

DECISION NOTICE
and
FINDING of NO SIGNIFICANT IMPACT
for the
SHEEP DIP PROJECT

USDA Forest Service
Huron-Manistee National Forests
Cadillac-Manistee Ranger District
Wexford County, Michigan

Introduction

This Decision Notice documents the decision I have made to implement the proposed activities described in the Sheep Dip Project Environmental Assessment (EA). The Sheep Dip Project Area (Project Area) is located on the Cadillac-Manistee (CM) Ranger District of the HMNF in the following locations (see the attached Selected Alternative map):

T21N, R11W, Sections 4-9 and 16-21, Henderson Township, Wexford County
T21N, R12W, Sections 1-3, 10-24, South Branch Township, Wexford County

This document also describes the reasons for my decision and my findings for not preparing an Environmental Impact Statement. This finding is in accordance with the National Environmental Policy Act (NEPA). The decision and findings are based on the analysis of the proposed activities and alternatives to those actions in the Environmental Assessment (EA) for this project.

In developing the EA, Decision Notice, and Finding of No Significant Impact (FONSI), I recognize that less than complete knowledge exists about many relationships and conditions of wildlife, fish, forests, jobs, and communities. The ecology, inventory, and management of a large forest area are a complex and constantly developing science. The biology of wildlife species prompts questions about population dynamics and habitat relationships. The interaction between resource supply, the economy, and communities is not an exact science. Perfect knowledge and absolute guarantees are not attainable, no matter how much we wish it to be otherwise.

The data and level of analysis used in the Sheep Dip EA were commensurate with the importance of the possible impacts (40 CFR 1502.15). When encountering a gap in information, the Interdisciplinary Team concluded that the missing information frequently would have added precision to estimates or better defined a relationship. However, the basic data and central relationships are sufficiently well established in the respective sciences and the new information would be very unlikely to reverse or nullify understood relationships. Thus, new information would be welcome and would add precision, but is not essential to a reasoned choice among the alternatives.

This environmental analysis is tiered to the 2006 Huron-Manistee Land and Resource Management Plan as Amended (Forest Plan) (HMNF 2006a) and Final Environmental Impact Statement (HMNF 2006b). The Management Areas (MA) in the Project Area are MA 2.1, MA 8.1, and MA 8.3. Relevant discussion from this document and the Planning Record has been incorporated by reference rather than repeated (40 CFR 1502.21). I have reviewed the EA and associated project information. This decision is based upon that review.

Decision

This Decision Notice documents my decision to implement the proposed management activities, including vegetation management, wildlife habitat improvement, and transportation management system activities in the Sheep Dip Project Area. **It is my decision to implement Alternative 3 as documented in the EA, with modifications.** Alternative 3 will be referred to as the Selected Alternative from this point forward (see the attached Selected Alternative map). This decision meets the Purpose and Need for the project. It is responsive to issues raised during scoping, follows the relevant laws and regulations, and is consistent with the Forest Plan.

The following modification to Alternative 3 will be implemented with the Selected Alternative:

The maximum size of aspen clearcuts would be limited to a maximum of 10 acres. This would result in a reduction in the amount of aspen management from the approximately 244 acres initially proposed for the Selected Alternative, to the approximately 181 acres proposed under Alternative 4. A modified unit card showing the aspen clearcuts less than 10 acres is included at the end of this document.

The following is a list of the activities that will be implemented under the Selected Alternative. These activities are displayed on the attached Selected Alternative map.

Treatments to be Implemented

Table 1

Treatment Types	Measurement	Compartment-Stand
Commercial Thin	621 Acres	11-5,14; 12-10,27,32,44; 14-12,14; 81-1; 83-1,18,23,55,63,71; 86-5,10,12,15,16; 87-4; 88-6,14,15,18,39
Overstory Removal Harvest - Hardwood	17 Acres	86-51
Overstory Removal Harvest - Conifer	107 Acres	11-31; 14-26; 83-9,11; 87-5; 88-1,23
Shelterwood Harvest - Hardwood	21 Acres	88-11
Shelterwood Harvest - Conifer	176 Acres	81-3,16; 83-22; 87-10; 88-13,31,38
Opening Maintenance - Mechanical	228 Acres	11-18,19; 12-7,11,28,38,45,46,56; 13-12,19,21; 14-20; 81-2,4,6,21,34; 83-16,19,28,35,37,38,47,51; 86-2,6,8,11,17,18,20,24,30,34,35,38,45; 87- 3,16,20,21,23,24,34,40; 88-8,16,17,20,25,27,35
Opening Maintenance - Broadcast Burn	56 Acres	12-11; 86-8,17,18,20,30,34
Opening Creation	21 Acres	86-7
Aspen Clearcut w/ Reserves	181 Acres	12-6,13,16,29,33,65; 14-10; 86-50

Non-native Invasive Plant Treatment	23 Acres	11-18; 12-10,11,27,46,55,56; 13-2,12; 81-1,4,6,16,21,29; 83-1,9,11,12,16,18,19,22,33,37,38,47,55,63; 86-7,15,16,35,41,50,51; 87-10,21,24,33,40; 88-6,15,16,17,19,20,23,35,38,50,60
Waterhole Construction	1 Structure	86-35

In addition to the activities listed in Table 1, one mile of Dowling Creek will have large woody debris added.

The twenty-one acres of opening creation shown above will be converted from a Land Suitability Class (LSC) 500, land that is suitable for timber production, to an LSC 200, non-forested wildlife openings.

A roads analysis prepared by the Forests' road engineering department and the transportation analysis found in Chapter 3 of the EA provided the guidance required to effectively manage the road system within the Project Area. Road system activity includes the following:

- construction of 0.3 miles of roads which will be maintained at a Maintenance Level 2 (open to public motorized use)
- reconstruction of 0.8 miles of Maintenance Level 1 roads (for administrative use only and not open to the public)
- reconstruction of 7.5 miles of Maintenance Level 2 roads
- closure of 1.2 miles of Maintenance Level 2 roads
- redesignation of 0.5 miles of road from Maintenance Level 1 to Maintenance Level 2 roads
- redesignation of 1.1 miles of road from Maintenance Level 2 to Maintenance Level 1 roads

The net loss of roads open to the public for motorized use will 1.5 miles. This will be offset by the reconstruction of 7.5 miles of Maintenance Level 2 roads, which will allow for greater access to areas in which these roads are located. Minor adjustments in road clearing limits, realignment of the existing roads, and gravel stabilization in some locations may be necessary to reduce the potential for erosion. In addition to the road activities listed above, unauthorized, user-developed roads and trails may be closed if present.

The following mitigation measures will be required for implementing the Selected Alternative:

Mitigation Measures

Resource Protection

- Recommendations included in the *State of Michigan Sustainable Soil and Water Quality Practices on Forest Land* (MDNR 2009) and Forest Service Handbook 2550 would be incorporated to provide protection of soil and water resources.
- Protect known heritage resource sites in accordance with State Historic Preservation Office guidelines. Mitigation measures used to avoid site disturbance would be applied to all action alternatives. Site specific heritage resource mitigation measures are incorporated into the individual treatment units cards (see Appendix A of the EA). If any unknown heritage resource sites would be found when ground disturbing activities are taking place on the project, the activity would stop until a professional heritage resource specialist is informed and adequate protection measures are applied to avoid potential impacts.
- Protect known threatened, endangered, or sensitive species and the immediate habitat in which they are found. If any of these species are found during project implementation, the activities within the

immediate area would stop until the district's wildlife biologist or botanist is informed and adequate protection measures applied to avoid potential impacts.

Operating Requirements

- A burn plan would be written that details the operational objectives and the preferred weather conditions that provide for public safety, private property protection, and maximize smoke dispersal. Each burn plan will include details which ensure that resource objectives for the project, organic matter retention, and mineral soil exposure requirements of FSH 2509.18, Chapter 2 are fulfilled.
- Reserve existing snags that are not a safety hazard in all treatment units to maintain cavity nester habitat.
- Clearcut, overstory removal, and shelterwood harvest unit cutting would occur between October 1 and March 31. Where these units have operating requirements to comply with dedicated snowmobile trail use, cutting would occur between September 1 and November 30.
- Retain topwood (< 4.0" diameter inside bark) in clearcut, shelterwood, and overstory removal harvest areas to facilitate organic matter retention and mitigate soil compaction and displacement. The amount retained would depend on other management considerations, but the goal would be to retain as much as practicable.

Rehabilitation

- Rehabilitate landings after harvest activities are completed to reduce the amount of logging residue, reduce compaction, reduce non-native invasive species colonization, and promote revegetation. Plant only native species or non-persistent non-native species where revegetation is needed. All plowed control lines constructed to conduct controlled burns would be rehabilitated to reduce erosion and promote revegetation and reduce the visual impact. The furrowed control lines would be leveled with displaced soils or rolled back into place.

Additional mitigation measures specific to each treatment unit are described in detail in the Treatment Unit Descriptions in Appendix A of the EA.

The following monitoring and evaluation will be conducted with the Selected Alternative:

Implementation Monitoring

Mitigation Measure Implementation

Objective: Ensure mitigation measures for each treatment unit are being implemented.

Desired Results: Mitigation measures are effective in addressing resource issues.

Methods: Select treatment units would be visited by district personnel. Reviews would be documented in inspection reports regarding contract compliance.

Responsibility: District assistant rangers for timber, recreation, and wildlife

Contract Administration

Objective: Ensure that mitigation measures are implemented for treatment units with commercial harvesting.

Desired Result: All contract requirements are met.

Method: All treatment units would be visited by the timber sale administrator.

Responsibility: District timber sales administrator

American Marten

Objective: The effects of the timber harvest activities would be monitored before and after the red pine treatments in Compartment 83 occur to document the changes in marten use and dispersal in this area and determine the effects of the harvest activities on marten habitat.

Desired Result: The Mitigation Measures designed to protect and improve American marten habitat within the Sheep Dip Project Area, as described in the BE and in Appendix A of the EA, have been effective in maintaining or improving marten habitat.

Methods: Track martens in this area before and after the red pine treatments occur.

Responsibility: District Wildlife Biologist (Grand Valley State University and Little River Band of Ottawa Indians would assist with this monitoring effort)

Invasive Plants

Objective: Ensure that the spread of invasive plants is minimized.

Desired Result: No spread of invasive plants due to treatments would occur.

Method: Ocular inspection within the first two years after the treatment of a unit.

Responsibility: District botanist

Controlled Burn Implementation

Objective: Ensure controlled burn parameters are implemented to maintain control of the controlled burn.

Desired Result: Completion of controlled burn goals and objectives without containment and/or control problems.

Method: A controlled burn plan would be developed which sets environmental and fire equipment/personnel parameters required to meet the goals and objectives of the burn. All personnel would be briefed on burn objectives and safety measures. Personnel would be assigned to monitor fire behavior and the effectiveness of burn control measures. Upon completion of every burn, fire behavior and effectiveness of control actions would be documented.

Responsibility: Assistant fire management officer

Effectiveness Monitoring

Reforestation

Objective: Ensure that reforestation occurs within five years of treatment.

Desired Result: Adequately reforested stands.

Method: Stocking surveys within the first five years after the treatment of a unit.

Responsibility: District silviculturist

Forest Plan Monitoring

The National Forest Management Act requires that national forests monitor and evaluate their forest plans. Forest plan monitoring is conducted over the entire forest on a periodic basis. Samples for Forest Plan monitoring may or may not be taken in the Project Area; however, monitoring results are designed to answer questions regarding the implementation and effectiveness of mitigation. Forest Plan monitoring results can be found in the FY2010-FY2011 Monitoring and Evaluation Report found in the Planning Record.

Reason For The Decision

In making my decision, I considered all issues and took into account the competing interests and values of the public. I carefully considered the appropriate type and level of treatment needed to achieve: fuel reduction objectives, reducing the risk of fire destroying homes, lives, and private property; sustain individual tree growth rates, vigor, and increase vegetative diversity in red and jack pine stands; and, enhance and increase the variety of wildlife habitats, including upland openings and aspen, in the Project Area. There were divergent opinions expressed by the public during the analysis. This decision will likely not satisfy any one particular group or individual completely. However, I have considered all views and believe that the decision I have made is reasonable. The Selected Alternative provides the best mix of benefits for the public within the framework of the existing laws, regulations, policies, public needs and desires, and capabilities of the land, while meeting the stated Purpose and Need for this project. The Purpose and Need objectives for this project include the following:

- **Sustain forest and ecosystem health and improve timber stand condition**
- **Provide early successional habitat, maintain the aspen forest type, and improve aspen age-class diversity**
- **Improve aquatic habitat**
- **Manage the transportation system**

Although Alternatives 2, 3, and 4 all achieve the Purpose and Need for this project, the Selected Alternative has several characteristics that led it to be chosen for implementation. My decision to choose Alternative 3 as the Selected Alternative was based on my review of the Environmental Assessment and a combination of biological, social, and economic factors. It is my judgment after evaluating the effects of the proposed alternatives, as described in Chapter 3 of the EA, that the Selected Alternative has the best balance of benefits from a biological, social, and economic standpoint.

The Selected Alternative accomplishes the second most acres of timber stand improvement activities, after Alternative 2, the Proposed Action (942 acres treated versus 1,168 acres, respectively). The emphasis of the Selected Alternative, as compared to the Proposed Action, is a reduction in the amount of mechanical harvesting methods in primarily red pine stands due to concerns about the impacts to American marten habitat requirements.

The Selected Alternative accomplishes the second most acres of opening maintenance activities, after Alternative 2, the Proposed Action (284 acres treated versus 290 acres, respectively). In addition, the same amount of opening creation would be created as the Proposed Action. As mentioned earlier there is a reduction in the amount of aspen stand treatments in the Selected Alternative from 244 acres under the Proposed Action to 181 acres. This matches the 181 acres proposed under Alternative 4 of the EA and analyzed in Chapter 3 of the EA.

The Selected Alternative provides the maximum amount of riparian habitat improvement activities.

The Selected Alternative manages the maximum amount of the Forests' transportation system. Under the Proposed Action a total of 10.9 miles of road treatments were proposed. Another 0.5 miles of road closures were adopted under the Selected Alternative, resulting in a total of 11.4 miles of road system treatments.

Public Involvement

The Forest Service uses public involvement and an Interdisciplinary Team (IDT) of resource specialists to

determine issues of concern and develop possible solutions. Scoping is a process for gathering comments about a site-specific proposed federal action to determine the scope of issues to be addressed and for identifying unresolved issues related to the proposed action (40 CFR 1501.7). Opportunities for comments enable concerned citizens, resource specialists from other agencies, and local governments to express their ideas and views. Public involvement for the project included listing in the HMNF's Schedule of Proposed Actions and a direct mailing on August 31, 2012 to approximately 217 individuals, organizations, and adjacent landowners; and, a listing on the HMNF's website. During the scoping period, 23 responses were received.

Public comments were used to refine the issues, alternatives, and the potential environmental effects. A copy of the scoping letter, mailing list of individuals, government agencies, and organizations contacted, comments received, news releases, and other public involvement information are included in the Planning Record. The IDT developed a list of issues from internal and external scoping. According to NEPA, issues are points of discussion, debate, or dispute concerning the proposed action of the project. One relevant issue was identified and used to develop alternatives and is addressed in the Purpose and Need section of the EA (see page 1-6 of the EA). Other issues and management concerns identified were addressed in the environmental effects section, but were not used to develop alternatives.

During the 30-day comment period for the Sheep Dip Project five comments were received. These comments are included within this document as Appendix A. These comments did not change the issues used to formulate alternatives, the effects analysis, or the decision to proceed with implementation of the Selected Alternative.

In making my decision, I also considered the main relevant issue identified through the public involvement process. In the following summary, I disclose how the Selected Alternative addresses this issue. Table 2-1 on page 2-2 of the EA and Chapter 3 of the EA supplement the following discussion and provide a comparison of the alternatives.

The Selected Alternative accomplishes important goals and objectives of the Purpose and Need while responding to those comments received by the public and those elicited from within the Forest Service. The Selected Alternative responds to those individuals who had comments and concerns about the conversion of red pine stands to northern hardwood stands

Issue: Conversion of red pine stands to northern hardwood stands (i.e. native forest composition)

This issue addresses the general concern about red pine stands being treated with overstory removal and shelterwood harvests, as well as red pine thinning units, and the resulting enhancement of hardwoods within the stands, in addition to the conversion of red pine stands to northern hardwoods within the Project Area.

Concerns were raised in regards with various aspects of red pine treatments in the Project Area. These included comments concerning the results of the various treatments on the residual stands and their impacts on wildlife, utilization of the resource, and the diversity of the red pine stands. These comments and concerns resulted in a reduction of the amount of red pine stands to be treated with various management techniques. Specifically, the amount of red pine thinning was reduced from 697 acres initially proposed, to 621 acres under the Selected Alternative. Overstory removal of conifer stands, primarily red pine, was reduced from the 119 acres initially proposed, to 107 acres under the Selected Alternative. Finally, shelterwood harvesting of conifer stands, primarily red pine, was reduced from the 314 acres initially proposed, to 176 acres under the Selected Alternative.

Alternatives Developed for Detailed Evaluation

Three action alternatives were developed to specifically address the major relevant issue identified in Chapter 1 of

the EA, while meeting the Purpose and Need objectives. All the action alternatives are consistent with the standards and guidelines of the Forest Plan. The alternatives that were developed for this project are briefly described below. Chapter 2 of the EA describes the alternatives and their development in more detail.

Alternative 1 - Alternative 1 is the No Action Alternative. Under Alternative 1, none of the proposed vegetative treatments or other management activities would occur in the Project Area on National Forest System (NFS) lands. Some activities, such as resource protection, would continue within the Project Area. Selection of Alternative 1 does not preclude future analysis or implementation of on-going management proposals within the Project Area.

Alternative 2 - Alternative 2 is the Modified Proposed Action that was described during scoping with very minor changes to the original proposal. After additional site-specific resource information became available on the project, some of the proposed treatments were dropped, modified, or added. Portions of stands were dropped from treatment or modified because of resource concerns. This alternative would implement the most vegetative treatments and the most wildlife habitat improvement activities in the Project Area.

Alternative 3 - Alternative 3 was developed from comments received during the scoping period and from IDT members. It responds to comments regarding the amount and locations of red pine treatment activities both in the type of treatments being considered and the potential effects on the American marten population found in the Project Area. One other comment expressed concern about a single existing opening and questioned the need to conduct any activity in the stand. As a result the total vegetative treatments were reduced, primarily in red pine stands, and one opening was dropped from treatment.

Alternative 4 - Alternative 4 was developed from comments received during the scoping period. This alternative eliminates the acres treated by overstory removal harvesting and shelterwood harvesting in conifer stands. The number of red pine thinning acres and aspen clearcut acres are reduced. This alternative also eliminates all NNIS treatment. Finally, under this alternative there would be no loss of publicly accessible roads, by eliminating the road closures and the redesignation of roads to administrative use only.

Alternatives Considered but Eliminated from Detailed Study

The IDT considered a range of alternatives during the analysis before a reasonable set of alternatives was considered for detailed study. Three alternatives were eliminated from detailed study and are described as follows:

Original Proposed Action - The Sheep Dip Project Proposed Action was described in the August 31, 2012 scoping letter and in Chapter 1. After additional site-specific resource information became available on the project, some of the proposed treatments were dropped, modified, or added. Portions of stands were dropped from treatment or modified because of resource concerns.

Developing additional motorized trails within the Project Area - A comment was received expressing a desire to see motorized trails increased in the Project Area and an alternative which considered increasing motorized trails was discussed.

The reason there was not any recreational trail projects proposed in the Sheep Dip Project is that the Purpose and Need for the project is to: 1) Sustain forest and ecosystem health and improve timber stand condition; 2) Provide early successional habitat, maintain the aspen forest type, and improve aspen age-class diversity; 3) Improve aquatic habitat; and, 4) Manage the transportation system. Enhancing and expanding trails or recreational opportunities are not part of the objectives for the Sheep Dip Project. In addition, the Project Area currently contains 3.6 miles of the MCCCT Trail and 15.5 miles of snowmobile trails.

Increasing the amount of aspen treated within the Project Area - Multiple comments were received that expressed a desire to see additional aspen clearcuts added to the Project Area in order to enhance wildlife benefits.

The reason the acreage of aspen treatments was not increased is due to the original list of stands initially proposed for treatment, and which had subsequent botanical, wildlife, and archaeological surveys conducted on them. When a project is initially proposed a number of stands are considered for treatment within the confines of what can be surveyed within a given amount of time. These stands must also reflect the needs of all the purposes and needs proposed for the project. For example, although aspen regeneration is an important consideration in the Sheep Dip Project, not all aspen stands appropriate for treatment could be considered when accounting for other needs identified in the Project Area.

Finding Of No Significant Impact

I have determined, based on the discussion of effects in the EA, and from past experience with similar activities, that these actions are not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment (40 CFR 1508.27) and that an environmental impact statement is not needed. I have made this determination based on the following factors:

1) Both beneficial and adverse impacts are expected. The beneficial impacts will outweigh expected short term, adverse impacts.

The Selected Alternative responds to public comments while achieving the Purpose and Need objectives. Mitigation measures will be implemented with the Selected Alternative to reduce the negative effects of the proposed activities on the environment (see pages 2-5 and 2-6 of the EA, pages 3-4 of the DN, and Appendix A of the EA). Beneficial impacts will outweigh expected short-term, adverse impacts.

2) Public health and safety are minimally affected by the proposed actions.

There will be minimal risks to public health and safety as a result of this decision. The areas of risk will occur where public use of the Forest coincides in time and space with implementing management activities. Timber sale operations, prescribed burning, and herbicide applications will have warning signs posted. Snags that pose a safety hazard to timber sale operations or the public may be removed. Mitigation measures will be implemented with the Selected Alternative to reduce the negative effects of the proposed activities on the environment (see pages 2-5 and 2-6 of the EA, pages 3-4 of the DN, and Appendix A of the EA).

3) The Selected Alternative is not expected to impact any unique geographic area.

The Project Area is not in a wilderness area (see page III-5.1-1 of the Forest Plan), protected airshed (see page 3-49 of the EA), or any other unique geographic area (see pages III-6.1-1, III-6.2-1, III-7.1-1, III-8.2-1, III-8.4-1, III-9.1-1, and III-9.2-1 of the Forest Plan). A portion of the Project Area does take place in the Pine National Scenic River corridor (MA 8.1). According to the Environmental Assessment and Management Plan prepared for the Pine National Scenic River, timber harvesting of red pine plantations is permitted. On page 9 of the Management Plan, under 1900 Vegetative Management-Timber Harvest, the plan states that red pine is one of the two primary vegetation types that would receive treatment (USDA 1995). Treatments will also take place on the Pine River Experimental Forest (MA 8.3). The Forest has received approval from the Northern Research Station (formerly the North Central Research Station), the organization that directs management of the Experimental Forests, as directed in the Forest Plan (page III-8.3-2).

There are no caves, mines, or other unusual landforms in the Project Area. Various riparian and wetland areas are

located within the Project Area, including, but not limited to, the Pine River, Dowling Creek, Peterson Creek, and Johnson Creek. All activities which are anticipated to take place will meet the recommendations included in the *State of Michigan Sustainable Soil and Water Quality Practices on Forest Land* and the Forest Service Handbook 2550 (see page 2-5 of the EA and page 3 of the DN).

4) Based on public participation, the effects on the quality of human environment are not likely to be highly controversial.

There has been public interest in this project. Twenty-three written comments and approximately 5 phone calls have been received from the public in regards to the proposed activities during the scoping process (see page 1-5 of the EA and pages 6 and 7 of the DN). During the 30-day comment period five comments were received. Based on the level of response to the project by the public and past experiences with similar projects, I have determined that this project is not highly controversial. This does not mean that implementation of the project will be acceptable to all people, because some people will neither agree nor be pleased with the decision. However, the effects of the project are not likely to be a source of substantial controversial scientific disagreement.

5) There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.

The activities in this project are similar to many past actions, both in the analysis area and adjacent areas. Project activities, including harvesting operations and controlled burning on these soils, terrain, and vegetative types have taken place in this, and similar areas, and have produced no apparent adverse effects (see Chapter 3 of the EA for the various resource cumulative effects).

6) This action will not establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The decision made on activities within this Project Area does not commit me to actions on lands outside the Project Area. This decision will not establish a precedent for future actions, nor limit future options for management.

7) There are no known significant cumulative effects between this project and other projects implemented or planned on areas separated from the affected area of this project.

There are no known significant cumulative effects between this project and other projects currently implemented or planned in the Project Area or adjacent areas. The direct, indirect, and cumulative effects are disclosed in the EA (see Chapter 3 of the EA for the various resource cumulative effects).

8) This project will not result in the loss or destruction of any scientific, cultural, or historic resources.

Treatments will also take place on the Pine River Experimental Forest (MA 8.3). The Forest has received approval from the Northern Research Station (formerly the North Central Research Station), the organization that directs management of the Experimental Forests, as directed in the Forest Plan (page III-8.3-2).

The known heritage resource sites will be protected as recommended by a Forest Heritage Resource Specialist, and in accordance with State Historic Preservation Office guidelines. Mitigation measures used to avoid disturbance to the sites will be applied to the Selected Alternative. These heritage resource mitigation measures are incorporated into the treatment units they are found in (see Appendix A of the EA). If any unknown heritage resource sites are identified during project implementation, then the project work will stop and the Forest archaeologist must be contacted (see page 2-5 and 2-6 of the EA and page 3 of the DN). Project work in this area

will not be allowed to resume until the heritage resources in question have been documented and the site area is preserved from any potential impacts. Because the heritage resources sites have been documented, protected, and/or removed from the area of potential effect, there are no expected impacts to heritage resources (see pages 3-77 and 3-78 and Appendix A of the EA).

9) The Selected Alternative has been designed to incorporate the needs of, and to not adversely affect any endangered or threatened species or its habitat that have been determined to be critical under the Endangered Species Act of 1973, as amended.

A Biological Evaluation (BE) was prepared for the Sheep Dip Project (see the Planning Record). The BE evaluated the effects of this project on federally listed or proposed species, designated critical habitat, and Regional Forester's Sensitive Species (RFSS) that may inhabit the Project Area. The BE documented the determinations of effects of the Sheep Dip Project activities on proposed, endangered, and threatened species and critical habitat, and on RFSS by each alternative.

The BE determined that there are no federally threatened or endangered species known to occur in the Sheep Dip Project Area or would be impacted by the proposed activities. The determinations for RFSS wildlife and plant species that could occur within the Project Area are listed in Tables 3-29 and 3-30 in Chapter 3 of the EA. The determinations were made contingent on implementation of the mitigation measures listed in the BE. The mitigation measures in the BE would be implemented with the Selected Alternative. All other RFSS wildlife and plant species for the HMNF were considered but were not expected to occur within the Project Area. Therefore, they would not be affected by the Selected Alternative.

10) The actions do not threaten a violation of federal, state or local laws or requirements imposed for the protection of the environment and will not result in a loss of federally controlled wetland or flood plain as defined by Executive Order 11988 and 11990.

Floodplains and riparian areas are located within the Project Area. The Project Area occurs within the Pine River and Manistee River Watersheds. Implementation of this project will not result in a loss of wetlands or floodplains in the Project Area.

The riparian areas along the rivers and tributaries within the Project Area will remain vegetated, thereby minimizing the potential for soil movement from the harvested units. Because of the distance between the majority of the treatment units and the riparian areas in the Project Area, minimal erosion or sedimentation impacts are expected (see pages 3-54 through 3-66 of the EA). The small number of treatment units that are adjacent to riparian areas will protect the water resource through the use of mitigation measures and BMPs and minimal erosion or sedimentation impacts are expected (see pages 3-54 through 3-66 of the EA). All activities which are anticipated to take place will meet the recommendations included in the *State of Michigan Sustainable Soil and Water Quality Practices on Forest Land* and the Forest Service Handbook 2550 (see page 2-5 of the EA and page 3 of the DN).

Findings Required By Law

National Forest Management Act

It is my finding that the actions of this decision comply with the requirements of the National Forest Management Act of 1976 (NFMA), NFMA implementing regulations in 36 CFR Section 219, and the 2006 Huron-Manistee National Forests' Land and Resource Management Plan as Amended.

The actions to be implemented are consistent with the Forest Plan's Standards and Guidelines for Management Prescription Area 2.1, 8.1, and 8.3 (see pages III-2.1-1-8 (MA 2.1), III-8.1-1-4 (MA 8.1), and III-8.3-1-5 (MA 8.3)). In addition, actions to be taken in the Pine National Scenic River corridor are consistent with the EA and Management Plan prepared for the Pine River (USDA 1995). The Selected Alternative results in applying management practices that meet the Forest Plan's Forest-wide Management Area Direction of complying with Federal laws and regulations, and provides an optimum economic mixture of market and non-market outputs and benefits (see pages II-1 through II-40).

Endangered Species Act

A BE was prepared for the Sheep Dip Project (see the Planning Record). The BE evaluated the effects of this project on federally listed or proposed species, designated critical habitat, and RFSS that may inhabit the Project Area. The BE documented the determinations of effects of the Sheep Dip Project activities on proposed, endangered, and threatened species and critical habitat, and on RFSS by each alternative.

The BE determined that there are no federally threatened or endangered species known to occur in the Sheep Dip Project Area or would be impacted by the proposed activities. The determinations for RFSS wildlife and plant species that could occur within the Project Area are listed in Tables 3-29 and 3-30 in Chapter 3 of the EA. The determinations were made contingent on implementation of the mitigation measures listed in the BE. The mitigation measures in the BE would be implemented with the Selected Alternative. All other RFSS wildlife and plant species for the HMNF were considered but were not expected to occur within the Project Area. Therefore, they would not be affected by the Selected Alternative.

Clean Water Act

This Act is designed to restore and maintain the integrity of water resources. The Forest Service complies with this Act through the use of Best Management Practices. Because of the distance between the majority of the treatment units and the riparian areas in the Project Area, minimal erosion or sedimentation impacts are expected (see pages 3-54 through 3-66 of the EA). The small number of treatment units that are adjacent to riparian areas will protect the water resource through the use of mitigation measures and BMPs and minimal erosion or sedimentation impacts are expected (see pages 3-54 through 3-66 of the EA). All activities which are anticipated to take place will meet the recommendations included in the *State of Michigan Sustainable Soil and Water Quality Practices on Forest Land* and the Forest Service Handbook 2550 (see page 2-5 of the EA and page 3 of the DN).

Clean Air Act

The Project Area is not in a protected airshed. The effects of the project activities on air quality are expected to be temporary, minor, and localized (see pages 3-49 through 3-54 of the EA). Smoke, particulate and exhaust emissions, and some additional road dust from logging equipment and the controlled burn activity will negatively affect short-term air quality to residents and visitors immediately adjacent to harvest units, roads used by logging trucks, and controlled burn treatments units. A burn plan will be written for prescribed burn projects that detail the management objectives and the wind and temperature conditions that provide for public safety, private property protection, and maximize smoke dispersal (see page 4 and 5 of the DN, and Appendix A of the EA).

National Historic Preservation Act, Archaeological Resources Protection Act and Native American Graves Protection and Repatriation Act

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. The Archeological Resources Protection Act covers the discovery and protection of historic properties that are excavated or discovered on federal lands. The federal government has trust responsibilities to tribes under a government-to-government relationship to insure that the tribe's rights are protected. Consultation with tribes helps insure that these trust responsibilities are met. The Forest consulted with potentially affected tribes. Tribal concerns that were expressed were addressed in the project mitigation and/or through the analysis process.

The known heritage resource sites will be protected as recommended by a heritage resource specialist, and in accordance with State Historic Preservation Office guidelines. Mitigation measures used to avoid disturbance to the sites will be applied to the Selected Alternative. These heritage resource mitigation measures are incorporated into the treatment units they are found in (see Appendix A of the EA). If any unknown heritage resource sites are identified during project implementation, then the project work will stop and a Forest Cultural Resource Professional must be contacted. Project work in this area will not be allowed to resume until the heritage resources in question have been documented and the site area is preserved from any potential impacts (see page 2-5 and 2-6 of the EA and page 3 of the DN). Because the heritage resources sites have been documented and protected, from the area of potential effect, there are no expected impacts to heritage resources (see page 3-77 and 3-78 and Appendix A of the EA).

National Environmental Policy Act

This Act requires public involvement and consideration of environmental effects. The entirety of documentation for this decision supports compliance with this Act (see Chapter 1 and page 2-1 of the EA).

Objection Rights

This decision is subject to objection pursuant to 36 CFR 218 Subparts A and B. The Objection Reviewing Officer for this Decision is Art Jeffers Acting Forest Supervisor.

A written notice of objection must be submitted within 45 calendar days after the Legal Notice is published in the *Manistee News Advocate*; however, when the 45-day filing period ends on a Saturday, Sunday, or Federal holiday, then filing time is extended to the end of the next Federal working day. The date of the publication of the Legal Notice is the only means for calculating the date by which objections must be submitted; do not rely upon any other source for this information.

Objections will be accepted only from individuals or entities (as defined by 36 CFR 218.2) who submit timely and specific written comments (as defined by 36 CFR 218.2) about this proposed project or activity during this or another public comment period established by the responsible official. A timely submission will be determined as outlined in 36 CFR 218.25 (a)(4). 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 objection must contain the minimum content requirements specified in §218.8(d) and incorporation of documents by reference is permitted only as provided in §218.8(b). It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer. All objections are available for public inspection during and after the objection process.

Written objections, including attachments, must be filed with:

Attn: Objection Reviewing Officer, USDA, Forest Service, Gaslight Building, Suite 700, 626 East

Wisconsin Avenue, Milwaukee, WI 53202. The Notice of Objection may alternatively be faxed to: 414-944-3963, Attn: Objections Deciding Officer, USDA, Forest Service, Eastern Regional Office. Those wishing to submit objections by email may do so to: objections-eastern-region@fs.fed.us

Acceptable formats for electronic comments are text or html email, Adobe portable document format, and formats viewable in Microsoft Office applications. Please put "Sheep Dip Project Objection" in the subject line. Hand-delivered objections may be submitted at the above address between 7:30 and 4:00 pm CT Monday through Friday, except on Federal holidays. It is the objector's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed. The objection must be filed with the Objection Deciding Officer in writing. As provided in §218.8(d) at a minimum, an objection must include the following:

- Objector's name and address as defined in §218.2, with telephone number if available;
- Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection);
- When multiple names are listed on an objection, identification of the lead objector and verification of the identity of the lead objector as defined in §218.2 or the reviewing officer will designate a lead objector;
- The name of the proposed project, the name and title of the responsible official, and name(s) of the national forest(s) and/or ranger district(s) on which the proposed project will be implemented;
- A description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider; and
- A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity(ies) for comment.

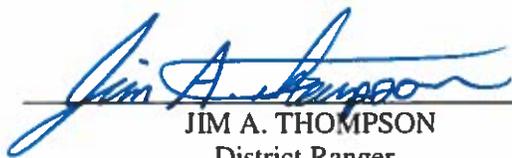
Project Implementation

If no objection is received, signature and implementation of this decision may occur on, but not before, 5 business days from the close of the objection filing period. If an objection is received, signature of the decision and project implementation may not occur until a written objection response is issued by the reviewing official and any instructions issued to the responsible official have been completed.

Contact Person

For more information about the specific activities authorized with this decision, or to request a copy of the Environmental Assessment, please contact Mark Herberger, Cadillac-Manistee Ranger District, 412 Red Apple Road, Manistee, Michigan 49660; Telephone (231) 723-2211, ext. 3109; Fax: (231) 723-8642; email: mherberger@fs.fed.us.

RESPONSIBLE OFFICIAL



JIM A. THOMPSON
District Ranger
Cadillac-Manistee Ranger District



Date

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