



DECISION MEMO

KNIGHTS OF COLUMBUS SPECIAL USE PERMIT REAUTHORIZATION PROJECT

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

FLATHEAD NATIONAL FOREST

FLATHEAD COUNTY, MONTANA

JANUARY 31, 2012

I. INTRODUCTION

This memo documents my decision to reauthorize the Knights of Columbus Special Use Permit. The project is located approximately six miles north of Whitefish, Montana in T32N, R22W, Section 35. Please see Figure 1 at the end of this document for a map of the project area.

II. PROJECT DESCRIPTION

The proposal is to reauthorize, for a period of ten years, the Knights of Columbus special use permit for a statue of Jesus Christ located on National Forest land near the top of Chair #2 within the Whitefish Mountain Resort permit boundary. No additions or modifications to the permit are proposed.

III. DECISION

I have decided to reauthorize the Knights of Columbus Special Use Permit as it is described above. The statue has been a long standing object in the community since 1953 and is important to the community for its historical heritage. The proposal is categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA) and the Procedures for NEPA Compliance in 36 CFR 220.6. The proposed project is authorized under the following category of action for which a Decision Memo and Project Record are required:

36 CFR 220.6 (e)(15) Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.

tion, the Forest Service in Region 1 is a signatory to the Memorandum of Understanding and Conservation Agreement for westslope cutthroat trout. The Forest Service is responsible for cooperatively implementing the goals and objectives of this agreement within the conservation schedule.

b. Flood plains, wetlands, or municipal watersheds

Floodplains: Executive Order 11988 requires that projects avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as "the lowland and relatively flat areas adjoining inland and coastal waters, including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year." The project is not located in or near floodplains as defined in EO 11988.

Wetlands: Executive Order 11990 requires that projects avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as "areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or will support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds." The project is not located in or near wetlands as defined in EO 11990.

Municipal Watersheds: This project is located near a municipal watershed.

Municipal watersheds are managed under multiple use prescriptions in the Forest Plan. The special use permit area is located on the divide between the Hell Roaring Creek drainage and the First Creek subdrainage of Haskill Creek. First Creek has been used in the past by the City of Whitefish for municipal water supply. Currently, the City does not draw from this creek and does not plan to do so in the future (personal communication, John Wilson, Whitefish City Engineer). Reauthorization of this special use permit will not result in any effects to municipal watersheds (see project record).

c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas

This proposed project is not within or near a congressionally designated area. This decision, with impacts limited to the immediate area of activity, will not affect wilderness areas, wilderness study areas, or national recreation areas.

d. Inventoried roadless area or potential wilderness area

There are no inventoried roadless areas (RARE II or Forest Plan) in the project area. This decision will not affect inventoried roadless areas. The project area is designated in the Forest Plan to be managed as a winter sports area and is developed as such under the Big Mountain Ski Area Master Plan. This specified area is not considered to provide wilderness character and has not been included in any recommendations for wilderness designation.

b. Cavity nesters and old growth habitat

The wildlife biologist evaluated the potential impacts this project will have on cavity nesters and old growth habitat. Cavity nesting or old growth habitat, as defined by the Western Montana Zone definitions and Amendment 21 of the Flathead National Forest Land and Resource Management Plan, will not be affected as no large vegetation is impacted.

c. Impaired Watersheds

An impaired watershed is classified as containing stream segments identified as not meeting water quality standards on the State of Montana 303(d) list. First Creek, Haskill Creek, and Hell Roaring Creek are not identified on the 2010 Montana Dept. of Environmental Quality 303(d) list as being water quality limited. Please see the watershed section of the project record for a map and the watershed report.

V. PUBLIC INVOLVEMENT

Notice of this project was first published in the Flathead National Forest Schedule of Proposed Activities (SOPA) in November 2011. Scoping was initiated on November 8, 2011, with a request for comment being placed in the legal notice section of the Daily Inter Lake newspaper briefly describing the project and listing a contact for those wishing additional information. A scoping letter was sent to 97 individuals and organizations that have expressed direct interest in this permit, have expressed interest in projects on Big Mountain in the past, or are considered to potentially have an interest in this project. In addition, a media release was distributed to local, state, and national news outlets.

Public comments were accepted from October 19 to December 8, 2011. During this period, approximately 95,000 public comments were received. All comments were evaluated by the project team. No issues related to resource conditions were brought forth to indicate further analysis and documentation in an EA or EIS was warranted.

Scoping and public involvement documentation is located in the project record.

VI. FINDINGS REQUIRED BY OTHER LAWS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Forest Plan Consistency (National Forest Management Act)

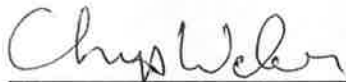
The Flathead Land and Resource Management Plan (Forest Plan) establishes management direction for the Flathead National Forest. This direction is achieved through the establishment of Forest goals and objectives, standards, and guidelines, and Management Area goals and accompanying standards and guidelines. Project implementation consistent with this direction is the process in which desired conditions described by the Forest Plan are achieved. The National Forest Management Act requires that all resource projects are to be consistent with the Forest Plan (16 USC 1604(i)). This proposal is located within Management Area 20 – Winter Sports Area.

VIII. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

While this decision is not subject to administrative appeal under 36 CFR 215, it is subject to appeal by the permit holder pursuant to 36 CFR 251.82. Questions related to the proposal or the appropriateness of excluding the action from further NEPA documentation may be addressed to me.

IX. CONTACT PERSON

Further information about this decision can be obtained by contacting project leader Derek Milner, Flathead National Forest, 650 Wolfpack Way, Kalispell, MT 59901, (406) 758-5204.



CHIP WEBER

Supervisor – Flathead National Forest

January 31, 2012

Date

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