

DECISION MEMO

DEER FENCE CONSTRUCTION AND TREE REMOVAL

Midewin National Tallgrass Prairie
Will County, Illinois

I. DECISION

A. Description of Decision

I have decided to approve Forest Service construction of an approximate 9,500-foot deer exclusion fence surrounding the River Road seedbed area just north of River Road on both sides of Boathouse Road to the east and west. As part of this project, I am approving removal of not more than 30 non-native and/or invasive trees along the new fence line in order to facilitate fence construction and reduce future fence maintenance needs.

The deer fence will surround approximately 100 acres of seedbeds. Exit and entrance gates and a deer guard at the south Boathouse Road entrance will be installed to allow for administrative and public access. The fence will pass through five tree lines and fencerows, necessitating removal of the trees at these locations. Approximately seven trees with trunk diameters greater than 12 inches will be removed, including non-native Osage-orange and white mulberry, and eastern hackberry. Additionally, around 20 smaller trees or saplings will be removed. These consist mostly of non-native white mulberry, along with box elder, red hawthorn, and silver maple.

To effectively exclude deer, the fence will be eight feet high and consist of 12-1/2 gauge high tensile, zinc coated, high carbon steel wire secured by six-inch wooden posts and bracings. Three vehicular gates and seven additional pedestrian gates will provide access to and from the enclosed seedbed area.

These actions will be implemented within Administrative Management Area 2, as set forth in the Midewin Land and Resource Management Plan (Prairie Plan, 2002), for lands designated for administrative uses. Seed production beds are within Management Area 2. The location of my decision is in Will County in Sections 14 and 15, Township 33 North, Range 9 East.

My decision affects only lands under administration by the USDA Forest Service, Midewin National Tallgrass Prairie, and does not extend to any lands under other ownership.

B. Purpose of Decision

The River Road seedbeds at Midewin produce seed for approximately 80 species of native plants used in restoration of tallgrass prairie habitats. Increasing seed production requires seedbed expansion for growth in both the number of species and the amount of seed produced. The considerable investment in plant materials and wetland seedbeds infrastructure requires protection and maintenance. Restricted access by destructive white-tailed deer is crucial to the maintenance and development of the seedbed production gardens near River Road.

The fence location was chosen, in part, to minimize the number of trees requiring removal. Relocating the fence to different points along the fencerows would greatly increase the number of trees (two to three-fold) requiring removal. The reason for the removal of trees along the fence line is to protect the new fence from falling trees and limbs. Tree removal will be limited to not more than 30 trees that could pose a threat to the deer fence.

This project is specifically intended to respond to Ecological Sustainability Goals 1 and 2 of the Prairie Plan to sustain “habitats and processes necessary to maintain the biological diversity of the tallgrass prairie...” (Plan p. 2-5) and to “provide ecological conditions to sustain viable populations of native and non-native species and to achieve objectives for Management Indicator Species” (Plan p. 2-6). Facilitating the achievement of these goals will bring us closer toward the desired future conditions of a more natural looking landscape than currently exists at Midewin (Plan p. 2-3), as well as expanded native seed production “to increase seed production capacity needed to meet restoration goals” (Plan p. 3-6). There will be no net reduction of National Forest System lands affected by this project, and natural and heritage resources will be unaffected.

C. Background

The River Road seed production gardens are a continuing source of native seed for use in tallgrass prairie restoration. With Midewin’s growing production of seed for native plants used in restoration, expansion is needed, in both numbers of species and the amount of seed produced. Considerable investment has already been made in plant materials and infrastructure (wetland seed beds) necessary for increasing seed production needs.

There are no restrictions at this time to access of the seedbeds by white-tailed deer, effectively preventing, or severely limiting, seed production of several forb species planted at the River Road seedbeds. Annual deer hunting has had little effect on deer herbivory, despite having kept the River Road seedbed area open to hunting since its inception in 1997. In fact, the total amount of deer browse has actually increased, most notably during the past three years. Deer have also damaged several newly planted beds, uprooting and eating plugs. Because of the deer intrusion, the addition of several desired species to seed production has been postponed.

II. Reasons for Categorically Excluding the Proposed Action

A. The proposed action falls under Category Number 6 in Section 31.2 of the *Forest Service Handbook 1909.15 - Environmental Policy and Procedures Handbook*. Based on past experience, the effects of implementing this action will be of limited context and intensity and will result in little or no environmental effects to either the physical or biological components of the environment. The action does not involve any extraordinary circumstances. Therefore, this action can be categorically excluded from documentation in an Environmental Assessment or Environmental Impact Statement.

B. Relationship to Extraordinary Circumstances

1. Steep Slopes or Highly Erosive Soils -

There will be no effect as the area has rolling to flat terrain that is conducive to the activities included in the decision. The soils present are resistant to erosion. This is supported by topographical map review and field visits. To further ensure that soil-related impacts are minimized, Best Management Practices are incorporated in fence construction and tree removal activities.

2. Threatened and Endangered Species or Their Critical Habitat -

The Endangered Species Act requires that Federal activities do not jeopardize the continued existence of any species Federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. It was determined that no listed species are present at this project location and that this decision will have "no effect" on listed species or their critical habitats.

3. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains

A drainage ditch, or floodway, running northwest and then west along the northeastern and northern project area boundaries is within the regulatory 100-year floodplain mapped by the Federal Emergency Management Agency (FEMA). The deer fence will be located to avoid the ditch. My decision should not result in significant floodplain-related impacts. Field review (monitoring) of similar projects validates acceptable resource effects from similar activities. To further ensure that floodplains-related impacts are minimized, Best Management Practices are incorporated in my decision.

Wetlands

My decision should not result in significant wetland-related impacts, as the deer fence will be located south of the existing ditch identified above. A 75-foot buffer will assure avoidance of this floodway, which is identified as a jurisdictional wetland. Field review (monitoring) of similar projects validates acceptable resource effects from similar activities.

Municipal Watersheds

There are no municipal watersheds on Midewin. This decision will not affect municipal watersheds.

4. Congressionally Designated Areas -
This decision will not affect Wilderness, Wilderness Study Areas, National Recreation Areas, or Wild and Scenic Rivers. The project is not in or near Wilderness, National Recreation Areas, or Wild and Scenic Rivers.
5. Inventoried Roadless Areas -
There are no inventoried roadless areas at Midewin. This decision will not affect inventoried roadless areas.
6. Research Natural Areas -
There are no Research Natural Areas at Midewin. This decision will not affect Research Natural Areas.
7. Native American Religious or Cultural Sites, Archaeological Sites, or Historic Properties or Areas -
No historic properties or other heritage resources are located within or adjacent to the project area. Impacts to Native American religious or cultural sites, archaeological sites, or historic properties will not occur as a result of this decision.

No other extraordinary circumstances related to the project were identified.

III. PUBLIC INVOLVEMENT

Scoping for this project involved both internal and informal external solicitation of interested members of the public for their comments concerning construction of the deer fence and tree removal. Comments received were used to refine the project and analysis and were also used to explore the possibility of extraordinary circumstances and potential effects on those resources.

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

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

Prairie Plan Consistency (National Forest Management Act) - This Act requires the development of long-range land and resource management plans (Forest and Prairie Plans). The Midewin Prairie Plan was approved in February 2002, as required by this Act. The Plan provides guidance for all natural resource management activities on Midewin. The Act requires all projects and activities to be consistent with the Prairie

Plan. The Prairie Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction contained in the Plan, as summarized in Section I of this document. This decision is consistent with the standards and guidelines contained in the Prairie Plan

Endangered Species Act - See Section II, Item B2 of this document.

Sensitive Species (Forest Service Manual 2670) – Forest Service Manual direction requires analysis of potential impacts to sensitive species, or those species for which the Regional Forester has identified population viability concerns. In February 2000, the Regional Forester approved the sensitive species list. Potential effects of activities at Midewin on sensitive species were analyzed and documented in a Biological Assessment for the Prairie Plan (2002). This decision will have “no impact” on sensitive species.

Clean Water Act - This Act requires restoration and maintenance of the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices. This decision incorporates Best Management Practices to ensure protection of soil and water resources.

Wetlands (Executive Order 11990) - See Section II, Item B3 of this document.

Floodplains (Executive Order 11988) - See Section II, Item B3 of this document.

National Historic Preservation Act - See Section II, Item B7 of this document.

Archaeological Resources Protection Act - See Section II, Item B7 of this document.

Native American Graves Protection and Repatriation Act - See Section II, Item B7 of this document.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. My decision complies with this Act. Adversely impacted local minority or low-income populations were not identified, and this decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is not subject to appeal pursuant to 36 CFR 215.12 (f).

VI. IMPLEMENTATION DATE

Implementation of this decision may occur immediately.

VII. CONTACT PERSON

Further information about this decision can be obtained from William Glass at the Midewin National Tallgrass Prairie Supervisor’s Office (Address: 30239 S. State Route 53, Wilmington, IL 60481; Voice: 815-423-6370; Fax: 815-423-6376; E-mail: wglass@fs.fed.us).

VIII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement or Environmental Assessment as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15, section 31.2, and there are no extraordinary circumstances related to the decision that may result in significant individual or cumulative environmental effects. My conclusion is based on information presented in this document and the entirety of the Planning Record.

/s/ Logan Lee
LOGAN LEE
Prairie Supervisor

10/10/03
Date

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