



File Code: 1950-1

Date: December 19, 2008

Interested Party

On December 19, 2008, I signed the Decision Notice and Finding of No Significant Impact for the Jocko Lakes Fires Salvage Project. The Jocko Lakes Fire Salvage project area is approximately two miles west of Seeley Lake in Missoula County of Montana. The project area extends across several tributary watersheds including: Archibald Creek, Boles Creek, Finley and Slippery John Creeks, and Placid Creek.

The Jocko Lakes Fire started on August 3, 2007, and burned across 36,380 acres before it was contained in September. Approximately 11,650 of the acres burned are on the Lolo National Forest. The purpose and need for the project is to recover economic value from dead and fire-damaged trees having a low probability of survival.

I selected Alternative 3 of the Jocko Lakes Fire Salvage Environmental Assessment to salvage harvest 1,648 acres. Activities connected to the timber salvage and major resource protection measures would include:

- maintaining approximately 55 miles of classified National Forest System (NFS) roads,
- constructing approximately 4 miles of temporary or short-term specified roads;
- storing or decommissioning 10.7 miles of road;
- removing 1 and replacing 2 culverts (currently aquatic barriers), and
- conducting ground-based noxious weed herbicide treatments on approximately 55 miles of NFS road, landings, and the 10.7 miles of stored or decommissioned roads

Road decommissioning and storage would close 3.8 miles currently open to motorized use.

Request for Emergency Situation Determination

On December 08, 2008, Gail Kimball, Chief of the Forest Service, made the determination that an emergency situation exists with the Jocko Lakes Fire Salvage project consistent with 36 CFR 215.10 (b), and therefore the decision is not subject to stay during appeal. Based on this determination implementation may start immediately upon publication of this legal notice.

Administrative Review and Appeal Procedures

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal must be submitted within 45 days following the publication date of the legal notice of this decision in the *Missoulian* newspaper, Missoula, Montana. I expect this notice to be published on December 22, 2008.

It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Paper appeals must be mailed to
USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

or hand-delivered to
USDA, Forest Service, Northern Region
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59802
Office hours: 7:30 a.m. to 4:00 p.m.

Electronic appeals must be submitted to: appeals-northern-regional-office@fs.fed.us.

Faxed appeals must be submitted to: (406) 329-3411.



In electronic appeals, the subject line should contain the name of the project being appealed. An automated response will confirm your electronic appeal has been received. Electronic appeals must be submitted in MS Word, Word Perfect, or Rich Text Format (RTF). It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

The appellant's name and address, with a telephone number, if available;

- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
- How the appellant believes the decision specifically violates law, regulation, or policy.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: http://www.fs.fed.us/r1/projects/appeal_index.shtml.

The Environmental Assessment, Decision Notice and FONSI, and Forest Service Specialists Reports can be downloaded from the internet at <http://www.fs.fed.us/r1/lolo/projects/> under *Jocko Lakes Fire Salvage Project Environmental Assessment*. Additional hard copies or CD's can be obtained by contacting Lynda Pike at the Lolo National Forest, Building 24 Fort Missoula, Missoula, MT 59804, or by contacting her by phone at (406) 329-1070.

If you need additional information regarding this Decision, please contact Tim Love, Seeley Lake District Ranger at (406) 677-3905.

Sincerely,



DEBORAH L. R. AUSTIN

Forest Supervisor