

DECISION NOTICE
and
FINDING OF NO SIGNIFICANT IMPACT

C-63 Project

USDA Forest Service
Angelina National Forest
Angelina County
March 2015

Decision and Reasons for Decision

I have selected Alternative 3, the proposed action, and its associated design criteria for the C-63 Project based upon my review of the proposal, the analysis described in the environmental assessment (EA), public and agency input, and the project record. Alternative 3 provides for the following activities:

Commercial Thinning to improve red-cockaded woodpecker (RCW) habitat and reduce southern pine beetle (SPB) hazard. The area to be thinned is in compartment 63, stands 1, 8, 9, 10, and 15. Thinning will reduce the current square feet of pine basal area per acre (BA) to about 70 BA on approximately 858 acres. No hardwood trees will be commercially removed. Longleaf pine in stand 9 will be thinned around inducing the crowns to enlarge for a potential future seed source.

Longleaf Restoration to increase the amount of native longleaf pine in the area. Approximately 191 acres will be restored in longleaf pine which includes harvest existing loblolly pine and replant in longleaf pine. These areas are stand 2, 3, 4, and 14. Site preparation will include chopping, shearing with a feller buncher, or mulching. This will be followed up with a site preparation prescribed burn and hand planted with containerized longleaf pine seedlings. Prescribed burn will control possible of brown spot disease in longleaf plantation and also be implemented on a two to three rotation after the seedlings are at least one year old. If regeneration is not successful, the sites will be replanted.

Pine Release to increase the successful establishment of longleaf pine seedlings in the longleaf pine restoration stands. These areas will be released using prescribed fire or manual tools (chainsaws and/or weed eaters with attached circular blades). Triclopyr herbicide will be used as a release, if necessary, for longer control of the woody understory.

Wildlife openings will be maintained by mowing and prescribed burning and periodically revegetated with noninvasive plant species and fertilized improving wildlife forage and cover.

Road Management Actions involve road improvements on existing National Forest System Road (NFSR). Approximately 1.1 miles of road will be reconditioned, reconstructed, and/or spot graveled. Roads to be reconstructed and/or reconditioned include 0.3 miles on NFSR 3012, 0.3 miles of NFSR 3072, 0.3 miles of NFSR 3093, and 0.2 miles on NFSR 354D. Spot surfacing will occur on NFSR 3072. Approximately 2.2 miles of temporary roads will be built to access stands during the removal of timber. The NFSR 3012 and NFSR 354D will be bermed following the timber sale. The NFSR 3106 cannot be identified on the ground and will be decommissioned. The NFSR 3106 will be removed from Forest Service road inventory.

Invasive Species Control involves monitoring the project area for infestations of non-native invasive plant species during and following implementation for the proposed activities. Monitoring will conform to that which is being conducted as part of the *Plan* direction and 2008 Non Native Invasive Plant Species (NNIPS) Environmental Assessment (EA). Any NNIPS discovered will be treated following direction in the 2008 National Forests and Grasslands in Texas (NFGT) NNIPS EA. Inventories for new infestations will be conducted during the growing season.

Red-cockaded Woodpecker Management maintains the habitat within RCW clusters by following the standards and guidelines in the *Plan* (p. 110-116), and the RCW Recovery Plan (p. 178-180). Cluster maintenance will be accomplished by installing inserts, mowing, chainsaws, and/or hand tools. Maintenance will also include removal of all hardwood and pine midstory within a 50 ft. radius of cavity trees.

Currently, there are no active RCW clusters located in these stands. If active RCW clusters were found, the District Biologist will be notified. Midstory removal and installing RCW insert will be implemented but work will not occur within the cluster until the nesting season of potential breeding pairs is over or after fledging of the young. The *Plan* sets the start of nesting season March 1. Based on ongoing monitoring, nesting season actually has been starting after April 1.

Design Criteria Associated with Alternative 3

In addition to the applicable standards from the Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas (the *Plan*), the design criteria described below, as well as monitoring detailed on pages 18-21 of the EA, are part of my decision and will be implemented to lessen potential adverse effects of Alternative 3.

1. Any hardwoods within the 50-foot zone around active RCW cavity trees will be cut and felled by authorized personnel separately from the timber sale.
2. A 660 ft. buffer will be established around all active bald eagle nests to preclude equipment and timber harvest activities near nests during nesting season.
3. To protect water quality, intermittent and perennial streams will be buffered with a 50 ft. primary and 50 ft. secondary zone, and painted out. No mechanical equipment will be allowed in the primary zones except at approved stream crossings (designated by the Forest Service Timber Sale Administrator).

4. Skid trails will only cross streamside zones at designated points, with prior approval of the Sale Administrator. The *Plan's* standards and guidelines and Texas' Best Management Practices (Best Management Practices (BMPs). Texas Forestry Association, August 2010) will be followed in all stages of sale implementation (the *Plan*, p. 158).
5. No mechanical operations will occur during wet ground conditions to minimize soil compaction and rutting. On soils with a severe compaction hazard, harvesting from the back of the area to the front will reduce repetitious trafficking over previously disturbed areas. The District Timber Sale Administrator will monitor conditions and promptly shut down timber sales when erosion and soil compaction are unacceptable (the *Plan*, pp. 82, 158).
6. All skid trails and landings will be closed and revegetated with a non-invasive seed mixture as required by the timber sale contract. Within one growing season, ground cover will be established on 70 percent of the area of all log landings and skid trails (the *Plan*, page 106).
7. All logging and site preparation equipments will be washed before transition to a different area to help prevent the spread of NNIPS.
8. If previously undiscovered archaeological or historical resources are encountered during the implementation of this project, work in that area will cease immediately until the resources can be assessed and evaluated by a member of the Heritage Management Team, and the State Historic Preservation Office (SHPO) has been afforded the opportunity to review the findings. The site area will be excluded from all treatments until this review can be completed. Known archaeological and historical sites which are considered eligible for listing on the National Register of Historic Places (NRHP), and those which have not been fully evaluated in order to determine their eligibility for the NRHP, have been removed from the area of potential effect by adjusting the appropriate boundaries of the proposed actions or by mitigation.
9. If previously undocumented red-cockaded woodpecker (RCW) activity is discovered during implementation of this project, the project activities will cease until the District Wildlife Staff can evaluate the situation and determine appropriate management actions to take that will be consistent with US Fish & Wildlife Service guidelines.
10. Mitigation measures to prevent or reduce siltation problems at stream crossings to protect aquatic habitat for the aquatic species will be used. Stream crossings will be kept to a minimum to prevent disturbances within mesic habitats to protect sensitive flora and fauna.
11. Visual quality objectives (VQS) are partial retention, modification and maximum modification for travelway associated with the C63 project. Within 25-100 feet of Farm Market (FM) 2743, Hopsonville Road, and State Highway 63, mid understory, and flowering trees are retained. Along Guidrey Road, felling cuts are directly away from the travelway for 200 feet. Leaving favorable flowering trees and other vegetation along NFSR 354 may enhance its visual quality. Log landings are to be a minimum of 300 feet from Highway 63,

FM 2743 and Hopsonville Road. Slash would be removed, lopped, or chipped within 2 feet of ground level within 200 feet of all travelways.

12. Marking will follow the *Plan's* guidelines for thinning in red-cockaded woodpecker habitat, leaving the largest, oldest trees available while still meeting the average spacing guidelines. Thinning will favor retention of species in the following order: longleaf, shortleaf, loblolly then slash pine.
13. Herbicides will be applied according to Forest Service Standards and labeling information. A Certified Pesticide Applicator will be on site to supervise herbicide application operations. Notice signs [Forest Services Handbook (FSH) 7109.11] will be clearly posted when herbicide are to be used. These areas will not be prescribed burned for at least 30 days after herbicide treatment.

Reasons for the Decision

My decision to implement Alternative 3, the Proposed Action in compartment 63 is based on its effectiveness at improving habitat for the endangered RCW, at reducing Southern Pine Beetle (SPB) hazards in pine-dominated communities, restoring longleaf pine ecosystems (by restoring longleaf pine on loblolly pine stands and favoring longleaf in thinning operations), diversifying the landscapes by adding permanent wildlife food plots, correcting road-related erosion problems, and removing National Forest System Road (NFSR) 3106 from the Infra Data System.

I considered the need to take action and the issues identified during scoping, collaboration, and the 30-day comment period in making my decision. I weighted the effects of the proposed actions on the vegetation, soil and water, air, wildlife, visual, and recreational use of the area, against taking no action. I am not willing to accept the potential adverse effects of SPB on forested or the lack of improvements to RCW habitat stands associated with no action. The Proposed Action will provide the benefits of improving RCW habitat, reducing SPB hazards, and increasing native longleaf pine ecosystems. Any adverse environmental effects of these activities would be limited in scope and short-term in duration.

The best available science was considered in making this decision. The project record demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Effects of this project on climate change, as well as the effects of climate change on this project, were also considered. Any resulting greenhouse gas emission would not be measurable on a global scale.

Other Alternatives Considered

The following alternatives were considered in detail. They are fully described on pages 11-14 and 19 of the EA and a description summary in table form is on page 21 in the EA.

Alternative 1 – This is the No Action Alternative. Stands would be subject to change only through natural processes such as insect attacks, wildfires, drought, wind damage, and/or hail damage. There would be no improvements made to habitat for the endangered red-cockaded woodpecker (RCW), longleaf pine restoration may or may not occur naturally, but would entail a long time period to becoming established; road surfaces would not be rehabilitated, and non-essential roads would not be closed to limit the amount of disturbance experienced. This alternative, although it does not meet the purpose and need for the project, provides a baseline on which to compare the alternatives.

Alternative 2 – This is the Scoped Action Alternative. The original proposed action was scoped in October of 2011. Approximately 942 acres would be thinned including stand 1, 3, 8, 9, 10, and 15. Longleaf restoration on approximately 169 acres of loblolly pine stands which include stand 2, 4, 6, and 14. The remaining actions would be the same as in Alternative 3

Alternative 4 – This is the No Herbicide Alternative. The activities in the Proposed Action would be implemented except no herbicide would be used to release longleaf seedlings. This release would be done with manual tools (chainsaws and/or weed eaters with attached circular blades) in this alternative. The control of the hardwood understory in the pine release would not be as effective as the control realized by herbicide application.

Public Involvement

A scoping letter outlining the scoped action was mailed out to the district mailing list. The mailing list consists of individuals, agencies, and organization who indicated an interest in receiving information about the Angelina National Forest. This compartment was scoped as part of the larger Sandy Creek Project. After public collaboration and field visits on June 22, 2011, the scoped actions were modified to the proposed action.

After the publication of the legal notice in the Lufkin News, the EA 30-day Notice and Comment Period began on December 21, 2012 and ended on January 19, 2013. The Forest Service has received responses during the 30-day Notice and Comments period and all were addressed in Appendix G. One supporting comment was received after the close of the 30-day Notice and Comment period.

Finding of No Significant Impact

After thorough consideration of the EA, appendices, the Forest *Plan*, specialist reports, and comments received, I have determined that these actions are not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. In a local context, the short and long term effects of the site-specific actions of the selected alternative (Alternative 3) are not significant. Therefore, an environmental impact statement is not needed. This determination is based on the following intensity factors.

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the quality of the environment (EA, pages 23-78).
2. Public health and safety should not be adversely affected by the proposed action. Standard Forest Service operating procedures (which includes safety) will be implemented during logging, burning, and herbicide application operations (EA, pages 14-18).
3. The prescribed actions will not adversely affect any unique characteristics of the geographical area. No wild and scenic rivers or wilderness exist in the area. Floodplains associated with the major streams in the project would not be adversely affected as heavy equipment will not be allowed in these areas except at designated stream crossings. Heritage resources will be protected. Wetlands delineated in the area are associated with the shoreline of Sam Rayburn Reservoir and are not located where any work is proposed. Project activities should not significantly affect wetlands.
4. I do not expect the effects of the proposed actions on the quality of the human environment to be highly controversial in a scientific context. Interest expressed in this project during scoping or the 30-Day notice and comment period and mostly resolved through on-site meetings and collaboration. Pages 8-10 and 79-80 of the EA summarize the public contacts made in the course of the environmental analysis and documents that no significant issues were unresolved from these contacts. Broad-level public disputes with forest policy are beyond the scope of this decision.
5. The selected alternative does not involve highly uncertain, unique, or unknown environmental risks. The National Forests and Grasslands in Texas (NFGT) has successfully carried out the prescribed activities in similar situations in the past.
6. This decision does not set precedent for future action with significant effects or represent a decision in principle about a future consideration.
7. These actions do not individually, nor with other activities taken cumulatively within the affected area, reach a level of significance (EA, pages 23-78). Where appropriate, design features are proposed which are known to keep effects to vegetation, soils, wildlife, and other resources below a threshold level of significance (EA, pages 18-21). Cumulative effects of the Selected Alternative actions and other foreseeable actions have been evaluated and summarized in the EA.
8. No known sites listed or eligible for the National Register of Historic Places will be affected by the proposed activities. If additional heritage resource sites are discovered during actual operations, activities will be stopped until the sites can be protected or evaluated for significance. Prescribed activities will not cause loss or destruction of significant scientific, cultural, or historic resources (EA, page 67-68).
9. The Selected Alternative will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

The Forest Service consulted with the U.S. Fish and Wildlife Service (USFWS) and determined that the actions (1) are not likely to affect any federally listed endangered or threatened species and (2) may impact individuals but is not likely to cause a trend to federal listing or loss of viability of regionally listed sensitive species. (EA, TES Section, pages 35-51. Biological Evaluation, Appendix B). The USFWS concurrence was received on October 27, 2014.

10. None of the prescribed actions threaten or lead to violations of federal, state, or local environmental laws or requirements imposed for the protection of the environment. This will be ensured by carrying out the selected actions in a way that is consistent with the standards and guidelines, management requirements and mitigation measures established in the *Plan*. For water quality management, state-approved Best Management Practices will be used for this project. The project will be monitored to ensure BMPs are implemented and appropriate corrective measures will take place, if implementing the BMPs on a specific site results in effects significantly higher than anticipated, because of unforeseen site factors or events. This project will fully comply with state approved BMPs and the Clean Water Act.

Findings Required by Other Laws and Regulations

Alternative 3 is consistent with the *Plan*, including the *Plan's* Forest-wide Standards and Guidelines. The actions detailed in Alternative 3 are consistent with the Management Objectives, Standards, and Guidelines for Management Area (MA-2), Red-cockaded Woodpecker Emphasis, MA-4, Streamside Management Zones, and MA-6, Longleaf Ridge Special Area.

Alternative 3 includes measures to avoid or mitigate negative impacts (40 CFR 1505.2(c)) (EA, pages 18-21). The project is feasible and reasonable, and it conforms to the *Plan's* overall direction to manage the forest.

The C-63 Project is consistent with National Forest Management Act (NFMA) requirements [36 CFR 219.27(b)] regarding resource protection, vegetative manipulation, silvicultural practices, riparian areas, soil and water, and diversity.

This alternative meets the requirements of the Endangered Species Act of 1973, the National Historic Preservation Act, the Archeological Resources Protection Act, and the Clean Water Act.

The analysis in this document considered the best available science when evaluating the impacts of the proposed project on the forest resources through a review of scientific literature, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. This includes the biological evaluation. The heritage resource report and the reports submitted by Forest Service Specialists that are in the project file.

As indicated in the Heritage Resource Survey, the proposed action will have no effect on heritage resources (sites) that are eligible for the National Register of Historic Places (NRHP) or

on any other site that has not been evaluated for NRHP eligibility. In accordance with the requirements of the National Historic Preservation Act of 1966 (NHPA), Executive Order 13007, the American Indian Religious Freedom Act (AIRFA), and others, consultation with the Caddo Nation of Oklahoma and the Alabama-Coushatta Tribe of Texas has been conducted and has identified no concerns. Additional contact and renewed consultation is underway to continue to offer opportunity to identify any potential impacts to religious or cultural sites on the NFGT. Concurrence from State Historic Preservation Officer (SHPO) was received May 23, 2014.

Objection Opportunities

Only those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunity for public comment had the opportunity to submit an objection. Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless based on new information arising after designated comment opportunities §218.8(c).

The 45-days Objection Period began on the publication date of the legal notice in the Lufkin News, January 21, 2015 and ended on March 6, 2015. No written objections were filed to the Reviewing Officer, Mark Van Every, Forest Supervisor, within the 45-days time period.

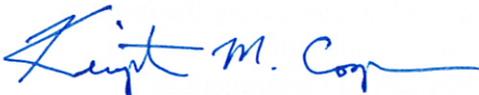
Implementation Date

This decision may be implemented any time after the date of signature.

Contact

For further information concerning this decision, contact District Ranger Kimpton M. Cooper at the Sabine Ranger District Office, 5050 State Highway 21 East, Hemphill, Texas 75948 or the Angelina Ranger District Office, 111 Walnut Ridge Road, Zavalla, Texas 75980. Contact him by phone at 409-625-1940 (Sabine) or 936-897-1068 (Angelina).

Responsible Official:



Kimpton M. Cooper
District Ranger
Angelina/Sabine National Forests
National Forests and Grasslands in Texas

April 2, 2015
Date

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