

# Sx<sup>w</sup>uytn-Kaniksu Connections ‘Trail’ Project Environmental Assessment

## Decision Notice and Finding of No Significant Impact

USDA Forest Service  
Newport-Sullivan Lake Ranger District  
Colville National Forest  
Pend Oreille County, Washington

### Introduction

The Sx<sup>w</sup>uytn-Kaniksu Connections ‘Trail’ Project area planning area encompasses approximately 90,700 acres of which approximately 40,300 acres are National Forest System (NFS) lands within the Colville National Forest (CNF). The Sx<sup>w</sup>uytn Project area extends from the CNF boundary four miles north of Newport through Exposure, Skookum, Cee Cee Ah, Cusick and Middle Creek watersheds. The Pend Oreille River and the Selkirk Divide/Idaho Panhandle National Forest bound the project on the west and east, respectively. Most of the project area is accessible by motorized vehicle for the majority of the year. This area provides winter and summer recreation opportunities. Comments received from the public regarding the Sx<sup>w</sup>uytn project indicate a strong sense of place or attachment to the area and high interest in restoring the landscape to one that is healthy and resilient.

The area is important to the Kalispel Tribe of Indians (Kalispel Tribe) for historic cultural uses dependent on healthy and sustainable forest stands that support quality fish and wildlife habitat. In a letter dated June 29, 2017, under the authority of the Tribal Forest Protection Act (TFPA) of 2004<sup>1</sup>, the Kalispel Tribe requested the Forest Service engage in a partnership to “advance our shared interest in ecosystem restoration, forest health, and hazardous fuels reduction on CNF lands adjacent to the Kalispel Indian Reservation”. The Pacific Northwest Regional Forester accepted the Kalispel Tribe’s request on January 4, 2018.

Due to the juxtaposition of ownership with the project area, the overlap with Washington Department of Natural Resources’ (DNR) Skookum-Middle planning area<sup>2</sup>, and the DNR’s ability to develop partnerships with local land management agencies and individual landowners, the DNR entered into an agreement with the CNF to assist with development and analysis of the Sx<sup>w</sup>uytn project.

The development of the Sx<sup>w</sup>uytn project was truly a multi-agency effort with employees from the Kalispel Tribe and WA DNR filling key roles alongside FS employees on the interdisciplinary

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<sup>1</sup> Public Law 108-278: An act to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into an agreement or contract with Indian tribes meeting certain criteria to carry out projects to protect Indian forest land.

<sup>2</sup> WA DNR planning areas are identified in their February 2018 document *Proposed Planning Areas and SB 5546 Forest Health Assessment and Treatment Workplan*.

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team. Multiple public meetings, field trips, and the development of a recreation workgroup (comprised of non-governmental organizations, public, and agency personnel) facilitated a broader resource and social perspective.

Consistent with the TFPA, my decision to implement actions on National Forest System lands will help protect adjacent Tribal forest land. Furthermore, as this project moves from the planning phase into implementation, it is my intent to continue partnering with the Kalispel Tribe and WA DNR to facilitate treatments and activities across those land ownerships. Ultimately this project will reduce costs of implementation for agencies and industry, address the threat of uncharacteristic wildfire (particularly within the wildland-urban interface near the Reservation and surrounding communities), address forest health concerns, and improve resiliency of fish and wildlife habitat through a modification of vegetative structure across National Forest System lands. In addition, my decision will provide a variety of recreational experiences, such as improving the quality of the recreation experience and increasing the opportunity for motorized and non-motorized use, while supporting economic vitality in Pend Oreille County.

Other direction and authority used for the Sx<sup>w</sup>uytn project come from the Colville National Forest Land Management Plan (USDA 2019, hereinafter referred to as Forest Plan), Washington Department of Natural Resources' (DNR) 20-Year Forest Health Strategic Plan for Eastern Washington<sup>3</sup> and the Good Neighbor Authority<sup>4</sup>.

This decision notice documents my decision regarding actions proposed in the Sx<sup>w</sup>uytn Environmental Assessment (December 2020, hereinafter referred to as the Sx<sup>w</sup>uytn EA). The Sx<sup>w</sup>uytn EA, which is incorporated by reference, documents the site-specific analysis conducted by the interdisciplinary team to determine whether to prepare an environmental impact statement or a finding of no significant impact.

## **Decision**

Based on careful review of the project purpose and need, comments received from identified by the public, interdisciplinary team analysis described in the environmental assessment and specialist reports, coordination and consultation with the Kalispel Tribe, and coordination with Pend Oreille County and state and federal agencies, I have decided to implement the proposed action (EA section 2.2) including the project design elements (EA section 2.3), monitoring (EA section 2.4), and standard practices (EA Appendix B) intended to minimize potential impacts to resources. I have also determined that these actions will not have a significant effect on the quality of the human environment; therefore, an environmental impact statement was not prepared. A finding of no significant impact (FONSI) supports my determination and accompanies this decision.

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<sup>3</sup> The Strategic Plan lays out a process for the DNR to strategically identify planning areas where state funding for forest health and restoration projects will be focused. Planning areas will generally be a HUC 6 watershed (5000 ~ 25,000 acres) but may be several watersheds in some cases.

<sup>4</sup> The Good Neighbor Authority is a tool stemming from the 2014 Farm Bill. This tool allows the USDA Forest Service to enter into agreements with state forestry agencies to do the critical management work to keep our forests healthy and productive. This tool also allows the DNR to hire and collaborate with local companies and interests to perform a variety of watershed, rangeland and forest restoration work across state and federal property lines, providing additive capacity to federal partners.

## Decision Rationale

My decision to implement the proposed action reflects an inclusive process to integrate comments and ideas from a diverse array of forest users, partners, government entities and interested parties. I am confident that, as a result of the extra effort invested by interested members of the public, partners and Forest Service interdisciplinary team members, implementation of this decision will trend the forested areas, watersheds and habitats within this landscape toward desired conditions over the long term. I am confident this decision adequately and responsibly considers the biological and physical environmental effects associated with implementation. The following outlines how the project meets the purpose and need (EA section 1.3) for this project.

The proposed action best meets the need for addressing the lack of tree species diversity, structural and age class variability resulting from past management (including commercial harvest and wildfire suppression). Use of mechanical treatments and prescribed burning to introduce variability in age, structure, and species on approximately 24,400 acres and prescribed burning of natural fuels on approximately 4,500 acres will increase forest resilience and vigor (EA pages 32-43) by:

- Moving stands towards the historic range of variability by vegetation type, structure, pattern, and density over time. Structure was analyzed across the project area using direction from the Colville National Forest Land Management Plan (2019). Tables 15-20 in the Sx<sup>w</sup>uytn Silviculture, Fire, and Fuels Report displays the current, historic, and post-harvest effects on vegetation type, structural stage, forest structure, and stand density (i.e., basal area, trees per acre, and stand density index). In general, existing stands are overstocked and have more mid-open and mid-closed stands and not enough late open and late closed stands than historically found on the forest. In the short-term, treatment will focus on the mid-open and mid-closed stands. In the long-term, forest structure is expected to move toward the late open and late closed categories.

While I did receive comments to protect old growth, as growth rates vary by site conditions (e.g., stocking, water availability, shading), I determined it was important to assess structural classes based on physical characteristics rather than age. An assessment of tree size (based on diameter at breast height) and age class was conducted within the project area. Results found that diameter at breast height (dbh) was an ineffective means of determining age class of trees. For example, one western hemlock with a dbh of 21" was 63 years old while another western hemlock with a dbh of 12" was 156 years old<sup>5</sup>. These results were shared during two public meetings in October 2020.

- Thinning stands to increase resiliency and resistance to disturbance agents. This project is not designed, or expected, to eliminate disturbance agents. Proposed activities will reduce fuels and stand densities, change species composition in some cases, and maintain more characteristic open densities to increase tree vigor by reducing competition for resources.

Historic fire exclusion favored regeneration of *Armillaria* root rot-susceptible species (e.g., Douglas fir and true fir) and limited regeneration opportunities of early-seral species less susceptible to *Armillaria* root rot (e.g., western larch, white pine, western

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<sup>5</sup> More detailed information is in the project record.

white pine). Following random survey protocols, we found root rot (e.g., *Armillaria*, laminated root rot) present in 87% of all plots across four vegetative classes. My decision retains and promotes root rot-tolerant, early seral species that emulate the known historic range of variability for the project area.<sup>6</sup> It is important to acknowledge that root diseases are a natural component of these forest ecosystems and cannot be eliminated. However, long term impacts will be reduced under a long-term approach emphasizing regenerating, establishing, and maintaining early seral species (e.g., western larch, western white pine, western red cedar, ponderosa pine, lodgepole pine, and hardwoods) best suited to particular sites.

- Improving long-term forest health as weaker or damaged trees are thinned by prescribed fire. The canopy will be thinned resulting in more sunlight reaching the ground. The additional sunlight will provide potential growing areas for grasses, other wildlife forage, tree seeding and improved growing conditions for shade-intolerant tree species. Nitrogen-fixing shrubs, such as ceanothus species, are invigorated post-fire and result in improved nutrient cycling. During burning, organically bound nutrients in the soil are released and ash increases soil pH increasing the availability of nutrients.
- Moving fire regime condition classes (FRCC) away from their current departed condition (mainly FRCC 2) towards a more historically represented condition of FRCC 1. Moving stands towards FRCC 1 will produce more fire resilient timber stands, reduce ladder fuels, and increase initial attack effectiveness and fire engagement zones.

The proposed action best meets the need for improving stream habitat connectivity; providing quality pool habitat for bull trout (federally listed species) and Westslope cutthroat trout (sensitive and management indicator species); improving fish passage through culvert replacement or removal; and improving riparian habitat and water quality through removal of road segments, hydrologically stabilizing closed system roads, and, following implementation activities, decompacting and recontouring temporary roads. (EA sections 3.2.1, 3.2.2; Appendix B)

The project also best meets the need for moving deer and elk ranges towards Forest Plan desired conditions for forage productivity and summer and winter range cover and forage. Treatments of units will result in more browse and forage and a better distribution of cover and forage than currently exists. Over time, these treatments are expected to promote the rapid development of larger, full crowned trees sooner than had no treatment occurred. (EA section 3.3.1)

No project activities will occur within stands that are mapped as potential Canada lynx den habitat. No project activities will occur within other mapped multi-storied stands that could provide habitat for lynx prey species.

The proposed action best meets the need to provide recreation and contributions to the local economy. The project area will continue to support a variety of recreation opportunities (developed recreation, dispersed recreation, trail, off-highway vehicle use and winter recreation) compatible with the Semi-Primitive Non-Motorized and Roaded Natural recreation opportunity

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<sup>6</sup> More detailed information is in *The Trail Project: Assessment and Management of Root Diseases, Dwarf Mistletoes, and White Pine Blister Rust* (Kalispel Tribe of Indians, Washington Department of Natural Resources, U.S. Forest Service, Colville National Forest, 2020), and the *Silviculture and Fuels Resource Report* (Larkoski and Napier, 2021).

spectrum classes<sup>7</sup> within the planning area. The proposed action responds to input from recreational users of the area and increases opportunities for motorized and non-motorized recreational use as well as improving the quality of recreational use (e.g., provides loop routes for motorized recreational users and provides better access to recreation sites). (EA section 2.2) No long-term change in the character or availability of recreation opportunities within the project area is expected. Short-term localized disruption in access to and use of developed recreation sites, dispersed recreation activities, trails, OHV activities and winter recreation due to localized harvest/burning activities (including temporary road closures) may occur. Several standard practices and design elements will be implemented to protect the existing recreation opportunities within the project area and ensure Forest Plan desired conditions, standards, and guidelines relating to recreation are met. Standard practices will also ensure limited exposure of forest visitors to hazardous management activities while improving the area's ability to support a variety of recreation opportunities, particularly typical high-use periods by the recreating public. (EA section 3.5.3)

The project provides continued and consistent opportunities for employment and local economic stability by providing wood products that result from forest restoration activities to the local lumber industry; and through contracting implementation activities (e.g., culvert replacement, road reconstruction and obliteration) to local contractors (Economic Analysis Report).

### **Other Alternatives Considered**

In addition to the selected alternative, I considered four additional alternatives. The following provides a brief overview of the alternatives considered.

No Action – Under the no action alternative, current management plans would continue to guide management of the project area and no additional management activities would be implemented. The no action alternative will not meet the needs as described in the EA (section 1.3). Consideration of no action is documented in the effects analysis by contrasting the impacts of the proposed action alternative with the current condition and expected future condition if the proposed actions were not implemented. (EA Chapter 3)

Alternatives eliminated from detailed study include an alternative that did not close any additional roads to public use nor decommission any NFS roads; an alternative that preserves at least half of the project area as intact forests, reduces the road network to the desired condition in the Forest Plan, and does not construct any new system or temporary roads; and an alternative that creates a forest reserve that prohibits harvest activities and eliminates roads. More detailed information about these alternatives is found in the EA (section 2.1).

### **Public Involvement**

Documentation of public involvement is available in the project record.

The Forest Service, Kalispel Tribe, and Washington DNR collaborated on a need for activities prior to public participation early in the project planning process (2018). A proposal was first

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<sup>7</sup> Recreational settings and natural resource-based recreational activities are managed to meet the recreation opportunity spectrum (ROS) classifications in which they occur as identified on the ROS map in CNF LMP Appendix F.

listed in the Schedule of Proposed Actions on January 1, 2019. Public involvement began with a series of six public workshops (November 2018 through July 2019), a public field visit (September 2019), public scoping period (January 2020), three public scoping meetings (January 2020), a 30-day comment period (October 2020), two comment period public meetings (October 2020), a 45-day objection period (December 2020), and posting of project information on the Forest Service and Kalispel Tribe websites.

A workgroup representing recreation interests met with agency and Kalispel Tribe specialists to develop a proposal that incorporated a variety of recreation options. Members of the workgroup included representatives from Northeast Washington Forest Coalition, Evergreen East Mountain Bike Alliance, Winter Knights and Selkirk Trailblazers Snowmobile Clubs, Back Country Horsemen, Tri-County Motorized Recreation Association, Spokane Mountaineers, and Pend Oreille County Commissioners. In spite of the differing objectives of the workgroup (e.g., hiking, OHV, wildlife interests) they provided a recommendation to me (November 2019) for inclusion as part of the proposed action, with the majority of proposals included as part of the Sx<sup>w</sup>uytn project.

Forty-seven letters with comments were received during the scoping period. These comments, along with input received during the public workshops, were used to determine the scope of analysis and refine the proposed action. The interdisciplinary team and I reviewed public scoping comments and the existing conditions within the project area. The analysis was focused on the measurement indicators connected to the purpose and need for action. Issues were addressed in the EA through development of project design elements (EA section 2.3) and standard practices (EA Appendix B).

### **Tribal Consultation**

Government-to-Government consultation with the Kalispel Tribe, Spokane Tribe of Indians and the Confederated Tribes of the Colville Reservation was invited via a letter describing the project area and proposed action. Letters were mailed to all three tribal governments on December 18, 2019. The Kalispel Tribe has been involved as a partner since project inception and has provided comments and concerns throughout project development. Neither the Confederated Tribes of the Colville Reservation nor the Spokane Tribe of Indians raised any concerns with the proposed project.

### **Thirty-Day Comment Period**

A legal notice was published in the newspaper of record on October 7, 2020, to initiate a 30-day public comment period. Comments were received from thirteen individuals or groups. The comments received and our responses to them are published on the Forest website.

### **Forty-five Day Objection Period**

A pre-decisional administrative review opportunity (also referred to as a 45-day objection period) was offered on this project under 36 CFR 218. The final EA, draft decision notice and finding of no significant impact (FONSI) were made available to the public when the legal notice was published in the newspaper of record (Newport Miner) on December 16, 2020. Three objections were received; one was set aside as it did not meet the guidance of who may file an

objection under §218.5. The other two objections were reviewed by the Colville National Forest Supervisor (the Forest Service Reviewing Official). While no substantial flaws were identified in the EA, the Forest Supervisor did request several items be clarified in specialist reports and the decision notice prior to signing this decision. This direction included clarification of documented grizzly bear presence within the project area, wolverine status, recent sharp increase in insect activity, and unroaded areas. The Forest Supervisor provided documentation of his review to the objectors on March 24, 2021. There will be no further review by any other Forest Service or USDA official.

### **Changes to the Environmental Assessment**

No changes were made to the environmental assessment as a result of the 30-day comment period or the 45-day objection period.

### **Consistency with the Forest Plan, Laws, Regulations and Policies**

My decision complies with the 2019 Forest Plan which provides the guiding management direction for the Sx<sup>w</sup>uytn Project. The Sx<sup>w</sup>uytn EA incorporates the Forest Plan by reference and is tiered to the Forest Plan's Final Environmental Impact Statement (USDA Forest Service 2019). The Forest Plan contains standards, guidelines and management area designations and prescriptions that apply to the entire CNF, including the project area. Design elements (EA section 2.3) and standard practices (EA Appendix B) are built into the actions to ensure compliance with Forest Plan standards and guidelines, relevant laws, regulations and policies. Therefore, this project is consistent with law, regulation and policy as described throughout the EA, specialist reports, and response to comments. A list of relevant laws, regulations and policies is available in the project record.

### **Finding of No Significant Impact**

After considering the environmental effects described in the EA, specialist reports, and other information in the project record, I have determined the Proposed Action Alternative will not have significant effects on the quality of the human environment (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. My finding of no significant impact is based on the context of the project and intensity of effects using the following ten factors identified in 40 CFR 1508.27(b).

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial. [40 CFR § 1508.27(b)(1)]

The proposed action was reviewed and beneficial and adverse impacts were identified. They are considered in both context and intensity. In balance, the beneficial impacts outweigh the adverse impacts. A thorough effects analysis (direct, indirect, and cumulative) is available in the EA (Chapter 3), in specialist reports, and the biological evaluations (in the project record). The effects are within the range of those identified in the 2019 Forest Plan, and are consistent with applicable law, regulation, and policy. The actions will not have significant impacts on the resources identified as described in the EA (Chapter 3) in either the short or long term.

2. The degree to which the proposed action affects public health or safety. [40 CFR § 1508.27(b)(2)]

There are a number of health and safety hazards to Forest Service employees and the general public with carrying out the proposed action. None are unusual or unique to the Sx<sup>w</sup>uytn project. These are discussed in chapter 3 of the EA<sup>8</sup> and include discussions of effects related to smoke, dust, increased traffic, logging hazards, prescribed burning hazards, noise and improved road safety and reduced wildfire risk. Fuel treatment activity should effectively reduce surface fuel loads and crown fire hazards and thus decrease fire suppression costs and the associated risks to both firefighters and the public (EA pages 40, 41, 43). Based on the discussions in the EA and review of many similar projects, these public health and safety effects are determined not to be significant.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. [40 CFR §1508.27(b)(3)]

There will be no significant effects on park lands, prime farmlands, wild and scenic rivers, congressionally designated areas<sup>9</sup> or ecologically critical areas as none are found within or adjacent to the project area. There will be no significant effects to historic or cultural resources as known sites are excluded from project activities. If a cultural or historic property is identified during project activities, those activities will be stopped until a Forest archaeologist can be notified and appropriate mitigation measures put in place (EA page 65, design elements pages 8-11, Appendix A -Standard Practices).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. [40 CFR §1508.27(b)(4)]

Management actions such as those discussed in the proposed action are implemented throughout this Forest and on many other national forests. Consumers, civil rights, minority groups, public health and safety, and women will not be significantly affected. (EA section 3.9)

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. [40 CFR §1508.27(b)(5)]

The forest has implemented similar projects in the past. Therefore, the effects are known, and do not involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. [40 CFR §1508.27(b)(6)]

None of the actions proposed in the Sx<sup>w</sup>uytn project set precedents (management area direction EA section 1.4). The Newport-Sullivan Lake Ranger District has been conducting timber sales, stewardship projects, aquatic restoration, and prescribed burns for many years; most of which are similar in scope and nature to those proposed in the Sx<sup>w</sup>uytn project.

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<sup>8</sup> Sx<sup>w</sup>uytn EA pages 39-41 (Fire/Fuels); 41-42 (Air Quality), 63 (Recreation)

<sup>9</sup> Congressionally designated areas include wilderness, wilderness study areas, inventoried roadless areas or national recreation areas.

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7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. [40 CFR §1508.27(b)(7)]

Chapter 3 (sections 3.1-3.7), environmental effects under each resource section, and Past, Present, and Reasonably Foreseeable Actions (project record) disclose other known actions within or near the project area. Effects analysis summarized or discussed cumulative effects; none were found to be significant and will not be cumulatively significant.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources. [40 CFR §1508.27(b)(8)]

The Forest is following National Historic Preservation Act direction and consulting with Washington State Historic Preservation Office. The project follows Forest Plan direction for protection of cultural and historical resources. There will be no adverse effects to known districts, sites, highways, structures, or objects listed in the National Register of Historic Known sites are excluded from project activities. If a cultural or historic property is identified during project activities, those activities will be stopped until a Forest archaeologist can be notified and appropriate mitigation measures put in place (EA page 65, design elements pages 8-11, Appendix A -Standard Practices). (EA Appendix B Standard Practices; project record).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act. [40 CFR §1508.27(b)(9)]

The effects on endangered or threatened species and their habitats are discussed in the Biological Evaluations in the project record, with results summarized in the EA for terrestrial wildlife (pages 67-69), fish (pages 48-49), and for sensitive plants (pages 70-71). Project design elements (EA pages 20-21) and Standard Practices (EA Appendix B) for threatened and endangered species are included in this decision. In a letter dated January 13, 2021, the U.S. Fish and Wildlife Service concurred that this project, as described in the Biological Assessment, *may affect but is not likely to adversely affect* Canada lynx, grizzly bears, or bull trout critical habitat. The concurrence letter is in the project record.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. [40 CFR §1508.27(b)(10)]

The Sx<sup>w</sup>uytn project has been examined in relation to law, regulation, and policy and has been found to be in compliance in all cases (specialist reports, project record).

There are no known significant irreversible resource commitments or irretrievable losses of timber production, wildlife habitats, soil productivity, or water quality. Consumers, civil rights, minority groups, and women will not be significantly affected by this project. The selected alternative will provide wood products to one or more area sawmills, thus contributing raw materials that will be available to consumers. All contracts and employment offered by the Forest Service contain Equal Employment Opportunity requirements. Therefore, no adverse or discriminatory effects to civil rights, minority groups, or women are expected with regards to access to federal contracts or jobs.

**Expected Implementation and Administrative Review Rights**

Upon signing the decision notice, implementation may occur immediately.

**Contact Person**

For further information concerning the Sx<sup>w</sup>uytn Project, contact:

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**Signature of the Responsible Official**

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Carin Vadala  
District Ranger  
Newport-Sullivan Lake Ranger District  
Colville National Forest

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Date

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