



Decision Notice
Finding Of No Significant Impact
Ocala Fuel Reduction Mowing in WUI (PALS 32162)
U.S. Forest Service
Ocala National Forest
Lake George and Seminole Ranger Districts
Lake, Marion and Putnam Counties, Florida

DECISION

Based upon my review of the Ocala Fuel Reduction Mowing in the Wildland Urban Interface Environmental Assessment (EA), I have decided to implement Alternative B – Proposed Action (EA, page 5). This alternative was designed to reduce hazardous fuels in the wildland-urban interface (WUI), and includes the following actions:

- Mow brush and small trees less than 4 inches DBH (diameter at breast height) on FS lands within 30 to 60 foot wide strips inward from private property. A 60 foot wide strip is needed only where a high level of hazardous fuels are present (exceeding about 30 tons per acre). About 81 miles of strips (about 352 acres) would be mowed.
- Periodically re-mow to maintain strips in locations where prescribed burning is not reducing hazardous fuels to the desired level.
- Mow using a Hydro-Axe™, Kershaw Klear-Way™, ASV Positrack™ or similar equipment with a rotary or drum cutter head. Manual labor using chainsaws or hand tools may be used on rare occasions.
- Follow the design features and monitoring described below.
- Comply with all applicable Forest Plan standards and guidelines (S&Gs), design features, and project monitoring.

DESIGN FEATURES

Similar features have proven to be effective on similar projects and within similar environmental settings on the Ocala National Forest (ONF).

1. To avoid soil disturbance no chipping or mulching would take place.
2. Vegetation would be mowed to a stump height of 5 to 7 inches without causing soil disturbance.
3. Standing dead trees (snags) greater than 6 inches in diameter would be left standing.
4. To minimize the potential for introduction and spread of non-native invasive species (NNIS) such as cogon grass, Japanese climbing fern, and Japanese mimosa, all equipment would be washed before entering the Ocala NF. If new NNIS spots are located during mowing, they would be avoided, documented, and reported to the contract inspector.
5. No mowing would take place in wetlands (swamps, prairies, marshes, or near open water).
6. Sinkholes (wet or dry) would be avoided, leaving a 75-foot buffer from the edge of the slope.
7. To reduce the potential for rutting, treatment would occur during drier time periods, and areas of sensitive soils would be avoided.
8. Trees marked as blaze trees for trails would not be mowed.
9. Survey monuments, road signs, designated trails, numbered roads, ditches, fences, and other improvements would be protected.
10. Numbered roads and adjacent private property would be kept free from logs, slash, and debris.
11. Unauthorized roads and trails would not be protected or left open.
12. Care would be taken to not create new unauthorized roads or trails.
13. Equipment operators would be educated in gopher tortoise burrow identification, and would maintain a 25 foot buffer distance away during mowing operations. When mowing thick areas of hardwood and sand pine brush where several stems are mowed at once, the mowing height would be raised to above 8 inches to prevent killing gopher tortoises.
14. To reduce the potential for adversely affecting eastern indigo snakes, equipment operators would be educated on their identification and protected status.

15. Special timing requirements would be followed in areas near bald eagle nesting. Mowing would be delayed near active nests (or newly discovered nests) until after the breeding season or the nest has fledged young. If nests are inactive and considered alternate, mowing treatment would proceed even during breeding season since all nests lie further than the 330-foot buffer distance as recommended in National Bald Eagle Management Guidelines (2007) for Category C (Timber Operations and Forestry) Practices. Four nests are currently located within 660 feet of the proposed mowing (LA-013, MR-017, MR-105, and PU-117).
16. Personnel and equipment would be removed immediately if an active bear den is encountered.
17. No adverse effects on heritage resources are anticipated, because mowing vegetation would not cause ground disturbance and all known or encountered above ground archeological resources would be avoided. However, if heritage resources are encountered, activities would be halted and heritage program personnel would be notified immediately.

MONITORING

Monitoring will take place to answer the following questions:

1. **Are water, wetlands, and floodplains adequately protected?** - Resource specialists would monitor the effects of treatments near ponds or wetlands.
2. **Are unauthorized access routes being created by the public?** - Resource specialists would monitor mowed strips to ensure that new unauthorized access routes are not being created.
3. **Are new NNIS spots being created?** - Resource specialists would monitor mowed strips to ensure that no new NNIS spots are being created. If new spots are located they would be documented and treated pursuant to a previous project decision.
4. **Are heritage resources avoided and protected?** - The Ocala Archeologist would work closely with the Fire Management staff and other equipment operators on the forest to insure that there would be no adverse consequences on heritage consequences.

DECISION RATIONALE

Hazardous fuel reduction projects (prescribed fire, mechanical, herbicides, grazing, or combinations) are designed to reduce the risks of catastrophic wildland fire. This project was developed to help implement the National Fire Plan on a local level by mowing to mechanically reduce hazardous fuels in the WUI. The Proposed Action will meet the Purpose and Need for Action (EA, page 4) by moving the existing resource conditions toward the desired conditions:

- Forestwide DFC: An adaptive, ecological approach is used in multiple-use management by blending the needs of people with environmental values to ensure that forest ecosystems are diverse, healthy, productive, and sustainable. (LRMP, p. 2-1)
- Forestwide DFC: Fire plays an increased role in maintaining many upland forest ecosystems. The risk of resource-damaging wildfires is reduced due to a reduction in fuels by prescribed burning. (LRMP, p. 2-2)
- Forestwide DFC: Management of forest vegetation focuses on maintaining or restoring the natural range of diversity in age, species, and conditions for ecosystem health. (LRMP, p. 2-3)
- Forestwide Goal 10: Apply prescribed burning technology as a primary tool for restoring fire's historic role in ecosystems. (LRMP, p. 2-4)
- Forestwide Objective 4: Prescribe burn on average every 3 years with varied intervals on a given site to restore natural processes in all sites where the natural-fire-return interval was less than 10 years...(LRMP, p. 2-5)

The EA documents the environmental analysis and conclusions upon which my decision is based. My conclusions are based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk.

PUBLIC INVOLVEMENT

This project was listed 8 times in the *Schedule of Proposed Actions* (4/2010, 7/2010, 10/2010, 1/2011, 4/2011, 7/2011, 10/2011, 1/2012).

The public was initially invited to comment on the proposal through a scoping letter mailed September 15, 2010. A comment letter was received from a local couple who have lived in the Ocala National Forest WUI for many years. The Forest Service agrees with many of the comments. Considering the size of the entire Ocala National Forest, the proposed mowing alone would do little to reduce the threat of wildfire. We agree that the benefits of fuel reduction mowing are short-term. We also agree that our prescribed burning program is more cost effective, and provides more ecosystem benefits, than fuel reduction mowing. However, we believe that creating and maintaining these strips of "defensible space" will help facilitate our prescribed burning program in difficult areas that have high fuel loads so that periodic mowing will not always be required. We agree that the project will not be affordable some years. However, in other years specifically designated funding may be received for mechanical fuel reduction projects such as this. The interdisciplinary team developed 17 design features and four monitoring items to insure that this project could be accomplished in an environmentally friendly manner if the Proposed Action is selected for implementation.

A legal notice requesting comments about the project was published in the Ocala Star Banner and the Leesburg Daily Commercial on September 23, 2010 and September 17, 2010. As mentioned above, one letter was received during the comment periods September 15, 2010-October 15, 2010.

FINDING OF NO SIGNIFICANT IMPACT

I considered the significance of environmental impacts (physical, biological and social) of this project in terms of both context and intensity.

CONTEXT

In the case of this project with site-specific actions and effects, significance will depend on the effects in the locale rather than in the world as a whole. Spatial and temporal bounds were established for the effects analysis of each resource, and are identified in the project records.

- This is not a major action within the context of the Forest Plan, the historic level of management activity for the project area, and the amount of management activity needed to meet the purpose and need for action. 40 CFR 1508.27(a)
- The types of activities that will be implemented are similar to activities that have occurred in the past in this area or areas similar to it. The amount of management activity is similar to historic levels of activity in this area. 40 CFR 1508.27(a)
- The physical, biological, and socio-economic effects will usually be limited to the project area and immediately adjacent areas. However, for some resources the spatial and temporal bounds were expanded for the effects analysis. 40 CFR 1508.27(a)

INTENSITY

Intensity refers to the severity or degree of impact. The following criteria refer to the severity of impacts I expect from this project.

- There are no unacceptable effects, either singularly or cumulatively. All actions meet Forest Plan S&Gs, and they are consistent with the Forest Plan. All environmental effects are within the range disclosed in the FEIS (EA, Environmental Consequences section). 40 CFR 1508.27 (b)(1)
- There are no known significant irreversible resource commitments or any significant irretrievable losses of timber production, wildlife habitats, soil productivity, or water quality. There will be no irreversible resource commitments. Irretrievable losses of resources (lost for a period of time) are limited to the immediate project area and do not have effects beyond the immediate area (EA, page 13). 40 CFR 1508.27 (b)(1)

- On similar projects and within similar environmental settings, design features have proven to be effective in avoiding adverse impacts or keeping them within acceptable levels (EA, page 6). It was not necessary to develop mitigation measures. 40 CFR 1508.27 (b)(1)
- Public health and safety will be promoted (EA; Purpose and Need for Action section). 40 CFR 1508.27 (b)(2)
- There are no unique characteristics of the geographical area that will be significantly affected by the selected actions. Water and wetlands will be protected by design features 5 and 6 during project layout, and monitoring item 1 during implementation. S&G WA-1 incorporates State of Florida BMPs to prevent soil erosion and sedimentation (EA, Air, Soil and Water section). 40 CFR 1508.27 (b)(3)
- Based on consultation with others, the effects on the quality of the human environment are not likely to be highly controversial (EA, Issues section). The quality of the human environment within the project area will not be dramatically affected. There is general public support for this project. The type and level of activities are consistent with Forest Plan direction for the area (EA, Purpose and Need for Action section). 40 CFR 1508.27 (b)(4)
- The effects of this project involve well-quantified risk. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. Many similar projects have been completed with results well within anticipated effects (EA, Environmental Consequences section). 40 CFR 1508.27 (b)(5)
- This decision does not establish a precedent for future actions or represent a decision in principle about a future consideration. Commonly accepted techniques will be employed in the implementation of this project. Additionally, this decision to implement activities within the project area does not commit me to actions on lands outside the project area. 40 CFR 1508.27 (b)(6)
- There are no known significant cumulative effects between this project and other projects implemented or planned within the project area or adjacent areas. All known connected actions associated with the selected activities which are likely to occur in the reasonably foreseeable future have been identified in the EA. All anticipated direct, indirect, and cumulative effects have been disclosed (EA, Environmental Consequences section, and Cumulative Effects section). 40 CFR 1508.27 (b)(7)
- There will be no significant effects on scientific, cultural or historical resources. The heritage resource survey determined that the actions are not expected to adversely affect any heritage resources in the area that are listed in or eligible for inclusion in the National Register of Historic Places. Findings are located in [FY-11 Heritage Resources Status Report 1, Lake George Ranger District, Ocala NF, ACC# SEMF00428/LKGF00438](#), which was prepared by the Ocala NF Archeologist and is administratively confidential. The project will have no adverse effects on known heritage resources. The State Historic Preservation Officer and the Tribal Historic Preservation Officer for the Seminole Tribe of Florida reviewed the heritage resources report and concurred with the findings (EA, page 12). 40 CFR 1508.27 (b)(8)
- Based on the determinations made in the BA and BE the actions of this project are not likely to jeopardize the continued existence of any federally listed or sensitive species. U.S. Fish and Wildlife Service concurred with the effects determinations (email 4/15/2011) 40 CFR 1508.27 (b)(9)
- The actions involved with this project do not violate Federal, State, or Local environmental protection laws. Water and wetlands will be protected by design features 5 and 6 and monitoring item 1. S&G WA-1 incorporates BMPs to assure Clean Water Act consistency. Plans for prescribed burning and state burning authorizations assure consistency with the Clean Air Act. 40 CFR 1508.27 (b)(10)

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.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

CONSISTENCY WITH NFMA AND THE FOREST PLAN

The Revised Land and Resource Management Plan for the National Forests in Florida (Forest Plan) was prepared in accordance with the National Forest Management Act (16 U.S.C. 1601-1610). My decision for the Proposed Action is consistent with the Forest Plan. The project was designed in conformance with MA 8.2 and MA 7.1, and MA 7.3. This project is consistent with the Forest Plan's forest-wide goals, MA goals, forest-wide objectives, and S&Gs. It will help meet the Forest Plan's Desired Future Conditions. I find that the actions in Proposed Action are consistent with direction for MA 8.2 and MA 7.1 and MA 7.3. The project is feasible, reasonable, and will apply management practices that meet the Forest

Plan's overall direction of protecting the environment while producing goods and services.

VEGETATION MANAGEMENT REQUIREMENTS (16 U.S.C. 1604 (G)(3)(E))

My decision is consistent with management requirements associated with the accomplishment of Forest Plan goals and objectives. The following is a discussion of these requirements as it pertains to this project.

- a. **Soil, Slope, Or Other Watershed Conditions Not Irreversibly Damaged:** The soils in the project area are low in fertility, clay, and organic matter; and are moderately to excessively drained, and not vulnerable to compaction. Except where slopes exceed 15%, these soils are generally not sensitive. Soil productivity is maintained by minimizing erosion, compaction, and rutting. Mowing may cause short-term, localized soil disturbance and minute reductions in soil fertility, but will have a beneficial effect on nutrient cycling. Most disturbances would be limited to the vegetative litter. Minor soil movement may occur, but erosion out of the treated areas is not expected. Based on many years of experience with similar actions on similar soils, only minimal and localized effects are anticipated. Forest Plan S&Gs: FI-8, WA-1, and WA-2 ensure water resources are protected and all soil disturbances would be avoided, therefore no erosion into streams or lakes is likely (EA, Air, Soil and Water section).
- b. **Protection Is Provided For Streams, Stream Banks, 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 Not Likely To Seriously And Adversely Affect Water Conditions Or Fish Habitat:** No streams, stream banks, shorelines or lakes will be adversely affected by the project. Water resources and wetlands will be protected by design features 5 and 6 monitoring item 1 and the following S&Gs FI-8, WA-1, and WA-2. Water quality standards will be met.

BIOLOGICAL EVALUATIONS (FSM 2672.4)

One Biological Assessment (BA) and one Biological Evaluation (BE) were prepared to evaluate the effects of the planned activities on proposed, endangered, threatened, and sensitive species. U.S. Fish and Wildlife Service concurred with these effects determinations on 4/15/2011.

The BA determinations for federally listed species are:

For federally listed species the BA determined that this alternative would **not be likely to adversely affect** the Florida scrub-jay, Red-cockaded Woodpecker, Eastern Indigo Snake, Sand Skink, Florida Bonamia, Scrub Buckwheat, Lewton's Polygala, and Britton's Beargrass; and **may impact individuals or habitat, but would not be likely to result in a trend towards Federal listing or cause a loss of viability** for the Bald Eagle.

The BE determinations for sensitive species are:

For sensitive species the BE determined the Proposed Action would have a beneficial impact on the Florida Mouse and the Sherman's Fox Squirrel; and may impact individuals but would not be likely to cause a trend to federal listing or a loss of viability for the Florida Black Bear, Gopher Tortoise, Florida Pine Snake, Scrub Lizard, Short-Tailed Snake, and Striped Newt.

Based on many years of experience with similar actions on similar sites, the long-term beneficial effects on TES species that will result from the establishment of young scrub openings will greatly outweigh any short-term adverse effects from disturbance, displacement or mortality.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in the Ocala Star Banner and the Daily Commercial (whichever is published last). The publication date of the legal notice in the Star Banner and the Daily Commercial is the exclusive means for calculating the time to file an appeal and those wishing to appeal should not rely upon dates or timeframe information provided by any other source.



Appeals must meet content requirements or 36 CFR 215.14. Individuals or organizations who submitted comments during the comment period (9/24/2010 – 10/24/2010) may appeal.

The appeal shall be sent to USDA, Forest Service, ATTN: Appeals Deciding Officer, 325 John Knox Road, Suite F-100, Tallahassee, Florida 32303-4160. Appeals may be faxed to (850) 523-8505. Hand-delivered appeals must be received within normal business hours, Monday-Friday, 8:00 a.m. to 4:30 p.m. Appeals may also be mailed electronically in a common digital format to appeals-southern-florida@fs.fed.us.

IMPLEMENTATION DATE

If no appeal is filed within the 45-day time period, implementation of the decision may occur on, but not before, the 5th business day following the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition (36 CFR 215.9).

Implementation may begin at that time, but will probably need to wait for funding.

CONTACT

For additional information concerning this decision, please contact me at the Seminole Ranger Station (see below).

2/28/2012

Mike Herrin
District Ranger

Date

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