

# CHAPTER 4

## Public Involvement

The following section summarizes how we consulted with the public at the start of this environmental analysis process, including outreach methods and a summary of the comments received both internally and from the public during the 30-day comment period.

### 4.1 Public Scoping

We released the draft AFA to the public in May 2012 with a notice of intent to prepare an EA to evaluate the proposal and develop alternatives to the draft AFA. The Region 6 External Affairs Office in Denver, Colorado, sent the notice to media outlets throughout Montana.

Starting on May 15, 2012, the public had 30 days to review the draft AFA, provide comments, and give us other options to consider. All comments had to be received or postmarked by June 15, 2012. We received 16 comments and gave them to CSKT for their consideration.

On August 22, 2012, CSKT gave us a response to the public scoping comments along with a summary of recommendations for completing the environmental analysis and the supporting documents. We reviewed and considered all comments from the public, CSKT, and Service staff during development of this EA.

### 4.2 Issues Identified During Scoping

Below are descriptions of the substantive issues that we identified during the 30-day public scoping process for the draft AFA. We considered these issues in developing alternatives.

#### **LACK OF POLICY ON ANNUAL FUNDING AGREEMENTS**

Several commenters stated that, while there are Federal regulations for negotiating AFAs (25 Code of Federal Regulations 1000, subpart F), the regulations mostly cover the general financial aspects of AFAs. It was noted that these regulations do not address the applicability of AFAs to specific Federal programs or clarify the acceptable range of administrative control by the negotiating parties.

#### **INHERENTLY FEDERAL FUNCTIONS AFFECTING THE INTER-GOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM**

Several commenters suggested that certain management activities are inherently Federal functions and would affect how we and CSKT direct the day-to-day activities of employees under the Mobility Program of the IPA (USHR 1970b).

## **COMMENTS RECEIVED FROM THE PUBLIC AND FOUND TO BE OUTSIDE THE SCOPE OF THE PLAN**

Some issues raised during public scoping were found to be outside the scope of the plan because they conflict with existing policy, the Service's or the Refuge System's missions and purposes, the best available science, or with other information.

### ***Lack of Comprehensive Conservation Planning***

Several commenters noted that we have not yet developed a comprehensive conservation plan for the refuge complex, a requirement for each unit of the Refuge System. Policy, however, describes conservation planning as being entirely different from AFAs. Because AFAs are agreements of 5 years or less, we would not discuss this AFA in the comprehensive conservation plan, which is a 15-year planning document. In addition, the Service has been in the process of conducting various preplanning activities (e.g. collecting information, conducting studies) in preparation for the start of the CCP process following the completion of this EA project.

### ***Impacts to Federal Employees***

Several commenters raised concerns about how a change in management might affect staffing levels and the treatment of Federal employees. While we give our employees careful consideration when crafting management actions, evaluating consequences to our staff falls outside the scope of NEPA. Furthermore, future fluctuations in staffing cannot be determined or assumed.

### ***Collaboration Challenges and Disruptions to Program Control***

Two commenters questioned how disputes might be effectively settled through our collaboration with CSKT and how programs would be managed and sustained during times of conflict. We already collaborate with CSKT and have policy in place that gives our refuge manager final decision-making authority for activities conducted under, and beyond, an AFA, making further evaluation of this issue unnecessary.

