DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT
UPPER LAKE WINONA PROJECT
U.S. FOREST SERVICE
JESSIEVILLE-WINONA-FOURCHE RANGER DISTRICT
SALINE, GARLAND COUNTIES, ARKANSAS

DECISION

Included in this area are the Lake Winona Research Natural Area (280 acres) and the Alum Fork Experimental Forest (4,658 acres). These special areas are administered by the National Forest with scientific and educational uses coordinated through the Southern Research Station.

Based upon my review of the Upper Lake Winona Project Environmental Assessment (EA), I have decided to implement the Proposed Action in collaboration with the Southern Research Station. The Proposed Action includes the following management activities (acreages are approximate)*:

- Seedtree regeneration harvest – 245 acres
- Commercial thinning – 2,720 acres
- Large group selection - 252 acres (thinning between large group selection – 906 acres)
- Small group selection - 159 acres (thinning between groups 712 acres)
- Single tree selection – 899 acres
- Site preparation – 1,555 acres*
- Hand plant shortleaf pine seedlings (if necessary) – 1,555 acres
- Underplanting if necessary – 400 acres
- Pre-commercial thinning or release non-harvest areas – 2,396 acres*
- Stand improvement-midstory removal– 2,566 acres*
- Stand improvement- release – 1,555 acres*
- Ecosystem prescribed burning – 15,959 acres
- Fire line construction – 2.4 miles
- Fire line maintenance – 28 miles
- Wildlife pond maintenance/reconstruction – 16 ponds
- Nest box installation – 32 units
- Wildlife habitat improvement-midstory removal – 1,580 acres*
- Road reconstruction, or maintenance – 40 miles
- Temporary road construction – 14 miles

*Includes use of herbicides, prescribed burning, and manual hand tools such as chainsaws

A narrative description of the selected alternative, and associated technical requirements and monitoring, are provided on pages 8-17 of the EA.

DECISION RATIONALE

The **purpose** of this action is to restore the health and vigor of the project area. Implementing these activities would provide for a diversity of plant and animal communities throughout the project area, provide early seral habitat in a well-distributed grass/forb or shrub/seedling stage, reduce fuel accumulation, and produce a sustainable yield of wood products. Contrasts between the current conditions in the project area and the Revised Forest Plan's desired conditions identify the ***need*** for this action, namely:

- Improve knowledge of effects of resource management activities on the ecosystem at the landscape scale.
- Current conditions in the project area do not meet the desired conditions for the forest Management Areas (MAs) and the ecological systems that occur within.
- Past fire suppression activities have removed the natural role of fire from the landscape. This absence of fire has resulted in excessive fuel accumulations, increasing the risk of damage to resources in the event of wildfire.
- The absence of fire has also resulted in reduced open understories necessary for the growth of wildlife foods and the natural regeneration of pine and oak. The absence of fire has also caused loss of habitat conditions for plants adapted to fire.
- Pine stands contain damaged, poorly formed and diseased trees. The trees are overcrowded or densely stocked, reducing growth and crown development. These conditions result in stress and reduced vigor and health, thus increasing susceptibility to insects and disease.
- There is limited access to those stands in need of silvicultural treatment, resulting in the need for temporary road construction. Some existing roads are not useable by log trucks for hauling creating the need for road re-construction.
- There is a need to reduce the amount of sedimentation from travel routes, resulting in road construction and watershed restoration treatments.
- There is a lack of high quality forage and a lack of nesting habitat for species requiring early successional habitat in the form of wildlife openings within the project area. Trees and shrubs are encroaching on the existing wildlife openings that occur within the area.
- There is a lack of suitable natural cavities for nesting within the project area.
- There are known populations of exotic and invasive plant species throughout the project area.

I selected the Proposed Action over the No Action and the No Herbicide Alternative because it best satisfies this purpose and need for the project.

1. The No Action would not provide additional early seral habitat, a reduction in fuel accumulation, or wood products.
2. The Proposed Action was chosen over the No Herbicide Alternative (the same as the Proposed Action, except no herbicide would be used) because herbicide is an effective treatment for the control of non-native invasive species and seedling release.

The Upper Lake Winona Project EA documents the environmental analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

A Project Announcement Letter (PAL) or "scoping letter" was mailed to interested publics on October 28, 2015, requesting input on the proposed actions regarding management of the Upper Lake Winona Project Area. The project was also published in the Ouachita National Forest Schedule of Proposed Actions.

The draft EA was released for public review and comment on February 17, 2016; a legal notice of the 30-day comment period was published in the *Arkansas Democrat Gazette*. Public comment identified two issues:

1. Herbicide use may create a safety hazard to workers and forest visitors.
2. Logging and road construction may harm forest resources, such as water quality.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Ouachita National Forest Revised Land and Resource Management Plan. The project was designed in conformance with the Vision, Strategy, and Design Criteria direction.

National Forest Management Act (NFMA)

Under 16 U.S.C. 1604 (g)(3)(E), a Responsible Official may authorize site-specific projects and activities on NFS lands to harvest timber only where:

1. **Soil, slope, or other watershed conditions will not be irreversibly damaged;**
   See EA, Chapter 3
2. **There is assurance that the lands can be adequately restocked within five years after final regeneration harvest;**
   Hand-planting will occur if natural regeneration is inadequate (EA, p. 9)
3. **Protection is provided for streams, streambanks, shorelines, lakes, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment where harvests are likely to seriously and adversely affect water conditions or fish habitat;**
   Protection is provided by adherence to minimum widths of streamside management areas (SMAs), protected areas adjacent to bodies of water and on each side of perennial streams and other streams with defined channels (Revised Forest Plan, pp. 103-104)
4. **The harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber.**
   See EA, Purpose & Need, pp. 3-5; Proposed Action Description, pp. 8-11

A Responsible Official may authorize site-specific projects and activities on NFS lands using clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even-aged stand of timber as a cutting method only where:

1. **For clearcutting, it is determined to be the optimum method; for other cutting methods it is determined to be appropriate and meets the objectives and**

requirements of the applicable land management plan (16 U.S.C. 1604 (g)(3)(F)(i));
See EA, Purpose & Need, pp. 3-5

2. **The interdisciplinary review has been completed and the potential environmental, biological, aesthetic, engineering, and economic impacts on each advertised sale area have been assessed, as well as the consistency of the sale with the multiple use of the general area (16 U.S.C. 1604 (g)(3)(F)(ii));**
   See EA, Chapter 3
3. **Cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain (16 U.S.C. 1604 (g)(3)(F)(iii));**
   The Scenery Treatment Guide-Southern Region National Forests will be followed (EA, pp. 15)
4. **These cuts are carried out according to the maximum size limits for areas to be cut in one harvest operation as required by 16 U.S.C. 1604 (g)(3)(F)(iv)).**
   Cuts are carried out according to the maximum size of regeneration area for even-aged management under Design Criteria FR009 (Revised Forest Plan, p. 81)
5. **Timber cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and esthetic resources, and the regeneration of the timber resource (16 U.S.C. 1604 (g)(3)(F)(v)).**
   See EA, Chapters 2 & 3
6. **Under 16 U.S.C. 1604 (m) even-aged stands of trees scheduled for regeneration harvest generally have reached culmination of mean annual increment of growth, unless the purpose of the timber cutting is excepted in the land management plan.**
   Regeneration harvests are in compliance with Design Criteria FR009, Harvest Age (Revised Forest Plan page 81)

FINDING OF NO SIGNIFICANT IMPACT

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact. (40 CFR 1508.27)

CONTEXT

The Upper Lake Winona Project is located approximately ten miles north of Hot Springs, Arkansas in parts of Saline and Garland Counties in T2N R18W, T2N R19W, and T1N R19W. Of the 16,239 acre project area, 16,159 acres are located on National Forest system lands. The ULWP is comprised of Compartments 1445, 1446, 1447, 1456, 1457, 1460, and 1462. The area includes Management Areas (MA) 1 (Wilderness); 4 (Research Natural Area); 5 (Experimental Forest; 9 (Water and Riparian Communities; 14 (Ouachita Mountains – Habitat Diversity Emphasis); and 17 (Semi-Primitive Areas). However, the proposed action would occur only in MA 5, 9 and 14.

INTENSITY

The intensity of effects was considered in terms of the following:

1. **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial.** Consideration of the intensity of environmental effects is not biased by beneficial effects of the action. Both beneficial and adverse effects were considered. (See EA Chapter 3)
2. **The degree to which the proposed action affects public health or safety**. There will be no significant effects on public health and safety. (See EA pages 15,17; 77-80)
3. **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There will be no significant effects on unique characteristics of the area. There are no park lands, prime farmlands, wetlands, roadless areas, wilderness, wild and scenic rivers or ecologically critical areas to be affected. The effects on historic or cultural resources are disclosed in the EA. (See EA pages 22-24)
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action. (See EA Chapter 3)
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Agency has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk (See EA Chapter 3)
6. **The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** The action is not likely to establish a precedent for future actions with significant effects, because it is similar to projects that have previously been implemented and it is consistent with the direction of the Revised Forest Plan. (See EA Chapter 3)
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant. Past, present, and reasonably foreseeable future actions have been assessed, and any resulting cumulative effects are disclosed in the EA. (See EA Chapter 3)
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed , or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** A Cultural Resources Report will be submitted to Tribes and the State Historic Preservation Officer (SHPO) for concurrence. If additional technical requirements are identified by SHPO or Tribes, they will be specified in the final decision document
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The Biological Evaluation (BE) prepared for this project

determined that the action is "not likely to adversely affect the Arkansas fatmucket. The action is "likely to adversely affect" the Northern long-eared bat (NLEB); however, complies with the final 4(d) rule for NLEB. A letter of concurrence was received from the U.S. Fish and Wildlife Service on March 9, 2016.

10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment**. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Ouachita National Forest Revised Land and Resource Management Plan.

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

Objection Opportunities

This decision was subject to objection pursuant to 36 CFR 218; one objection was received. The reviewing officer responded in writing to the objection on July 18, 2016, without instructions.

Implementation Date

As per 36 CFR 218.12(a) and (b), this decision may be signed and implemented immediately.

Contact

For additional information concerning this decision, contact: Paula Homan, P.O. Box 189, Jessieville, AR 71949, (501) 984-5313.

Megan M. Moynihan July 19, 2016

Megan Moynihan
District Ranger

Date

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