any new issues or a need for substantial new analysis. However, the decision maker modified Alternative 3, as presented in the DEIS, in choosing it as the Selected Alternative in the ROD. Adjustments were made such as deferring harvest units and a resource enhancement project to respond to public comment and changes identified through more detailed field reconnaissance. Slash disposal was also modified on two harvest units based on public concerns and a 300-foot wide no-burn buffer was applied to Ecosystem Burn Units, Cooney Creek #1 and Cooney Creek #2 in response from the FWS's BO.

The decision maker determined that the changes are minor and are within the scope and context of the environmental effects disclosed in the DEIS, BAs, BE, BO and supporting documentation. Therefore, it is the decision maker's determination that it is sufficient and appropriate to re-issue the Draft EIS with the

Errata and Chapter 4, containing responses to DEIS comments as the final documentation for the Cooney McKay Project [40 CFR 1503.4 (c)].

Letters and Forest Service Responses

Each comment received was valuable whether considered “substantive” or not. Opinions, feelings, suggestions and observations were all carefully read and considered by the ID Team Members and the decision maker. Each comment was weighed on its own merits against legal, technical, and resource capability considerations.

The letters received from the public and state and Federal agencies, along with the responses to comments, begin on the pages shown below:

Letter #C-56, Chris H. Owings	F-1
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Letter #C-59, United States Department of the Interior.....	F-7
Letter #C-60, F. H. Stoltze Land & Lumber Company.....	F-9
Letter #C-64, Mary Phillips.....	F-11
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Letter #C-75, John Fraley, Montana Department of Fish, Wildlife & Parks	F-167

List of Those Receiving the Final Document

The following is a list of recipients to whom this document and the Record of Decision has been sent. Additional copies of these documents and the Draft EIS are available upon request from the Swan Lake Ranger District, Bigfork, Montana.

BUSINESSES

- FH Stoltze Land and Lumber Company
- Pyramid Mountain Lumber, Inc.
- Tingle Associates
- Western Land Management

FEDERAL AGENCIES

- USDI Office of the Secretary
- USDA Forest Service, Seeley Lake Ranger District
- US Environmental Protection Agency

STATE AGENCIES

- Montana Department of Fish, Wildlife & Parks (John Fraley & Tom Litchfield)

AMERICAN INDIAN TRIBES

- Confederated Salish and Kootenai Tribe

ORGANIZATIONS

- Friends of the Wild Swan
- Swan View Coalition
- WildWest Institute
- Alliance for the Wild Rockies
- Swan Ecosystem Center

INDIVIDUALS

- Abolt, Russell
- Badding, Ned
- Berner, Caroline & David
- Cruz, Bill
- Feis, Charles
- Freyholtz, Maynard & Delores
- Guynn, Peter C.
- Hamilton, Pam
- Haverfield, Basil
- Hilliard, Scott & Tara
- Hirst, Shari

Holmes, David R. & Virginia
Kessler, Rusty
Kobylenski, Len
Lamar, Steve
Magera, Nadine
Marin, Mick
Martin, John
Meslow, John
Meyer, John
Meyer, Neil & Dixie
Newgard, Bob
Owings, Chris
Paul, Richard
Peterman, Donald
Phillips, Mary
Pierce, James

Polsen, Virginia
Provan, Robert
Rod Sabol
Sanders, Gordy
Sept, Alton
Smith, Walter
Stobie, James & Merlene
Stoick, Greg
Stroud, Bob Jr.
Styler, Gary & Linda
Taylor, Alan
Thomason, Richmond & Sarah
Thurston, Jim
Walsh, Paula K.
Westra, Henry