



File Code: 1570

Date: April 12, 2012

Mr. Joe Hovel
President and Acting Director
Partners in Forestry Landowner Cooperative
6063 Baker Lake Road
Conover, WI 54519-9519

RE: Appeal of the Decision Notice and Finding of No Significant Impact for the Delich Land Exchange Project, Bergland, Ontonagon and Watersmeet Ranger Districts, Ottawa National Forest, Appeal # 12-09-07-0009 A215

Dear Mr. Hovel:

On February 22, 2012, you filed a Notice of Appeal pursuant to 36 C.F.R. § 215.11 for the Delich Land Exchange Project on the Ottawa National Forest (Ottawa). The Decision Notice and Finding of No Significant Impact (DN/FONSI) for this project was signed by Lisa Klaus, under Forest Supervisor Tony Scardina's authority, on December 28, 2011. The legal notice for the project was published in *The Daily Globe* (Ironwood, MI) on January 12, 2012.

I have reviewed the Project Record and also considered the recommendation of Jo Reyer, Appeal Reviewing Officer (ARO), regarding the disposition of your appeal. The ARO's review focused on the decision documentation developed by the Responsible Official for this project and the issues in your appeal. The ARO's recommendation is enclosed and incorporated by reference. This letter constitutes my decision on your appeal and on the specific relief that you requested.

FOREST ACTION BEING APPEALED

The Delich land exchange involves the conveyance of one parcel of non-federal land (421 acres) and five parcels of federal land (240 acres). Consolidation of federal landownership and acquisition of land in a semi-primitive, non-motorized area are important components of the purpose and need for the project.

APPEAL REVIEWING OFFICER'S RECOMMENDATION

The ARO found no evidence that the Responsible Official's decision violated law, regulation, or policy. She found that the decision responded to comments raised during the analysis process and public comment period and also found that the decision adequately assessed the environmental effects of the selected alternative. In addition, she found that the issues in your appeal were addressed, where appropriate, in the decision documentation. Based on this review, the ARO recommended that the decision set forth in the DN/FONSI for this project, dated December 28, 2011, be affirmed. Please refer to the enclosed recommendation letter, dated April 12, 2012, for further details.



DECISION

After careful review of the Project Record and your appeal, as well as the recommendation of the ARO, it is my decision to affirm the decision set forth in the DN/FONSI for the Delich Land Exchange Project, dated December 28, 2011. I found no violation of law, regulation or policy with respect to the issues in your appeal.

Pursuant to 36 C.F.R. § 215.18(c), this decision constitutes the final administrative determination of the United States Department of Agriculture. This decision may be implemented on, but not before, the 15th business day following the date of this letter (36 C.F.R. § 215.9(b)).

Sincerely,

/s/ GENE BLANKENBAKER (for)
CHARLES L. MYERS
Appeal Deciding Officer
Regional Forester

Enclosure

cc: Mailroom R9 Ottawa
Mailroom R9 Hiawatha
Christine A Handler
Marlanea L French-Pombier
Leann S Colburn
Pamela J Dryer
Patricia R Rowell