

Decision Memo

RCW Habitat Restoration

Compartment 001; Stands 3 and 50

USDA Forest Service
Oconee Ranger District, Chattahoochee-Oconee National Forest
Jones County, Georgia

I. DECISION

A. Description of Decision

My decision is to restore desirable habitat conditions for the Red Cockaded Woodpecker (*Picoides borealis*), reduce fuel loadings, and improve forest health by reducing stand stocking levels to those specified in the Chattahoochee-Oconee Forest Plan (Goal 15) and the RCW Recovery Plan (USDI Fish and Wildlife Service, 2003) in compartment 1, stands 3 and 50.

The purpose of this project is to restore a currently active RCW cluster site composed of heavily overstocked mature loblolly pine to the preferred nesting and foraging habitat conditions specified in the RCW Recovery Plan. Optimal habitat conditions for RCW foraging and nesting habitat is an open park like stand (40-70 square feet of basal area per acre) with a grass understory. Both stands are currently overstocked (approximately 140 square feet of basal area per acre) with a dense shrub and midstory layer in places. Competitive stress related to overstocked stand conditions predisposes trees to mortality from a variety of factors. These actions will also reduce fuel loadings (Condition Class 2, Fire Regime 1) and reduce the risk of medium and longterm effects to the RCW (i.e. tree mortality from wildfire).

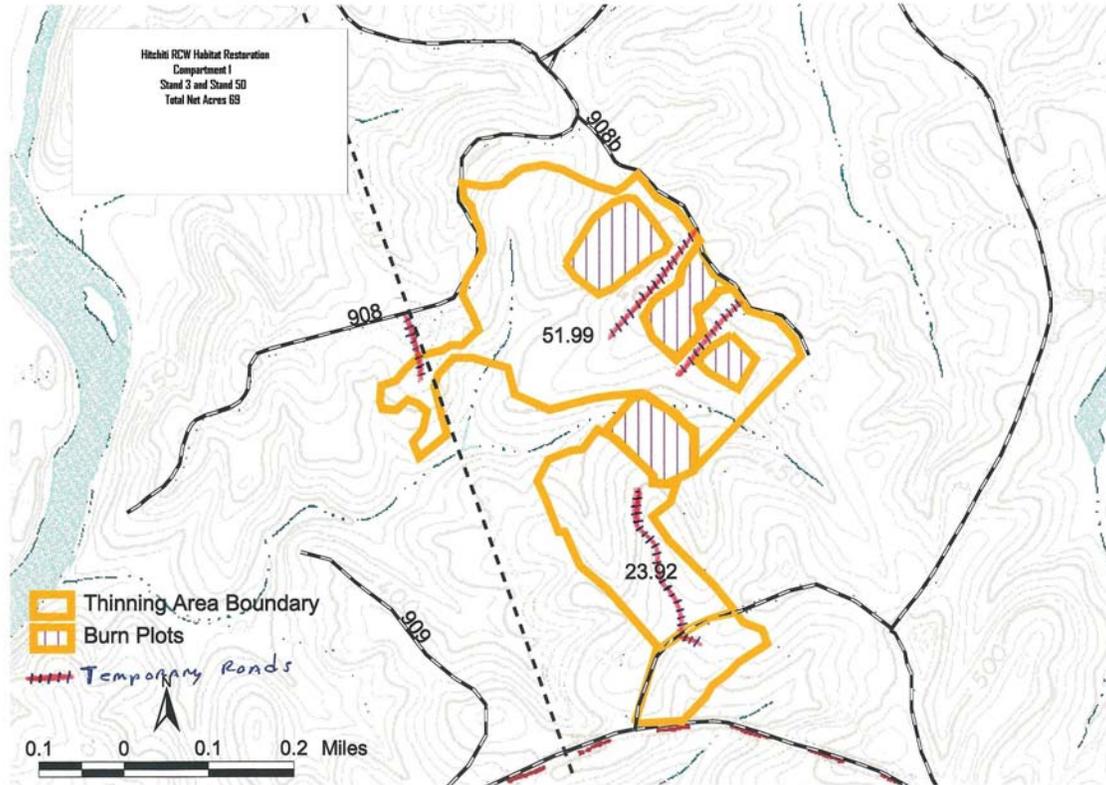
These actions are expected to occur in the fall of 2004 after the breeding season is completed.

My decision includes commercial thinning from above and below to a residual basal area of 60 square feet per acre on approximately 69 acres. Thinning from above will focus on removing trees that are not expected to live another 5 years including lightning strikes, littleleaf disease, southern pine beetle damage, extremely thin crowns or other indicators. Thinning from below will focus on removing smaller trees (primarily intermediate and suppressed trees) and improving the growing space for the residual stand. Forest Plan standards and guidelines plus Georgia Best Management Practices (BMP's) for Forestry, Planning and Water Quality, and Streamside Management Zones (SMZ's) will be implemented in all tree removal operations. Additional mitigation measures for equipment operations, protection of developments, slash disposal, etc. have been included in this document and are a part of this decision. No new system roads will be needed to implement this decision. Less than a half mile of temporary roads (primarily re-using old temporary road locations or within the existing powerline clearing) will be needed. Temporary roads and major skid trails will be reseeded and closed upon completion of the project.

Additional stewardship or sale area improvement's identified through scoping include prescribed burning and artificial cavity inserts.

The location of my decision is displayed on the attached map.

Hitchiti RCW Habitat Restoration – Compartment 1; Stand 3 and 50 (69 acres)



B. Purpose of Decision

This project is specifically intended to meet the desired future condition for the area by restoring desirable habitat conditions for the Red Cockaded Woodpecker (*Picooides borealis*), reducing fuel loadings, and improving forest health by reducing stand stocking levels to those specified in the Chattahoochee-Oconee Forest Plan and the RCW Recovery Plan (USDI Fish and Wildlife Service, 2003) in compartment 1, stands 3 and 50.

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

A. Category of Exclusion

The project is within the category of exclusion FSH 31.2 (12) Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction

B. Relationship to Extraordinary Circumstances**1. Steep Slopes or Highly Erosive Soils -**

Rolling to flat, the terrain is conducive to the activities included in the decision. The soils present are resistant to erosion using standard practices. This is supported by topographical map review and field visits (Planning Record). Similar past projects in this area were determined to have no significant soil-related impacts.

2. Threatened and Endangered Species or Their Critical Habitat –

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with Section 7(c) of this Act, a list of the listed and proposed, threatened or endangered species that may be present in the project area was requested from the U.S. Fish and Wildlife Service (Planning Record). As required by this Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Evaluation (Planning Record).

The commercial thinning and post sale treatments will result in stand stocking levels (on 69 acres) which are recommended in the Red-cockaded Woodpecker Recovery Plan. Prescribed burning and artificial cavity inserts are also consistent with recovery objectives. The effects of the proposed project will not adversely affect RCW habitat.

It was determined that this decision will have 'no effect' on all other listed species or their critical habitats.

3. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains: Executive Order 11988 is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, “. . . the lowland and relatively flat areas adjoining inland and coastal waters including floodprone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year.”

The project is not located in or near floodplains. This has been validated by map and site-review (Planning Record). This decision will not affect floodplains.

To further ensure that floodplain-related impacts are minimized, Best Management Practices are incorporated into this decision.

Wetlands: Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, “. . . areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.”

The project is not located in or near wetlands. This has been validated by map and site-review (Planning Record). This decision will not affect wetlands.

Municipal Watersheds: Municipal watersheds are managed under multiple use prescriptions in forest plans. This decision will not affect municipal watersheds.

4. Congressionally Designated Areas -

Wilderness:

This decision does not affect Wilderness. The project is not in or near Wilderness. The Oconee National Forest does not have any designated Wilderness Areas. This decision, with impacts limited to the immediate area of activity, will not affect any existing Wilderness Area's located on the Chattahoochee National Forest approximately 125 miles north of the project area.

Wilderness Study Areas:

There are no Wilderness Study Areas on the Oconee National Forest. This decision will not affect Wilderness Study Areas located on the Chattahoochee National Forest.

National Recreation Areas:

There are no National Recreation Areas on the Oconee National Forest. This decision will not affect National Recreation Areas.

Wild and Scenic Rivers:

This decision will not affect designated or recommended Wild and Scenic Rivers.

5. Inventoried Roadless Areas -

There are no inventoried roadless areas (RARE II or Forest Plan) in the decision area (Forest Plan FEIS). This decision will not affect inventoried roadless areas.

6. Research Natural Areas -

There are no Research Natural Areas in the decision area. The closest Research Natural Area, Murder Creek Research Natural Area, is 18 miles northeast of the project. This decision, with impacts limited to the immediate area of activity, will not affect Research Natural Areas.

7. Native American Religious or Cultural Sites, Archaeological Sites, or Historic Properties or Areas

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. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts. Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision (Planning Record). A ‘no properties affected’ determination was made. Consultation on this finding occurred with the State Historic Preservation Office (Planning Record).

8. No other extraordinary circumstances related to the project were identified (Planning Record).

III. PUBLIC INVOLVEMENT

Public involvement included listing in the Forest's Schedule of Proposed Actions, direct mailings (04/15/04), and a newspaper legal notice in the Eatonton Messenger.

Two scoping letters were received on this project on or before the close of the comment period (Planning Record).

Received comments were used to refine the project and analysis. Received comments were also used to explore the possibility of extraordinary circumstances and potential effects to those resources.

Tracking included identifying those comments: beyond the scope of this decision; addressed by Forest Plan direction; addressed through project refinement; addressed through consideration of environmental effects of the project, refinement of the project, and/or alternatives to the project. Comments identified as beyond the scope of this decision were dismissed from further consideration. Comments identified as addressed by Forest Plan direction have been noted as part of the decision. Comments identified as addressed through project refinement have been noted as part of the decision. Comments identified as addressed through consideration of environmental effects of the project, refinement of the project, and/or alternatives to the project have been noted in making the determination that there are no extraordinary circumstances related to the decision that may result in a significant environmental effect.

Scoping Comments

Comment: *Georgia Forest Watch has always been, and continues to be, in support of the Red-cockaded Woodpecker (RCW) habitat program on the Oconee. We feel that it is imperative that the Oconee National Forest take immediate steps to comply with the RCW Recovery Plan.*

Forest Service Response: Comment noted. Restoration of suitable RCW habitat conditions is critical to the continued presence and eventual recovery of the species.

Comment: *The recovery plan calls for a short (fire) return interval. I have suggested many times that we (USFW) want to see the RCW habitat burned on a three year rotation.*

Forest Service Response: An activity fuel burn will occur one year after harvest is completed and a second prescribed burn will occur 2-3 years later for midstory control and to help establish native grasses in the understory. The Oconee National Forest, subject to available funding and weather, also believes that prescribed burning RCW habitat on a 3 year cycle is critical for restoring and maintaining suitable habitat conditions

Comment: *As I read these, some of the commercial thinning are being conducted in the exact same location as your midstory control prior to the commercial thinning.*

Forest Service Response: You are correct in that under ideal circumstances we would have done the commercial thinning first (because it potentially reduces the cost of the midstory treatment). The midstory treatment areas only partially overlapped into the commercial thinning areas. Approximately 500 acres of midstory treatment was accomplished because funds were available to do the work. Had we delayed till after the commercial thinning was completed we would have lost the opportunity to fund/treat the majority of acres needing midstory treatment this year. This type of funding is highly variable with no guarantee we would receive it in future years. So even though it was slightly less efficient, the risk of losing the opportunity to improve habitat on 500 acres did not justify delaying the midstory treatment opportunity.

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Forest Plan Consistency (National Forest Management Act) - This Act requires the development of long-range land and resource management plans (Forest Plans). The Chattahoochee-Oconee Forest Plan was revised in 2004, as required by this Act. The revised plan provides for guidance for all natural resource management activities on the Forest. The Act requires all projects and activities are consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project.

This decision is responsive to guiding direction contained in the Plan, as summarized in Section I of this document. This decision is consistent with the standards and guidelines contained in the Forest Plan.

Vegetation Manipulation (National Forest Management Act) - This Act and its implementing regulations require that vegetation manipulation of tree cover for any purpose must comply with the following seven requirements found at 36 CFR 219.27(b).

- Be best suited to the goals in the Forest Plan. *The applicable goals are stated in the Section I of this document. This decision is responsive to those goals and is best suited to meet those goals.*

- Assure that technology and knowledge exists to adequately restock lands within five years after final harvest. Restocking is not applicable; the area treated will remain fully stocked after treatment.

- Not to be chosen primarily because they give the greatest dollar return or the greatest output of timber (although these factors shall be considered). This decision was based on a variety of reasons. It was not primarily chosen for its expected dollar return. Economics was only one of the many factors considered).

- Be chosen after considering potential effects on residual trees and adjacent stands. The effects on residual trees and adjacent stands have been considered. The overall direction and Standards and Guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on the resource values. This decision is consistent with the Forest Plan and provides the desired effect on residual trees and adjacent stands.

- Be selected to avoid permanent impairment of site productivity and to ensure conservation of soil and water resources. This decision avoids impairment of site productivity. The nature of the project and use of Best Management Practices along with Forest Plan standards and guidelines will protect soil and water resources.

- Be selected to provide the desired effects on water quality and quantity, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation users, aesthetic values, and other resource yields. This decision provides the desired effect on the above resources. The overall direction and Standards and Guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on the resource values. This decision is consistent with the Forest Plan and provides the desired effect on the above resources.

- Be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration. The project area is adequately roaded, no new permanent roads are necessary to implement this decision. The treatment in this decision is appropriate to accomplish project objectives, and is economically practical.

Endangered Species Act - See Section II, Item B2 of this document.

Sensitive Species (Forest Service Manual 2670) - This Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation (Planning Record). This decision will have “no impact” on sensitive species.

Clean Water Act - This Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices and appropriate Forest Plan standards and guidelines. This decision incorporates these practices to ensure protection of soil and water resources.

Wetlands (Executive Order 11990) - See Section II, Item B3 of this document.

Floodplains (Executive Order 11988) - See Section II, Item B3 of this document.

Federal Cave Resources Protection Act - This Act is to secure, protect, preserve, and maintain significant caves, to the extent practical. Site features and field review substantiate that no caves are in the decision area. No known cave resources will be affected by this decision.

National Historic Preservation Act - See Section II, Item B7 of this document.

Archaeological Resources Protection Act - See Section II, Item B7 of this document.

Native American Graves Protection and Repatriation Act - See Section II, Item B7 of this document.

Wild and Scenic Rivers Act - See Section II, Item B4 of this document.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

Conditions: Mitigation Measures

Commercial Harvest Operations will occur outside the breeding season. The breeding period Occurs from April to July each year. Operations will not occur during this time period.

Georgia's Best Management Practices (BMP's) for Forestry, Planning for Water Quality, and Streamside Management Zones (SMZ's) along with Forest Plan standards and guidelines will be followed, whichever is more restrictive.

Major skid trails and all landings will be reseeded using native grass seed mixtures. All temporary roads will be closed and seeded upon completion of the project.

Secondary slash clean up will occur within 25 feet of system roads to protect visual quality. Tree length skidding may be utilized where practicable. If tree length skidding is not practicable for resource protection reasons, slash depth shall not exceed 12 inches. Slash piles, if any, will be burned by Forest Service crews when weather and fuel conditions permit.

All landings, skid trails and deck locations will be approved in advance by the Forest Service.

Maximum stump height is 12 inches.

Harvest operations will cease during wet periods where in the determination of the Forest Service rutting from skidders would occur or hauling would damage the road system.

White banded RCW trees will not be cut or damaged by operations.

Fire study burn plots will have a painted boundary and be excluded from the sale. No operations or activities will be allowed within the fire study plots.

V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is not subject to a higher level of administrative review or appeal pursuant to 36 CFR 215.8.

VI. IMPLEMENTATION DATE

This decision may be implemented immediately.

VII. CONTACT PERSON

Further information about this decision can be obtained from Bill Nightingale at the Oconee Ranger District (Address: 1199 Madison Road, Eatonton, GA 31024; Voice: (706) 485-7110; Fax: (706) 485-7141).

VIII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. My conclusion is based on information presented in this document and the entirety of the Planning Record.

WILLIAM B. NIGHTINGALE
District Ranger

Date

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