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Manchester Ranger District Apple Tree Release and Maintenance Project

Decision Memo

**USDA Forest Service, Eastern Region
Green Mountain National Forest
Manchester Ranger District**

**Towns of Wallingford, Mount Holly and Mount Tabor, Rutland
County, Vermont
Town of Weston, Windsor County, Vermont
Towns of Peru and Manchester, Bennington County, Vermont**

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DECISION MEMO

Manchester Ranger District Apple Tree Release and Maintenance Project

USDA Forest Service, Eastern Region
Green Mountain National Forest
Manchester Ranger District
Rutland, Windsor, and Bennington Counties, Vermont

I. SUMMARY

As District Ranger for the Manchester Ranger District of the Green Mountain National Forest (GMNF), I am authorizing the implementation of the Manchester Ranger District Apple Tree Release and Maintenance Project. Project activities entail minimal vegetation management to increase available sunlight for apple trees and pruning of individual apple trees to improve their health and vigor. Forest stands included in this project are located on National Forest System land in the towns of Wallingford, Mount Holly, and Mount Tabor in Rutland County, the town of Weston in Windsor County, and the towns of Peru and Manchester in Bennington County, Vermont, on the Manchester Ranger District of the GMNF (Figure 1).

II. DECISION TO BE IMPLEMENTED

A. Purpose of Decision

Apple trees are located across the Manchester Ranger District, remnants of long-abandoned farmsteads. Many of these apple trees are over-topped by other trees, living in deep shade, and producing few or no apples. In the short term, these trees are losing fruit production due to the lack of sunlight and dense sucker production. In the long term, these trees will die as they lose their access to sunlight. Feral apples provide excellent food for wildlife when released and pruned.

This decision is intended to contribute toward accomplishment of the 2006 Forest Plan desired conditions of Goal 2 by maintaining and restoring quality, amount, and distribution of habitats to produce viable and sustainable populations of native and desirable non-native plants and animals (2006 GMNF Forest Plan: pp.10-13). This Goal includes an objective to manage mast-producing species (including apples) where practical (2006 GMNF Forest Plan: p.12). Release and maintenance of apple trees is a continuing component of the management activities of the Wildlife Program on the GMNF.

B. Description of Decision

This Decision authorizes the Forest Service to remove encroaching vegetation from around apple trees located in 25 Stands in 13 Compartments on the Manchester

Ranger District of the GMNF (Table 1). After release, apple trees will be pruned as necessary to remove water sprouts and sucker growth, which will improve the trees' vigor and fruit production. Project work will be accomplished by Forest Service (FS) employees, volunteers, and partners, using hand tools, including chain saws, pruning saws, and axes. Work is not listed in a fixed schedule for completion; rather, work will be accomplished depending on the number and availability of volunteers, on the work schedules of GMNF staff, and on weather conditions. Where and when appropriate, apple tree release is incorporated into chainsaw training classes, accomplishing habitat targets while simultaneously providing FS employees and volunteers with safety instruction.

Apple trees occur on the GMNF as individual trees and as orchards of varying sizes. Typically these apple trees are associated with abandoned farmsteads and located along roads. In many cases, locations of individual apple trees or orchards are recorded as general locations within stands, rather than as precise locations. Field reconnaissance will precede commencement of apple tree release in any given stand. Because apple trees typically are found in association with abandoned farmsteads; stone walls, building foundations, and cellar holes often are located nearby. Field crews and volunteers are made aware of any known historical sites and are instructed to be watchful for such features wherever they work. Field crews are very careful not to damage any historical or heritage feature. In fact, after consultation with and under guidance provided by the GMNF archaeologist, field crews may during the course of apple release also remove trees and shrubs that threaten to damage stone walls and foundations.

Field activities will follow General Guidelines for Releasing and Pruning Apple Trees on the GMNF (prepared by Jay Klink, Forester, Manchester Ranger District, Jan. 20, 2009), which is included in the project file. Slash generated during apple tree release will be pulled back at least 25 ft. from any recreation trails and roads, scattered, and/or lopped to insure that it will not extend above 3 ft. in height.

Sixteen of the proposed Stands are located in Diverse Forest Use MA, eight are located in the Robert T. Stafford White Rocks National Recreation Area, and one is located in Remote Wildlife Habitat MA (Table 1). Release and maintenance of apple trees are compatible with management direction for these MAs and is consistent with previous and continuing management actions in these Stands.

Two of the listed Stands are partially within lands covered by the 2001 Roadless Area Conservation Rule (RACR) and the 2006 Forest Plan Roadless Inventory (Table 1): Comp. 7, Stand 19 and Comp. 8, Stand 38 (Fig. 3). Release and maintenance of apple trees will not take place on RACR lands. Field reconnaissance will determine whether individual apple trees are within or beyond the boundaries of RACR lands. Five other Stands are entirely or partially within the 2006 Forest Plan Roadless Inventory: Comp. 19, Stands 14, 16, 20, 42 (Fig. 5), and Comp. 48, Stand 102 (Fig. 10). Management direction for the roadless inventory areas identified in the 2006 Forest Plan is in accordance with the Management Areas in which they are

Table 1. Compartments and Stands included for apple tree release and pruning on the GMNF Manchester Ranger District, showing Management Area designation and whether Stands overlap the 2006 Roadless Inventory (FPRI), lands included in the 2001 Roadless Area Conservation Rule (RACR), or an Eligible Wild, Scenic, or Recreational River corridor.

Comp.	Stand	Fig.	MA ¹	Roadless ²	Eligible Rivers	Comments
4	4	4	DFU			DWA, scattered apple trees at north end of stand near road
7	19	3	NRA	FPRI; RACR	Scenic	Apple trees along FR 10; RACR only small area at north end of Stand; FPRI on west side of FR 10; entire Stand within Eligible Scenic River corridor (Big Branch)
8	38	3	NRA	FPRI; RACR	Scenic	Apple trees along FR 10; FPRI and RACR on north side of FR 10; Eligible Scenic River corridor (Big Branch) on south side of FR 10
9	107	2	DFU			Homer Stone, 6 trees
14	3	4	DFU			10 trees at N. end of stand, 7-8 trees near road on E side
14	21	4	DFU			15 young apple trees in ±2 acres
19	14	5	NRA	FPRI		Stand entirely within FPRI;
19	16	5	NRA	FPRI		Stand entirely within FPRI;
19	20	5	NRA	FPRI		Apples along brook; Stand entirely within FPRI
19	42	5	NRA	FPRI		Most of Stand (west of FR 30) within FPRI
23	20	5	NRA			Ten Kilns
23	104	5	NRA			Ten Kilns
27	108	6	DFU			
31	1	7	DFU			NEPA decision 2000, renew for more work
31	101	7	DFU			" " " " " "
31	105	7	DFU			" " " " " "
31	108	7	DFU			" " " " " "
31	109	7	DFU			" " " " " "
31	111	7	DFU			" " " " " "
31	112	7	DFU			Apples along stone wall on east side
31	113	7	DFU			" " " " " "
31	113	7	DFU			Apples along north side of opening
44	21	8	DFU			1-2 trees that can be saved, many too far gone
48	102	10	DFU	FPRI	Wild	Entire Stand within FPRI and Eligible Wild River corridor (Lye Brook)
62	103	9	RWH			
132	103	9	DFU			Many apple trees on E side of Flood Brook near Hapgood Pond; Deer Wintering Area

¹ DFU = Diverse Forest Use; NRA = Robert T. Stafford White Rocks National Recreation Area; RWH = Remote Wildlife Habitat

² FPRI = 2006 Forest Plan Roadless Inventory; RACR = 2001 Roadless Area Conservation Rule

located. Stands in Compartment 19 are located in the Robert T. Stafford White Rocks National Recreation Area; Compartment 48, Stands 102 is located in Diverse Forest Use MA. The limited scale of vegetation management associated with release and maintenance of apple trees will not impact the roadless character of these Stands, nor will it affect the likelihood of their inclusion in future inventories, or their future eligibility as wilderness.

Two Stands in the Robert T. Stafford White Rocks National Recreation Area lie within the Eligible Scenic River corridor for Big Branch (Comp. 7, Stand 19 and Comp. 8, Stand 38; Fig. 3). One stand in Diverse Forest Use MA lies within the Eligible Wild River corridor for Lye Brook (Comp. 48, Stand 102; Fig. 10). Forest Plan Standards and Guidelines and Forest Service Handbook direction for Eligible Wild and for Eligible Scenic River Segments state that minor structures and vegetation management to protect and enhance wildlife and fish habitat may be permitted, provided that they do not affect the free-flowing characteristics of the river (GMNF 2006 LRMP, pp.108-109; FSM 1909.12 Chapter 80, Section 82.51(8)). The limited scale of vegetation management associated with release and maintenance of apple trees will not affect the free-flowing characteristics of the rivers, nor will it detract from the “essentially primitive” (wild) or “largely undeveloped” (scenic) character of these corridors or jeopardize future eligibility of these river segments.

An earlier NEPA decision in 2000 included apple tree release and maintenance for eight of the proposed Stands: Comp. 31, Stands 1, 101, 105, 108, 109, 111, 112, and 113. Although some apple tree release and maintenance has taken place in these Stands, additional work is needed. These Stands are included in this Decision Memorandum to ensure that maintenance authority does not lapse.

Permanent upland openings, which on the GMNF typically are maintained for wildlife habitat, powerline or utility rights-of-way, vistas, and various recreation uses, are designated with Stand numbers of 100 or greater. At present, 140 individual opening stands on the Manchester district are covered under NEPA decision documents authorizing management actions (cutting trees, mowing, burning, etc.) to prevent the openings from reverting to forest. Authorized management actions for these Stands includes release and maintenance of apple trees. None of the 100-level Stands included in this Decision Memorandum is already covered under previous NEPA decisions for maintenance of permanent upland openings, necessitating this separate action to authorize apple tree release and maintenance.

III. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

A. Category of Exclusion

Decisions may be categorically excluded from documentation in an environmental impact statement or an environmental assessment when they are within one of the categories found at 36 CFR 220.6(d) and (e), and there are no extraordinary

circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

Based upon the environmental analysis contained in the project file and on experience with similar activities on the GMNF, I have concluded that this decision can be appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment. I have determined that the selected action is a routine activity within the following category of exclusion found at 36 CFR 220.6(e) (6) "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction." All environmental and social impacts of the selected action will fall within the range of effects anticipated by this activity; there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

B. Relationship to Extraordinary Circumstances

The list of seven extraordinary circumstances that were examined for this analysis may be found at 36 CFR 220.6(b). The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effects of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. I have concluded that there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the record. A summary of the project's potential effects on each resource condition is as follows:

1. Federally Listed Threatened or Endangered Species or Designated Critical Habitat, Species Proposed for Federal Listing or Proposed Critical Habitat, or Forest Service Sensitive Species -

The Endangered Species Act requires that federal activities 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. A Biological Evaluation (BE) (located in the project file) of potential impacts on plant species for this project determined that there are no federally-listed endangered or threatened plant species on the GMNF, thus this project will have "no effect" on listed species or critical habitat. This BE also determined that no plants on the Regional Forester Sensitive Species list are known from the area, thus this project will result in no impacts to RFSS plants.

A Biological Evaluation (BE) (located in the project file) of potential impacts on animal species for this project determined that only one threatened or endangered species (endangered Indiana bat) could occur in or near only one of the Stands included in this decision: Comp. 48 Stand 102. Ten animal Regional

Forester Sensitive Species (RFSS) could occur in or near one or more Stands included in this decision. Because management of vegetation would be minimal during apple tree release and maintenance and alteration of habitat conditions would be negligible, this Project would have “No Effect” on endangered or threatened species and would have “No Impact” on RFSS animal species or their preferred habitats.

2. Floodplains, Wetlands, or Municipal Watersheds -

Many of the stands included for activities are located near municipal watersheds, or may be in or near floodplains or wetlands. This has been determined and validated by map review and compiled for the project file (K. Donna, Hydrologist, 28 October 2008). Minimal vegetation management and absence of soil disturbance from the authorized activities preclude overland effects of this project on the identified floodplains, wetlands, or municipal watersheds. Similar activities across the GMNF in the past have resulted in no adverse impacts to floodplains, wetlands, or municipal watersheds. No adverse impacts to floodplains, wetlands, or municipal watersheds are expected to result from this project (concurrence from Hydrologist, 22 October 2008 and 28 October 2008).

3. Congressionally Designated Areas, such as Wilderness, Wilderness Study Areas, or National Recreation Areas -

Several of the proposed Stands are located within the Robert T. Stafford White Rocks National Recreation Area (NRA) (Table 1). The proposed action is consistent with management guidelines defined in the 2006 GMNF Land and Resource Management Plan (pp. 79-81) and will have no effect to NRA values. Improving these stands for wildlife purposes would provide enhanced recreation opportunities for viewing wildlife and hunting.

The Proposed Action will have no effect to Congressionally-designated Wilderness or Wilderness Study Areas because none of the proposed Stands are located within these areas. The nearest Wilderness areas located less than 0.5 miles from treatments include the Big Branch, Peru Peak and Lye Brook Wilderness Areas. This impacts from this decision will be localized in scope, minimal in nature, and will not effect nearby wilderness resources.

Although the GMNF does not contain any Congressionally-designated Wild and Scenic Rivers, there are many river segments that are eligible to be further considered for addition to the National Wild and Scenic River System. These river segments and their associated corridors are within the Eligible Wild, Scenic, and Recreational Rivers MA. This proposal includes activity within the eligible Big Branch Scenic River and Lye Brook Wild River corridors. The activity within the Big Branch Scenic River and Lye Brook Wild River areas are consistent with direction for management of Eligible or Suitable Scenic and Wild Rivers (2006 Forest Plan, p. 109; FSM 1909.12 Chapter 80, Section 82.51(8)). This proposal will have no effect to the outstandingly remarkable values for which these river

segments were found eligible. Implementing this project will not preclude the rivers from future designation by Congress. (concurrence from Forest Recreation Planner, 22 October 2008; personal communication 29 December 2008).

4. Inventoried Roadless Areas or Potential Wilderness Areas -

There will be no effect to roadless areas identified in the 2001 Roadless Area Conservation Rule because only portions of two Stands proposed for treatment are located within these areas (Table 1); release and management of apple trees will not take place in portions of those stands within the 2001 Roadless Area. Several of the Stands are located within inventoried roadless areas (IRAs) (Table 1) identified during preparation of the 2006 GMNF Land and Resource Plan Environmental Impact Statement. Management of apple trees in these Stands is consistent with the underlying Management Area direction found in the 2006 Plan, and will have negligible impact on the roadless values identified in the IRA planning process. Implementing this proposed action will not preclude the areas from future roadless inventories or eligibility as wilderness. (concurrence from Recreation Planner, 22 October 2008; personal communication 29 December 2008).

5. Existing and Candidate Research Natural Areas -

There is no Research Natural Area near the project activities, therefore this project will have no effect on Research Natural Areas.

6. American Indian and Alaska native religious or cultural sites -

No tribal concerns were identified for this project (concurrence from Forest archaeologist 22 October 2008).

7. Archaeological sites, or historic properties or areas -

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register of Historic Places. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on agency undertakings. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered on federal lands. It affords protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of

sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts.

No sites covered by these Acts will be affected by the proposed actions (concurrence from Forest archaeologist, 22 October 2008).

IV. PUBLIC INVOLVEMENT

This project was listed in the *Green Mountain National Forest Schedule of Proposed Actions* (SOPA) beginning in the second quarter of 2009 (January 2009), and will remain in the SOPA until the project is authorized for implementation.

No external issues have been identified. This project was also internally scoped with Forest Service staff during Small Projects Day on October 22, 2008. No internal issues were identified.

V. 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 ones below.

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.

Forest Plan Consistency (National Forest Management Act) - The National Forest Management Act (NFMA) requires the development of long-range land and resource management plans, and that all site-specific project activities be consistent with direction in the plans. The GMNF Land and Resource Management Plan (Forest Plan) was completed and approved in 2006 as required by NFMA. The Forest Plan provides direction for all management activities on the GMNF. The Manchester Ranger District Apple Tree Release and Maintenance Project implements the Forest Plan.

Stands included in this action are within three different Management Areas (MAs) (Table 1) as described in the 2006 Forest Plan: Diverse Forest Use MA, Robert T. Stafford White Rocks National Recreation Area, Remote Wildlife Habitat MA and the Eligible Wild, Scenic, and Recreational Rivers MA. As required by NFMA Section 1604(i), I find this project to be consistent with the Forest Plan including goals, objectives, desired future conditions, and Forest-wide and Management Area Standards and Guidelines.

Endangered Species Act - See Section III, Item B1 of this document.

Sensitive Species (Forest Service Manual 2670) - This Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation. This decision will have “no impact” on sensitive species.

Clean Water Act – The intent of the Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Acceptable Management Practices. This decision will have “no impact” on the integrity of waters.

Wetlands (Executive Order 11990) - See Section III, Item B2 of this document.

Floodplains (Executive Order 11988) - See Section III, Item B2 of this document.

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

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

Native American Graves Protection and Repatriation Act - See Section III, Item B6 of this document.

Wild and Scenic Rivers Act - See Section III, Item B3 of this document.

Federal Noxious Weed Act of 1974 and Executive Order 11312 (Non-Native Invasive Species) – The Federal Noxious Weed Act requires cooperation with State, local, and other federal agencies in the management and control of non-native invasive species (NNIS); Executive Order (EO) 11312 requires all pertinent federal agencies (subject to budgetary appropriations) to prevent the introduction of NNIS. This project’s decision meets the intent of this law and EO by incorporating all pertinent Forest Plan Standards and Guidelines to ensure the management and control of NNIS.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this order. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

VI. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is not subject to an administrative review or appeal pursuant to 36 CFR 215 and the Earth Island Institute v. Ruthenbeck Ruling of October 19, 2005.

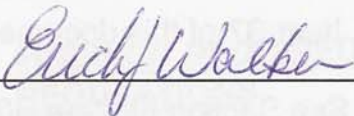
VII. IMPLEMENTATION DATE

This decision may be implemented immediately.

VIII. CONTACT PERSON

Further information about this decision can be obtained from John Sease, Wildlife Biologist for the Manchester Ranger District, during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) at the Manchester Ranger District office, located at 2538 Depot Street, Manchester Center, VT 05255 (Phone: (802) 362-2307, ext. 237; Fax: (802) 362-1251; e-mail: jsease@fs.fed.us).

IX. SIGNATURE AND DATE



Date: 2/17/09

ERICK WALKER
Deputy District Ranger, Manchester Ranger District
Green Mountain National Forest
Responsible Official