



Decision Notice and Finding of No Significant Impact
for
Salmon West Project
USDA-Forest Service
Allegheny National Forest
Marienville Ranger District
Forest County, Pennsylvania

I. Background

The 15,090-acre Salmon West project area is located on the Marienville Ranger District of the ANF, northwest of Marienville, Pennsylvania. It includes National Forest System (NFS) lands within Warrants 3183, 5101, 5104, 5105, 5106, 5107, and 5267 in Howe Township, Warrants 3171 (lots 12, 13, 14, 15 and 16), 3174 (lots 50, 55, 56, and 58), 3179 (lots 43, 44, 45, 46, 5, 52, 53, 54, 59, and 60), 3181 (Lot 37), 3183, 3191, 5110, 5129, 5136, 5137, 5138, 5139, 5140, and 5144 in Jenks Township, and Warrants 5104, 5105, 5107, 5109, 5109, 5110, 5128, 5129, 5131, 5134, 5135, 5136, 5137, 5138, and 5269 in Kingsley Township, Forest County, Pennsylvania. This project would implement the Forest Plan and includes proposed management activities that are designed to help achieve the desired condition outlined in the Forest Plan. The NFS lands within the project area lie within Management Area (MA) 2.2–Late Structural Linkages (4,892 acres) and MA 3.0–Even-aged Management (8,959 acres). There are 1,239 acres of non-Forest Service lands within the project area. The following is a summary of the purpose and need (listed on pages 4–5 of the Salmon West Environmental Assessment [EA]):

- There is a need to create early structural habitat to provide diverse vegetation patterns across the landscape to represent well distributed habitats, a range of forest age classes and vegetative stages, a variety of healthy functioning vegetation layers, moderate to well stocked forest cover, and the variety of vegetation species or forest types necessary to achieve multiple resource objectives and sustain ecosystem health (USDA-FS 2007a, p. 14). Early structural habitat within the project area and across the region has been declining and has created a need to create young forest. Many treatments being proposed would create early-structural habitat through regeneration harvests.
- There is a need to regenerate or improve oak stands (USDA-FS 2007a, pp. 19, 20, and 109). There is a need to reintroduce fire into fire-adapted oak ecosystems to conserve regional biodiversity and sustain ecosystem structure and function (USDA-FS 2007a, p. 14). In oak habitat, there is a need for management that should sustain oak mast crops and large den trees in the long-term (USDA-FS 2007a, pp. 15, 20, and 109).
- There is a need to provide diverse wildlife habitat across the landscape to provide forage and cover for a variety of wildlife species through habitat enhancements, to contribute to the conservation and enhancement of habitat integrity for species with viability concerns by protecting specific habitat elements crucial to the long-term sustainability of species. There is a need to provide nesting sites, breeding areas and young-rearing habitat free from human disturbance for species with viability concerns.) There is a need to provide habitat for game species to make opportunities available for quality hunting and fishing experiences while promoting the management of game species that sustain healthy forest understories (USDA-FS 2007a, pp. 14 and 20).
- Non-native invasive plant (NNIP) species are established in the project area. There is a need to implement NNIP species treatments that would limit the introduction and/or spread of NNIP

species, and conserve forest resources in a manner that presents the least hazard to humans and maintains or restores forest resources (USDA-FS 2007a, p. 13).

- There is a need to improve or restore dispersed campsites to reduce health, safety, and resource impacts (USDA-FS 2007a, p. 18).
- There is a need to manage Forest Service roads and expand a stone pit to provide a safe, efficient, and economical transportation system that is responsive to public and administrative needs. There is a need to minimize adverse effects on ecological processes and ecosystem health, diversity, and productivity; and is in balance with needed management actions (USDA-FS 2007a, p. 16).
- There is a need to minimize potential soil erosion and sedimentation and long-term loss of inherent soil quality and function by maintaining, restoring, or improving soil quality, productivity, and function (USDA-FS 2007a, p. 14).
- A 1.4 mile section of Little Salmon Creek within the project area is lacking large woody debris. About 0.5 miles of the bank of Salmon Creek (2,000 feet) and The Branch (40 feet) are eroding due to dispersed camping. There is a need to maintain or restore watersheds and their associated stream and groundwater processes, channel stability, riparian resources, and aquatic habitats to a functional conditions (USDA-FS 2007a, p. 14).
- Specific to MA 2.2 – There is a need to contribute the desired condition by providing predominantly late structural forest habitat that links relatively large areas of older forest, or core areas, across the landscape. Vegetative management would provide complex late structural forest conditions and maintain or regenerate mast-producing species (USDA-FS 2007a, pp. 109–112).
- Specific to MA 3.0 – There is a need to contribute to the desired condition by providing a mix of vegetative conditions and quality timber products that contribute to the local and regional economy. Regeneration harvests, along with reforestation treatments would allow for the establishment of an early structural forest, which is characteristic of this management area and helps achieve the desired condition of a diversity of vegetation patterns across the landscape (USDA-FS 2007a, pp. 113–116).

II. Decision and Rationale

I have reviewed the Salmon West EA, as well as the supporting information in the project file and public comments received during scoping and the 30-day official comment period; and I fully understand the environmental effects disclosed therein. After careful consideration of the analysis, applicable laws, the Forest Plan, and public comments, it is my decision to implement Alternative 1–Proposed Action, as shown on Maps 2 through 6 and described on pages 5–11 of the EA and in Appendix B, including all design features listed on pages 17–19 of the EA with the following change:

1. Deletion of stand 638009 from Alternatives 1 and 3 due to resource concerns, including all the proposed timber harvest and reforestation treatments for this 19-acre stand.

Please note that acres shown below are not mutually exclusive, and that many treatments and activities would occur on the same areas. My decision includes:

- **Silvicultural treatments:**
 - In MA 3.0: 681 acres of intermediate thinning (hardwoods), 937 acres of shelterwood seed cut/removal harvests (hardwoods), 158 acres of overstory removal harvests (hardwoods), and 234 acres of preparation/shelterwood seed cuts followed by shelterwood removal harvests (oak).

- In MA 2.2: 196 acres of intermediate thinning (hardwoods), 33 acres of preparation/shelterwood seed cuts followed by 20 acres of shelterwood removal harvests (oak), 12 acres of preparation/ shelterwood seed cuts followed by two-aged removal harvests (oak), 275 acres of single tree selection followed by group selection (oak and hardwoods), and 3 acres of group selection (hardwoods).
- **Reforestation activities:** Reforestation treatments include site preparation (1,684 acres), herbicide application (1,879 acres), fence and/or tree shelter installation (up to 1,362 acres), tree planting for species diversity (147 acres), prescribed burning and/or scarification (506 acres), grapevine control (329 acres), and release for species diversity (2,319 acres). Reforestation treatments will only be implemented if needed. Post harvest conditions of each unit will determine the location, amount and type of reforestation treatments to be implemented.
- **Wildlife habitat enhancement activities:** 170 acres of wildlife improvements, 49 acres of opening maintenance (includes liming, disking, applying fertilizer, and herbicide, seeding, and mowing of openings), 29 acres of stone pit reclamation as herbaceous openings, and installation of 51 nest box structures.
- **Non-native invasive plant (NNIP) species treatments:** Treat NNIP species on 188 acres.
- **Recreation and Soil and Water improvements:** Improving 19 dispersed camping sites, closing 35 dispersed camping sites, and converting 3 dispersed camping sites to parking areas. Install sweet-smelling toilet and information board near the intersection of Forest Roads (FR) 127 and 145.
- **Transportation activities:** Constructing 0.8 miles of road utilizing new corridors and 7.7 miles of road utilizing existing corridors to provide access for proposed and future management activities. Decommission 0.3 miles of Forest Service roads and 3.6 miles of non-system roads. Change 1.6 miles of FR180A from open to restricted and 2.6 miles of FR212 and FR 216A from closed to restricted. Expanding 10 existing stone pits (6.5 acres) for road construction and maintenance and rehabilitating and stabilizing the pit after use
- **Watershed activities:** Felling trees along 1.4 miles of Little Salmon Creek (up to 35 trees per mile) to introduce large wood into the stream to improve aquatic habitat, trap sediment, and slow flood flows.

I have chosen to implement Alternative 1–Proposed Action for the following reasons:

1. Of the action alternatives, Alternative 1 best meets an essential criterion – it fully addresses the purpose and need for action, as described in Section I of the EA.
 - Alternative 1 retains the Two Mile #53 (619 acres) unroaded area identified in the Forest-wide RAP (2003). I have decided to implement treatment on one 65-acre unit within the unroaded area (Stand 629-036). This stand was impacted by a wildfire in the spring of 2010. The intensity of the wildfire varied across the stand, but there were locations where it burned with enough heat and intensity to either kill or mortally weaken standing trees, but it also promoted healthy oak seedlings. In anticipation of additional mortality and to continue to promote the oak understory, I have approved a non-commercial first entry into this stand to drop or girdle damaged and unhealthy trees to reduce relative density of the overstory. I have also approved later entries that can commercially harvest remaining overstory as necessary to maintain or restore the health of the stand. Any commercial harvest can utilize skid trails and drag lines, but will be conducted without construction of any roads.

- The Two-Mile #53 unroaded area is the only such area within the Salmon West project area. The primary determination used to identify an unroaded area in the 2003 Forest-wide RAP was the absence of “classified roads” and of “sufficient size and configuration to protect inherent characteristics associated with its roadless conditions.” While unroaded areas are not afforded any specific protections in the 2007 Forest Plan, I do recognize the value of such areas for recreation and for core forest habitat. This decision maintains the determining factors for this unroaded area, since no new roads are approved for construction within the area. This decision also retains the function of the core habitat in the unroaded area by restoring parts of a stand that has retained overstory damage from wildfire.
 - Alternative 1 utilizes existing road corridors wherever possible. This includes improving and adding up to 7.7 miles of existing road corridor to the Forest Service road network, primarily in cooperation with private oil and gas companies that currently operate these corridors. I am approving the construction of one new corridor, Forest Road 216E. The need and location for this road was first identified in the 2003 Forest-wide Roads Analysis. It was included in the Proposed Action and the effects of constructing the road were analyzed in the EA informing this decision. Forest Road 216E is necessary to manage a block of National Forest System lands included in Management Area 3.0. I determined, based on this analysis, that a road constructed to Forest Service design standards and in accordance with ANF Plan standards and guidelines would provide the most safe, efficient and environmentally acceptable access to this area.
 - I have made this decision with full consideration of the discovery of synchronous fireflies (*Photinus carolinus*) within and around the project area. I have reviewed the Allegheny National Forest June 2012 Firefly Survey and the supporting information provided by Lynn Faust, and I afforded Ms. Faust and others the opportunity to identify specific concerns related to the activities proposed for this project. *Photinus carolinus* is not a federally listed threatened or endangered species, a Regional Forester Sensitive Species, a Management Indicator Species, or a species of special concern. Effects to the range of habitats that the firefly utilizes are discussed in the project wildlife analysis report. I appreciate the “amenity value” that *Photinus carolinus* may represent, particularly with the success of a local festival celebrating fireflies in June of 2013, and I do not believe that any of the activities approved in this decision are inconsistent with promoting that amenity value.
2. Alternative 1, with its associated design features, can be implemented in an environmentally sound manner without significant environmental effects (EA, all sections, and project file), while meeting the purpose and need for action (EA, pp. 4–5). Management activities will comply with all applicable Forest Plan standards and guidelines. Project design features have been specified within the EA to protect resources and minimize conflicts.
 3. Alternative 1 creates 1,361 acres of early structural habitat (about 10 percent of the NFS lands within the project area) using even-aged management techniques. This, along with previously approved regeneration harvests still to be completed will aid in creating a diversity of vegetation age classes and benefits wildlife species that utilize early successional habitat for all or part of their habitat needs.
 4. The proposed stone pit expansion is intended to provide surfacing for the construction of log landings and roads to accomplish this decision and for maintenance of Forest Service System roads.

5. I have reviewed the potential scenarios for private oil and gas development (OGD) and the activities in Alternative 1 and believe that the cumulative effects are not significant (Section III, Environmental Consequences, EA, pp. 25–85 and Table 2, pp. 20–24 of the EA). Table 9 on page 32 of the EA identifies the potential development of 4 deep well pads within the project area as a reasonably foreseeable future activity. The cumulative effects analysis for hydrology discloses and describes water quality and water quantity impacts of deep well development (EA, pp. 46–50). The cumulative effects analysis for wildlife and plants notes that future oil and gas development was not included in the patch analysis for fragmentation, because we could not accurately predict where future oil and gas development would occur (EA, p. 58).
6. My decision will result in an estimated harvest of 31.8 million board feet of sawtimber and pulpwood products that will contribute to the local economies. It, in combination with previous approved projects, provides a sustained flow of activities over the next 10 to 20 years.
7. I have fulfilled the objectives set forth by NEPA regulations and provided responses to public comments on this EA (see Appendix D – Response to 30-Day Comments and the Public Involvement section of the EA, pp. 11–12).
8. Protection of resources is provided through implementation of Forest Plan standards and guidelines, site-specific design features (EA, pp. 17–19), and the development of site-specific prescribed burn plans to allow for the implementation of Alternative 1 without significant effects to the quality of the human environment. Past monitoring validates the effectiveness of project design features to minimize adverse effects of planned activities (1986–2008 Monitoring and Evaluation Reports).

III. Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives (Alternative 2–No Action and Alternative 3–The Branch) in detail. A comparison of effects between the alternatives can be found in Table 2 on pages 20–24 of the EA. Seven other alternatives were considered but eliminated from detailed study and include (1) an alternative to manage the forest for climate change, (2) an alternative that maintains or increases the level of dispersed camping areas in this popular recreation area, (3) an alternative that does not use even-aged management practices, expand stone pits, apply herbicides, construct fences, or involve prescribed burning or the construction or reconstruction of roads, (4) an alternative in which all of the proposed treatments in MA 2.2 are dropped, (5) an alternative to offset the impacts of oil and gas drilling by reducing Forest Service actions, (6) an alternative that restores watersheds and maintains species viability, and (7) an alternative that drops all treatments adjacent to, or in the headwaters of, Salmon Creek, Little Salmon Creek, Four Mile Run, Two Mile Run, Guiton Run, Lamentation Run, Mud Lick Run, and The Branch. They are listed on pages 13–15 of the EA with a rationale as to why they were eliminated from detailed study.

Alternative 2: No Action. Under this alternative, none of the proposed timber harvests, reforestation treatments, NNIP species treatments, wildlife habitat improvements, road construction, stone pit expansion, dispersed recreational treatments, and soil and water restoration activities would not occur in the project area at this time. This alternative was not selected because it would not meet the purpose and need for action.

Alternative 3: The Branch. I did not select Alternative 3 because I believe it does not meet the purpose and need for action as well as Alternative 1–Proposed Action. I am confident that the management

activities proposed in compartments 629, 630, 631, 632, and 636 but dropped in this alternative will benefit the long term ecosystem health within the project area landscape and Forest Plan standards and guidelines will adequately protect water quality where management occurs. Neither Alternative 1 nor 3 proposed new corridor road construction within these compartments. Each alternative did propose adding existing corridors to the Forest Service road system within the compartments that include The Branch. The intent in doing so is bring these roads to a better operating standard by improving the template, function, drainage and surfacing and reducing erosion and sedimentation from these corridors. Road maintenance in general would occur more frequently in Alternatives 1 and 3, thus further reducing potential for erosion and sedimentation from all Forest Service road corridors.

Both Alternatives 1 and 3 would perform stream bank restoration along The Branch and install a sweet-smelling toilet to improve water quality by directing dispersed campers to a contained facility. Prescribed fire would be used as a tool in both action alternatives, as well. Burns will be managed at low intensity to avoid the kind of mortality and weakening of residual trees that occurred from the 2010 high intensity wildfire in stand 629036.

The application of Forest Plan standards and guidelines relative to riparian areas, skidding, reserve areas, road surface armoring, and other water quality and water quantity has proven very effective in protecting streams during timber harvest activities. With the improvements listed above and the application of Forest Plan standards and guidelines, I am confident that we can achieve the full protection of water quality and quantity in The Branch while implementing the activities approved in Alternative 1, and we do not need to drop any of the activities that had been proposed in Alternative 3.

IV. Public Involvement

The following public involvement activities were completed:

1. The project was listed in the ANF schedule of proposed actions beginning with the in April 2011 issue. This quarterly publication is mailed to interested parties and is also available on the ANF website.
2. On March 11, 2011, scoping packages were mailed to 180 individuals and organizations, including adjacent landowners and subsurface mineral owners.
3. A news release announcing the opening of the scoping period was sent to the local media on March 14, 2011.
4. The scoping package was posted on the ANF website on March 14, 2011.
5. The scoping period ended on April 12, 2011. Comments were received from 53 respondents (see Appendix A of the EA for disposition of the comments received). One unresolved issue was identified from scoping.
6. On February 27, 2013, the Salmon West EA was mailed to those interested parties who submitted hardcopy comments during the scoping period. On March 8, 2013, an email message was sent to those interested parties who sent email comments that the EA was available on the ANF website.
7. The environmental assessment was posted to the ANF website on February 28, 2013.

8. A news release announcing the initiation of the 30-day comment period was sent to local media on March 4, 2013.
9. A legal notice for comments was published in *The Kane Republican* newspaper (Kane, Pennsylvania) on March 5, 2013 announcing the opening of the 30-day notice and comment period for the EA.
10. The 30-day comment period for this project ended on April 5, 2013. Four responses were received.

V. Finding of No Significant Impact

I have determined that the proposed actions will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed. My determination is based on the effects analysis documented in the Salmon West EA and project file. I considered the following factors listed in 40 CFR 1508.27:

(a) Context – Based on the large size of the Allegheny National Forest and the comparatively small percentage of the area proposed for timber harvesting including previously approved regeneration harvests still to be completed (less than 1 percent of the ANF), wildlife habitat enhancements, NNIP species treatments, improvements to dispersed recreation camp sites, watershed management activities, and transportation activities in this project, the site-specific actions of Alternative 1, both short- and long-term, are not significant.

The context of this proposal is to implement vegetative management activities within the Salmon West project area. Even in a local context, this proposal will not pose significant short- or long-term effects. The Forest Plan standards and guidelines, Pennsylvania BMPs and project design features will minimize and avoid adverse impacts. Reasonably foreseeable future projects were analyzed in context with the activities as proposed or implemented under cumulative effects analyses (EA, pp. 20–85).

This project does not establish precedent for any future projects on the ANF.

The size and nature of this project is typical of other multiple-use management projects on this ranger district. This project does not involve unusual or unique treatments or methods, and there is very little road construction proposed. The effects of the common silvicultural treatments used here have been observed in past actions and are well-documented in monitoring reports and field work.

(b) Intensity - I base my finding on the following intensity factors:

1. **Beneficial and adverse effects** – Beneficial and adverse effects have been considered in the analysis. Benefits of this project were not used to offset adverse impacts, and adverse impacts of this project are not significant even when separated from benefits (EA, pp. 20–85).
2. **Public health and safety** – Implementation of this project will not cause any significant effects to public health and safety (EA, pp. 84–85).
3. **Unique characteristics of the geographic area** – No parklands, floodplains, wetlands, wild and scenic rivers or ecologically critical areas would be adversely affected by implementing Alternative 1 (EA, pp. 42–50 and 55–72). Prime farmland occurs within the project area, and there are activities proposed on prime farmland soil map units in both action alternatives.

However, except for the proposed road construction (new corridor) and stone pit expansion in both action alternatives, none would result in the permanent conversion of farmland. Proposed road construction (new corridor) and stone pit expansion is not located on prime farmlands (EA, p. 39 and soils report [project file]).

The entire project area is located within the Hickory Creek/Tionesta Creek Important Mammal Area (IMA). The closest Important Bird Area (IBA) lies approximately 6.5 miles to the north. IMAs and IBAs are areas designated and recognized by the Pennsylvania Department of Conservation and Natural Resources (DCNR). Distances to other specially designated areas on the ANF, including Wilderness, Wilderness Study Areas, Research Natural Areas, and Wild and Scenic River Corridors are all greater than 3 miles away from the project area.

Forest habitat connectivity on a landscape scale, such as links to important areas that support valuable habitat, can also influence species viability. The project area consists of Management Area (MA) 3.0, which has goals and objectives for managing for a diversity of age classes across the landscape and MA 2.2, which is managed for late structural forest vegetation and provides additional linkages to large scale, mature forest conditions. Within the IMA, proposed activities which move the project area toward its desired MA condition will either maintain or provide habitat conditions for species with viability concerns such as the northern flying squirrel, one of the primary mammals of concern in the Hickory Creek/Tionesta Creek IMA. In addition, mammals, such as the fisher, river otter, black bear, and bobcat would continue to have habitat available for their needs. Activities proposed in the project area are not expected to directly or indirectly affect habitat or designation of the closest IBA or any other special management area designations, such as Wilderness, Wilderness Study Areas, Research Natural Areas, and Wild and Scenic River Corridors.

4. **Controversy** – The effects on the quality of the human environment are not likely to be highly controversial. Controversy is a term of art in the CEQ NEPA regulations and is described as a dispute amongst the scientific community. Public opposition to a proposed action is not an indicator of controversy, nor is the length of a NEPA document evidence of controversy as it is defined in the CEQ NEPA regulations. Based on the regulatory definition, there is no substantial dispute among the scientific community as to the size, nature, or effects of implementing Alternative 1 on the various biological and physical environments (EA, p. 28–85). The size of the project and the nature of the treatments are not uncommon for projects on this ranger district. The effects of this type of action have been studied (from past projects) for at least a decade. Monitoring information concerning effects and efficacy of conservation measures was a key part of the analysis for this proposal. The ID team searched for the best available scientific information and considered opposing viewpoints. The conclusions of these local resource experts are set forth in the EA effects discussion. There is no evidence in the record of a substantial scientific dispute as to effects of the proposal.
5. **Uncertainty, unique or unknown risks** — The Forest Plan provides for maintaining a diversity of plant and animal communities that will enhance the resiliency of the forest to respond to these changing conditions. This project is tiered to the Forest Plan Final Environmental Impact Statement (FEIS) and a summary of the climate change information utilized in preparation of that document is contained in a paper titled “Climate Change Support Material for Project Level Analysis” (see project file) (USDA-FS 2008). Proposed silvicultural actions would enhance ecosystem resiliency.

We have considerable experience with the types of activities to be implemented. Treatments proposed for this project constitute well-established methods for vegetation management, timber harvesting, reforesting stands, enhancing wildlife habitat, treating NNIP species, maintaining roads, and protecting water quality. Much is known regarding the outcomes when using even-aged management on the ANF. The effects analysis shows the known effects, and the proposal does not involve unique or unknown risks (EA, pp. 28–85).

6. **Precedence** – This proposal does not establish a precedent for future actions or represent a decision in principle about future management considerations. Any future decisions will need to consider all relevant scientific and site-specific information available at that time. Implementing Alternative 1 is within the scope of the Forest Plan and associated supporting environmental documentation (EA, pp. 1–5, 27).
7. **Cumulative impacts** – Effects of past, present and reasonably foreseeable land uses, along with the effects of Alternative 1, were considered in reaching my conclusion. This included projecting future levels of private OGD that would occur (Project Level Cumulative Effects Analysis for OGD [in project file]). The effects of implementing the selected alternative do not individually, or with other activities taken cumulatively within the areas affected, reach a level of significant (EA, pp. 25–85). CEQ guidance on cumulative effects was used to develop this analysis. The ID team used monitoring information, as well as data and information compiled during this and other projects, to conduct the cumulative effects analysis.
8. **Cultural, historic, and scientific resources** – The project area has been inventoried for heritage resources. Heritage resources have been delineated and buffered for protection or avoided. There is one scientific (research) study area located within the project area and it has been buffered for protection and will be avoided. One study for the cerulean warbler is being proposed as part of this project. Therefore, no effects to heritage or scientific resources are anticipated with implementation of Alternative 1 (see project file).
9. **Threatened and Endangered species and their habitat** – The Indiana bat, northeastern bulrush, and small-whorled pogonia have suitable habitat within the project area, but have not been documented in the project area. There is no designated critical habitat for any federally threatened or endangered species on the ANF. A may affect, not likely to adversely affect determination was reached for the Indiana bat. A no effect determination was reached for the small-whorled pogonia, northeastern bulrush, northern riffleshell mussel and clubshell mussel. Potential effects to threatened or endangered species and their habitat were analyzed and disclosed in the EA (EA, pp. 62–63 and Table 17, pp. 68–72) and in the project biological assessment (see Appendix C of the EA). These project level activities and determinations are within the level of actions analyzed in the Biological Assessment Evaluation (BE) for the Forest Plan. A concurrence letter on the biological assessment BE, dated January 31, 2007, was received from the U.S. Fish and Wildlife Service.

A review of new information (RONI) has been prepared in February 2009 and is included in the project file pertaining to the white-nosed syndrome that is affecting bats. The findings in the RONI include the following: (1) no correction, supplement, or revision to the environmental documentation for the Forest Plan or an amendment of the Forest Plan is necessary at this time; (2) no additional work will be required for existing project analyses tied to the analysis found in the Forest Plan; (3) the project level analysis is sufficient at this time; and (4) there is no change in the listed determination for the Indiana bat.

10. **Federal, state, or local law or requirements** - The selected alternative conforms to all applicable federal, state and local laws and requirements. Alternative 1 would not result in a trend toward federal listing or a loss of viability for any Regional Forester sensitive species for the ANF or other species of local concern (EA, pp. 55–72, the project BA [Appendix C], and project BE and wildlife report [project file]).

VI. Findings Required by Other Laws and Regulations

My decision implements vegetation management activities to develop desired conditions in the Forest Plan. As required by the National Forest Management Act section 1604(i), I find this project to be consistent with the Forest Plan. This project is also in full compliance with 36 CFR 220, the Endangered Species Act, the Clean Water Act and the National Historic Preservation Act. All actions meet National Forest Management Act requirements as detailed in 16 USC 1600 et. seq.

Appropriateness: Pursuant to the NFMA Section 1604(g)(3)(F)(i), the appropriateness of even-aged management was given careful consideration by the ID team. The determination to use even-aged management is based on field evaluation and recommendations from local resource experts and science-based application of the Forest Plan, past experience with implementing even-aged management systems on the district and ANF, and the best available science. The silvicultural and resource management objectives determined the choice of harvest method, as described in the record. Further, the even-aged harvesting system selected in Alternative 1 were not chosen primarily because it will give the greatest dollar return or the greatest unit of output of timber (NFMA Section 1604(g)(3)(E)(iv)).

Soils: Careful attention was given to potential soil resource effects during project development. Site-specific field work, using the best available science and appropriate soil analysis techniques, were performed during project development. Special attention was given to soils that could be prime farmland in this analysis. The interdisciplinary team evaluated the efficacy of Forest Plan standards and guidelines and Pennsylvania best management practices in protecting soil and water quality. Monitoring of past projects, as well as scientific information contained in the Forest Plan, was used in this analysis. Based on the analysis documented in the project record, I concluded that Alternative 1 would not irreversibly damage soil, slope, or watershed conditions (NFMA Section 1604(g)(3)(E)(i)).

Migratory Bird Treaty Act: This decision is consistent with the Migratory Bird Treaty Act (MBTA) and the provisions of the memorandum of understanding (MOU) between the US Fish and Wildlife Service and the Forest Service to integrate conservation measures for migratory birds into comprehensive land management and project planning. This decision balances the long-term benefits to migratory birds against the short-term adverse effects and minimizes the effects on migratory birds by retaining snags and the integrity of nesting sites along with other conservation measures. The management of forest-interior and early-structural habitat proposed will protect bird habitat and is consistent with the goals and objectives of the MBTA and MOU.

Best Available Science: My decision is based on a review of the record that shows consideration of relevant scientific information, including responsible opposing views, and as appropriate, the acknowledgement of incomplete or unavailable information, scientific uncertainty, or risk. No scientific information or viewpoint presented to the agency has been ignored, and opposing scientific views have been disclosed in the record. This project analysis was informed by the considerable body of scientific information and data compiled for revision of the Forest Plan, as well as project monitoring from past vegetation management actions, and from the Programmatic Effects of private Oil and Gas Activity on the Allegheny National Forest and the Site-Specific Oil and Gas Development on the ANF documents, which are incorporated by reference. The interdisciplinary team was composed of local resource experts

with considerable experience in analyzing environmental effects and synthesizing scientific information. The ID team's work is based upon its scientific expertise in fields that are continually seeing new information compiled about the ecological functions and processes of forested communities. The team searched for the best available scientific information and has strived to consider all scientific views, especially with regard to potential environmental effects. As appropriate, the team collected field data and surveyed local resource conditions to augment the scientific information set forth in published studies. The record documents the scientific basis for the selected alternative and the conservation measures adopted in this decision.

VII. Implementation Date

Implementation of this decision is subject to the regulations in 36 CFR 215.9. If no appeal is filed, implementation may begin on the fifth business day following the close of the appeal filing period. If an appeal is filed, implementation may begin on the 15th day following the date of appeal disposition. In the case of multiple appeals on this decision, the date of the last appeal disposition controls the implementation date.

VIII. Administrative Review or Appeal Opportunity

This decision is subject to appeal pursuant to 36 CFR 215.11. Appeals must meet content requirements of 36 CFR 215.14. An appeal, including attachments, must be filed (regular mail, fax, hand-delivery, express delivery or messenger service) with the appropriate appeal deciding officer (36 CFR 215.8) within 45 days following the date of publication of the legal notice.

Written appeals shall be sent to:

Erin Connelly, Appeal Deciding Officer
Attn: Appeals and Litigation
USDA-Forest Service, Eastern Region
626 E. Wisconsin Avenue
Milwaukee, WI 53202

Appeals may be faxed to (414) 944-3963, Attn: Appeal Deciding Officer, USDA Forest Service, Eastern Regional Office. Normal business hours (for hand-delivered appeals) are 7:30 a.m. - 4:00 p.m., Monday through Friday. Electronic appeals should be directed to appeals-eastern-regional-office@fs.fed.us. Electronic appeals should be in txt, rtf, doc, pdf or other Microsoft Office compatible formats.

The publication date of the legal notice in the newspaper of record (*The Kane Republican*, Kane, Pennsylvania) is the exclusive means for calculating the time to file an appeal (36 CFR 215.15). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source. It is the responsibility of interested parties to respond to this notice within the established time period. If a document is not available or delivered at the expected time, please contact Kevin Treese at 814-927-5759 to determine its availability and if necessary, arrange an alternate delivery method.

IX. Responsible Official and Contact Information

The responsible official is:

Robert T. Fallon, District Ranger
Allegheny National Forest
Marienville Ranger District
131 Smokey Lane
Marienville, PA 16239

Questions regarding this decision notice and FONSI should be directed to the responsible official or Kevin Treese, district NEPA coordinator, at (814) 927-5759. This document is also listed on the ANF website at: <http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=35240>.

/s/Robert T. Fallon
ROBERT T. FALLON
District Ranger

Sept. 26, 2013
Date

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