

**DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR
NE CORNER PROJECTS**

Management Area 4.1-12
T27N, R3W
Doniphan/Eleven Point Ranger District
Mark Twain National Forest
Shannon County, Missouri

INTRODUCTION

An environmental assessment (EA) is available for public review in the Doniphan Ranger District Office located at 1104 Walnut Street, Doniphan, Missouri. This document discusses the environmental effects of a set of proposed treatments including a mixture of even-aged and uneven-aged timber management, wildlife habitat improvement, old growth designation, prescribed burning to reduce fuel loading and to maintain or create open/semi-open habitat conditions, system road reconstruction, and non-system road closure and obliteration. Copies of the EA are available for review upon request.

The EA evaluates resource management alternatives within approximately 7,414 acres of National Forest land in the area identified as “NE Corner”, and managed under Mark Twain National Forest Plan standards and guidelines for Management Prescription 4.1-12. NE Corner does not contain all National Forest lands under the 4.1-12 Management Prescriptions in this area. There are no management activities beyond normal protection actions, road maintenance and fire protection, proposed on these additional 2,110 acres.

DECISION

Based on the analysis documented in the EA, I have decided to implement the actions described in Alternative 2. In response to comments received during the 30 day comment period I have made one minor change to Alternative 2, I have included one additional stand, Compartment 282/Stand 59, in my old growth designation. Adding this stand creates a larger contiguous block of old growth in this area. The attached map illustrates the location of the proposed activities and is hereby made a part of this decision document. In view of the needs identified in the EA, comments and concerns received during the 30 day comment period, and other reasons, I have decided to implement the following actions in the NE Corner Project area:

Alternative 2

(See Maps and Spreadsheet Appendix A and Appendix D for a description of activities).

This alternative includes:

Creation of early successional habitat through regeneration of oak/pine stands, involving:

Clearcutting on approximately 338 acres. This involves: Compartment 281/Stand 1; Compartment 282/Stand 5, 54, 78, 79 and 84; Compartment 283/Stand 28, 37, 42, 56, 59, 63, 66, 72 and 76; Compartment 284/Stand 6, 12 and 57, Compartment 285/Stand 44; Compartment 286/Stand 27 (18 of 29 acres) and Compartment 287/Stand 54, 69, 80 and 81. Planting about 162 acres of clearcut stands to regenerate shortleaf pine will involve Compartment 281/Stand 1; Compartment 282/Stand 5; Compartment 283/Stand 42, 56 and 66; Compartment 284/Stand 6, 12 and 57 and Compartment 287/Stand 54 and 81.

Seed Tree Seed Cut on approximately 88 acres. This involves Compartment 282/Stand 8, 28, 70 and 76 and Compartment 286/Stand 44. Planting of approximately 22 acres of seed tree to regenerate shortleaf pine will involve Compartment 282/Stand 28.

Shelterwood Seed Cut on approximately 33 acres. This involves Compartment 282/Stand 4 and Compartment 283/Stand 36.

Compartments and stands not indicated above for planting will be regenerated by follow-up reforestation work involving site preparation for natural regeneration. Compartment and stands identified for site preparation for natural regeneration are identified below and in Appendix D on the Alternative 2 map and tables.

Providing suitable conditions for regeneration of forest stands, involving:

Site preparation cutting for natural regeneration on approximately 312 acres of even-aged and uneven-aged regeneration harvests. This involves Compartment 282/Stand 4, 8, 9 (2), 11 (2), 12 (1), 20 (1), 21 (1), 29 (2), 33 (5), 44 (2), 45 (1), 54, 66 (1), 67 (1), 68 (1), 70, 76, 78, 79 and 83 (1); Compartment 283/Stand 28, 36, 37, 55 (2), 59, 63, 72 and 76; Compartment 285/Stand 20 (1), 29 (1), 32 (1) and 44; Compartment 286/Stand 11 (3), 12 (2), 16 (3), 24 (2), 27, 36 (1) and 44; Compartment 287/Stand 34 (1), 65 (1), 66 (3), 69 and 80. In the stands managed under an uneven-aged regime through group selection the acres to be treated for natural regeneration are listed in parenthesis in the preceding list.

Shelterwood preparatory cutting on approximately 57 acres to begin cutting that will eventually result in regeneration of the stands through shelterwood silvicultural methods. This involves Compartment 281/Stand 9, 23 and 25 and Compartment 282/Stand 16.

Release of planted stock from competing vegetation on approximately 184 acres. Following the scheduled planting in the clearcut and seed tree stands prescribed above competing vegetation will be controlled, without the use of herbicides, to allow freer growth and better use of the site by the planted trees.

Contribute to the improvement in the overall health of forest stands and landscapes, involving:

Salvage cutting on approximately 114 acres to improve the growth of the residual stand through removal of dead and dying (still sound wood) trees with allowance for some contribution to the dead (rotted and decayed) wood component for wildlife and nutrient cycling. This involves Compartment 282/Stand 2 and Compartment 283/Stands 57, 67 and 84.

Commercial thinning on approximately 1,638 acres to improve growth and health of remaining trees. The thinning will be primarily done from below, that is the trees designated for harvest will be smaller diameter or poorer formed trees leaving the best dominant and codominant trees to grow. This involves Compartment 280/Stand 3, 16 and 19; Compartment 281/Stand 31, 50 and 51, ; Compartment 282/Stand 14, 17, 19, 22, 31, 35, 38, 39, 40, 42, 43, 46, 50, 51 and 63; Compartment 283/Stand 43, 54, 74 and 88; Compartment 284/Stand 4, 10, 14, 15, 17, 18, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 36, 37, 38, 41, 42, 45, 48, 49, 51, 53 and 54; Compartment 285/Stand 1, 3, 4, 5, 7, 12, 14, 16, 23, 24, 25, 26, 28, 34, 38, 39 and 41; Compartment 286/Stand 1, 4, 6, 8, 32, 39 and 42; Compartment 287/Stand 12, 15, 21, 22, 32, 33, 35, 38, 39, 46, 47, 48, 56, 70, 72 and 75.

Pre-commercial thinning on approximately 439 acres to improve growth and vigor of residual trees. This involves Compartment 280/Stand 8, 20 and 23; Compartment 281/Stand 42 and 45; Compartment 282/Stand 10, 62, 64, 80 and 82; Compartment 283/Stand 16, 20, 26, 31, 33, 58, 60, 82 and 83; Compartment 284/Stand 5; Compartment 285/Stand 2 and 10; Compartment 286/Stand 28; Compartment 287/Stand 29, 30, 36, 55, 60 and 64.

Using alternative methods to achieve goals and objectives on suitable acres, involving

Uneven-aged Management Using Group Selection Harvesting with Commercial Thinning and Timber Stand Improvement Cutting Between Groups on about 431 acres (approximately 42 acres of group selection with about 389 acres of thinning/TSI between the groups). In the following list the approximate acres of each treatment is shown after each stand number with the acres in group selection indicated first and the thinning/TSI acres shown next. This involves Compartment 282/Stand 9 (2, 18), 11 (2, 13), 12 (1, 10), 20 (1, 11), 21 (1, 13), 29 (2, 13), 33 (5, 47), 44 (2, 18), 45 (1, 5), 66 (1, 11), 67 (1, 11), 68 (1, 7) and 83 (1, 10); Compartment 283/Stand 55 (2, 20); Compartment 285/Stand 20 (1, 13), 29 (1, 10) and 32 (1, 2); Compartment 286/Stand 11 (3, 29), 12 (2, 15), 16 (3, 25), 24 (2, 20) and 36 (1, 13); Compartment 287/Stand 34 (1, 9), 65 (1, 12) and 66 (3, 26).

Providing a diversity of habitat and forest conditions, involving:

Old growth designation of approximately 179 acres to complement the existing 552 acres for a total old growth designation in this area of 731 acres. This involves Compartment 280/Stand 6, 11, 12, 13 and 18; Compartment 281/Stand 5, 10 and 12; Compartment 282/Stand 59; Compartment 283/Stand 44, 45, 48 and 61.

Prescribed burning on approximately 692 acres involving Compartment 282/Stand 52; Compartment 284/Stand 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52; Compartment 285/Stand 5, 6, 7, 8, 9, 11, 12, 13, 14, 23, 24, 25, 26, 27, 28 and 39. Stands displayed in italic will be commercially thinned before prescribed burning is initiated.

Providing a safe forest transportation system at an appropriate level for management and reasonable public access (See Appendix E – Transportation Analysis):

Reconstruct approximately 12 miles of system roads to provide a safe and maintained running surface.

Maintain approximately 10 miles of system roads to safely handle the expected traffic.

Close about 13.0 miles of non-system roads.

Construct approximately 5.0 miles of temporary roads and use an estimated **9 miles of unclassified roads** needed for management access.

Close the same 14.0 miles immediately after the temporary/unclassified road has served its purpose.

Provide an estimate 31 miles of skid trails to be created to provide access to the commercial timber products made available through this decision.

Mitigation measures beyond the Forest Plan standards and guide are: CR1, CR2, CR3, SW1, SW2, SW3, SW4, SW5, SW6, SW7, SW8, SW9, SW10, WL1, WL 3, WL5, WL6, VS1, VS2, and VS3. The EA lists Mitigation Measures on page 29-35 for all alternatives, this section of the EA is incorporated in to this decision by reference.

The description of alternatives on page 16-28 reflect any changes that have occurred to the original opportunity analysis proposals. Actions listed on pages 5-8 reflect an opportunity analysis that attempted to identify all conditions needing treatment to bring them to or towards a Desired Future Condition. Changes did occur in actions listed, as issues and concerns were identified and addressed through the analysis process.

ALTERNATIVE 2.

Alternative 2 was primarily developed in response to current conditions which do not meet the desired condition I am striving to meet in order to comply with the Desired Future Condition displayed in the Forest Plan, and to public issues to maintain the amount of woodland habitat in the 0-9 year age-class and old growth within the ranges displayed in the Forest Plan. An additional stand has been designated as old growth in response to comments. This stand logically ties together two areas of designated old growth. See Appendix A for Alternative 2 Map and Stand Treatment Table.

The Stand Treatment Table for each alternative, found in Appendix A, list acres and stands proposed in the alternatives by type of treatment. Field notes, CDS Compartment Records, stand tally sheets and stand prescriptions for Compartments 280, 281, 282, 283, 284, 285, 286 and 287 are in the Project File and available on request (See note in Appendix D) and are incorporated into this analysis by reference. A summary of the treatments proposed in each alternative is on page 23-24. The description of the selected Alternative (pages 1-4 of this Decision Notice) above replaces the description on pages 21-22 in the NE Corner EA only for the added detail it provides as to what stands are being treated and how. The actions and estimated acres are the same.

REASONS FOR THE DECISION

I have chosen Alternative 2 because it is good ecosystem management. It was developed using an issue-driven approach that starts by identifying ecosystem needs and develops proposals to meet those needs. Alternative 2 was the best of those proposals and it incorporates the issues and concerns identified by the public (See EA, pages 9-16 and Appendix B). In my judgment, it is the best alternative mixture of activities to improve ecosystem health and biological diversity in the area while providing a steady flow of amenities and products to meet the human and social needs of the area.

Alternative 2's use of commercial timber harvest, non-commercial timber stand improvement and release, prescribed burning, old growth designation, specialized habitat protection, and road reconstruction and closures meets the 4.1-12 prescription.

Alternative 2 adheres to the Mark Twain National Forest's Land and Resource Management Plan (Forest Plan) and its Goals, Standards, and Guidelines (Forest Plan pages IV-1 thru IV-85) as they apply to the NE Corner proposed, analyzed, and selected actions. Applicable goals, standards, and guidelines are repeated from the Forest Plan (italicized) below with the corresponding EA page(s) and appendices cited.

FOREST PLAN STANDARDS AND GUIDELINES

The actions to be implemented are consistent with the Forest-wide standards and guidelines listed in the Forest Plan on pages IV-11 through IV-85, as well as those listed for Management Area 4.1 on pages IV-125 through IV-131. The selected alternative applies management practices meeting the Land and Resource Management Plan's overall direction of protecting the environment while producing goods and services by following Standards and Guidelines and using mitigating measures as needed.

I address only those Goals and Objectives directly related to the NE Corner analysis.

Forest Management Goals

Multiple Use Management Goals

The NE Corner Project is "*cost efficient*" (EA, Alternative 2, page 120; Revenue/Cost Ratio of 1.1, Appendix C). "*Multiple use program*" (EA, Alternative 2, pages 21-22) provides forest products, provides improved growing conditions for young forest stands, provides 731 acres of old growth designated stands, reconstructs about 12 miles of system roads and maintains about an additional 10 miles, removes approximately 13 miles of nonsystem road, and maintains 34 acres of open land. Recognizes "*demand trends and local economies*" (EA, Purpose and Need pages 1-9 and Environmental Justice, Civil Rights, and Economics pages 115-121). "*Integrating ecological management principles into Forest resource programs*" (EA, pages 98-106, Effects on Biological Diversity). See also Appendix F note on document availability upon request. Populations and trends of threatened, endangered, rare, and sensitive plants are also considered (EA, pages 70-73 and Appendix H).

The NE Corner Project will take place in Management Area 4.1-12. Previously approved projects on the Doniphan/Eleven Point Ranger District resulting in timber sales currently being implemented are: Eastwood 2 in Management Area 4.1-1 in the east central part of the district; Saltpetre in Management Area 3.4-4 located in the western portion of the district; Pine-Bardley in Management Area 4.1-3 in the south central portion of the district; and Pineknot in Management Areas 4.1-2 and 4.1-3 in the north central portion of the district. This meets the criteria of having a “*distributed program geographically to make effective use of the diverse ecological capability of the Forest.*”

The NE Corner Project would directly impact approximately 2,699 acres through harvest activities. This represents approximately 0.80% of the Doniphan/Eleven Point District. Regeneration harvests involved in the NE Corner are planned, implemented, and monitored to “*establish only those controls on users that are essential to meet management area objectives, to protect resources, and to provide for public health and safety*”.

Recreation Management Goals

Recreation, visual quality and cultural (heritage) resources are considered in the NE Corner EA analysis of impacts on pages 59-64 and 107-114.

Wilderness Management Goals

The NE Corner Project area is approximately 13 miles north of the Irish Wilderness. Activities implemented in the NE Corner area are not expected to effect users of the Irish Wilderness.

Wildlife Management Goals

The NE Corner Project provides “*habitat for indicator species*” and this habitat is quantified and qualified in the EA, pages 69-85. The NE Corner Project maintains a diversity of habitats expected to “*at least maintain viable populations of all existing native and non-native vertebrates*” while also providing habitat that “*responds to the demand for both consumptive and non-consumptive fish and wildlife use.*”

The NE Corner Project provides mitigations to project actions in Alternative 2 identified in the EA on pages 29-35. These mitigations and analysis on pages 69-85 of the EA shows this project can “*Provide for wildlife species requiring specialized habitat including those recognized by both Federal and State authorities as being threatened, endangered, rare, or sensitive*” and not hinder the “*recovery of federally (listed) endangered species and threatened species by following reasonable and prudent measures outlined in any biological opinion issued by USFWS as a result of formal consultation*”.

Timber Management Goals

The NE Corner Project, in producing timber products as part of maintaining a variety of habitats on the Mark Twain National Forest will operate within the Forest timber management program to “*provide a positive benefit-cost ratio*” (EA, page 120; Appendix C).

The NE Corner Project is in Management Area (MA) 4.1-12. The Forest Plan (page IV-125) identifies one objective of the MA 4.1-12 prescription as “maintaining shortleaf pine ...”. The NE Corner Project is designed to “*identify and implement cost efficient opportunities for intensified management of shortleaf pine and high value hardwood species on sites where they occur naturally.*”

Consideration of cost efficiency per 36 CFR 219.27(b)(3) is one of many aspects of managing the Mark Twain National Forest and making wise use of taxpayer’s dollars. Application of group selection (uneven-aged management) on 431 acres in the NE Corner Project continues to “*apply and evaluate the uneven-aged management system on selected areas to determine the long term feasibility of using this system for management on the Forest*”.

Transportation System Goals

The Forest Plan has identified the Forest Transportation System. The NE Corner Project “*provides the minimum permanent road access and development standards while meeting resource management objectives*” and “*close unnecessary roads*” in the project by closing approximately 13 miles of non-system roads.

The NE Corner Project will “*provide for temporary access to complement the permanent road system for effective resource development*” through construction of about 5.0 miles of temporary roads and using about 9 miles of unclassified roads then closing these 14.0 miles after the temporary/unclassified roads have served the resource need. (EA, pp. 58-59; Appendix E)

Fire Management Goals

The NE Corner Project does “*implement prescribed fire as a tool for meeting resource management objectives*” through 692 acres of prescribed fire (EA, page 21) and the analysis of effects on water quality and soils pages 36-57; heritage resources pages 59-64; air quality, pages 65-68; and other various biological factors on pages 69-106.

Soil, Water, and Air Management Goals

The NE Corner Project EA “*ensures the maintenance of soil productivity and the achievement of water and air quality objectives*” by analyzing and disclosing effects on pages 36-57 and 65-68.

Land Adjustment Program Goals

The established surveyed landlines as part of the NE Corner Project helps to clarify land ownership. Management activities associated with road reconstruction improves access to National Forest System Lands.

Forest Management Objectives

Forest Plan forest management objectives on pages IV-4 to IV-10 are reflected in the selection of Alternative 2, as exemplified by the following:

- Firewood material is provided for in tops and cull material felled during logging activity, after timber sale activity is completed.
- Wildlife habitat management that involves timber harvest in Alternative 2 are on suitable acres and do not include acres in Land Classifications 4, 7, or 9 (Page IV-7).

Forest-wide Management Direction

1600 Information Services

Pages 9-16 and Appendix B of the NE Corner EA address the public involvement done for this project.

1800 Human and Community Development

The NE Corner EA did “*identify forest and range opportunities that will help individuals and local communities enhance their self-sufficiency and their feeling of social well-being*” by providing timber harvest opportunities to supply small, family-owned sawmills with raw wood products (sawlogs), as well as those larger forest product facilities that hire many local workers.

1900 Land and Resource Management Planning

Vegetative Management (EA, pages 86-98); NEPA Process (the entire NE Corner EA); Plan Implementation (selected Alternative 2 as described in this Decision Notice); Plan Monitoring Review and Revision (the NE Corner Project will be subject to monitoring); RPA Coordination (the NE Corner EA will be a source of data as indicated).

2100 Environmental Management

Air Quality (EA, pages 65-68); Hazardous Waste (contracts that implement Alternative 2 require proper disposal of hazardous waste); Pesticide Use (the NE Corner project does not use pesticides);

2300 Recreation Management

Recreation Opportunities (EA, pages 111-114); Cultural Resources (EA, pages 59-64); Visual Quality Management (EA, pages 107-110);

2400 Timber Management

Vegetative treatments are discussed in the EA on pages 86-98 and in Appendix D; Management Intensity and Utilization (Alternative 2 management actions are on suitable acres); Temporary Roads (The NE Corner EA analyzed an estimated 14.0 miles of temporary roads for implementation of Alternative 2. Of this total an estimated 5 miles would be constructed and about an additional 9 miles of existing unclassified roads would be used, all 14 miles are to be closed immediately after use.).

2500 Water and Soil Resource Management

Water and soil resources are discussed in the EA on pages 36-57.

2600 Wildlife Management

The NE Corner Project has given full consideration to threatened, endangered, and sensitive species and the duty to consult with the United States Fish and Wildlife Service (USFWS) on pages 70-84 of the NE Corner EA and Appendix H (federal, state, and Regional Forester's Sensitive Species List Biological Evaluations). Included in the wildlife evaluation are specialized habitats and management indicator species and minimum viable population numbers and habitat.

3400 Forest Pest Management

The NE Corner Project only addresses forest pest management from the aspect that maintaining healthy forests with a diversity of habitat reduces the potential for forest pests to become problems.

5100 Fire Management

Forest-wide management direction will be applied in the use of prescribed burning implemented in this NE Corner Project decision.

5400 Landownership

The NE Corner Project will be implemented on only the Mark Twain National Forest land. Adjacent landowners have been contacted during public involvement efforts (See Appendix B).

7700 Transportation

The transportation needs of the NE Corner Project are considered on pages 58-59 and Appendix E.

IMPORTANT ISSUES BASED ON THE NE CORNER PROJECT PROPOSAL

I have selected Alternative 2 because it does the best job of balancing public issues and concerns with Forest Plan objectives for the area. My decision represents a good mixture of treatments and activities to achieve the ecosystem management objectives for the NE Corner Project area.

I have reviewed all of the comments submitted during the development of the NE Corner Proposed Action. I am addressing only those I found to be substantive to my Proposed Action. Substantive Comments are defined to be: *“Comments that are within the scope of the proposed action; are specific to the proposed action; have a direct relationship to the proposed action; and include supporting reasons for the Responsible Official to consider.”*

Specifically, those issues and concerns were:

1. Old growth. Both during scoping and the 30-day review of the EA the amount and location of old growth was an issue. The need to meet minimum old growth requirements of the Forest Plan (8-10%) and evaluate the effectiveness of the old growth to insure it was providing a diversity of habitats, which were not isolated pockets, was raised by several reviewers. The interdisciplinary team and I worked early in the

evaluation of this project to identify the best candidate stands for old growth in the NE Corner area. We considered the physical location of the stands and the old growth attributes they presented. We evaluated public comments regarding old growth and I decided to add one stand, Compartment 282/Stand 59, to make a more contiguous area of old growth at this location. Because of this up-front analysis, I believe 179 acres of old growth designation proposed under Alternative 2 added to the existing 552 acres of old growth contain the best available old growth situated to address concerns about creating isolated islands of habitat. Implementing Alternative 2 will result in approximately 9.9% of the NE Corner project area designated as old growth. Alternative 3 would designate an additional 20 acres (199 acres) to old growth. It is my determination that these additional acres do not add significantly to the quality or distribution of old growth.

2. Sediment production in the Big Spring recharge area. The soil and water section of the EA (pages 36-57) provides a thorough evaluation of anticipated impacts to surface and subsurface water quality resulting from implementing management activities in the NE Corner project area. With non-point source activities, silvicultural treatments, prescribed burning and road reconstruction/maintenance/closures, the only actions anticipated to result in sediment production I am confident water quality issues are well addressed by the application of the specified soil and watershed mitigation measures. These mitigation actions meet or exceed Best Management Practices (BMP's) developed to protect water quality. Implementing similar management activities within the Big Spring recharge area under the guidance of the Forest Plan for over 15 years has adequately protected both the quality and quantity of water at the spring. I am convinced my decision will not adversely impact water resources in the Big Spring recharge area.

3. The extent of prescribed burning. The large burn in Compartments 284 and 285 is designed to enhance open shortleaf pine woodland conditions. Some believe the prescriptions for Management Area 4.1 are exceeded by burning for these objectives. Forest Plan objectives for the Oak Pine Hills and Plains Landtype Association in the 4.1 Management Area is to create and maintain 4-10% of the area in open and semi-open habitat. The large scale burn would result in approximately 8.9% of the NE Corner area and about 6.8% of this 4.1-12 Management Area in an open/semi-open condition. This is well within the guidance of the Forest Plan. I believe applying larger scale ecosystem restoration activities enhances overall forest health.

OTHER ALTERNATIVES CONSIDERED AND REASONS WHY THEY WERE NOT SELECTED:

In making this decision I considered a number of public issues and management concerns. After considering these, the interdisciplinary team and I developed three alternatives which were fully evaluated in the EA. The alternatives I did not select were:

Alternative 1 – No Action

The No Action Alternative proposed deferring all management activity in the project area. This alternative was not selected because it fails to move the area toward a desired

condition defined in the Forest Plan. The interdisciplinary team and I determined site specifically that existing resource conditions within the NE Corner area do not meet, or are not progressing towards, the conditions described in the Forest Plan. These differences provide opportunities to implement management activities consistent with expectations developed through the Forest Planning process. Having identified these needs for management activities, I would not be redeeming my responsibility to manage the forest ecosystem if I selected this alternative. It would not implement the Forest Plan by failing to provide for oak-hickory or oak-pine forest management, wildlife habitat diversity, or forage. Additionally, it would not contribute to the Forest Plan's expected outputs of timber products, road closures, or enhanced forest health.

Alternative 3

This alternative responds to the amount of prescribed burning under the 4.1 management prescription. The large burn in Compartments 284 and 285 is designed to enhance open shortleaf pine woodland conditions. Some believe the prescriptions for Management Area 4.1 are exceeded by burning for these objectives. Forest Plan objectives for the Oak Pine Hills and Plains Landtype Association in the 4.1 Management Area is to create and maintain 4-10% of the area in open and semi-open habitat. The large scale burn would result in approximately 8.9% of the NE Corner area and about 6.8% of this 4.1-12 Management Area in an open/semi-open condition. This is well within the guidance of the Forest Plan. I believe applying larger scale ecosystem restoration activities enhances overall forest health. Because Alternative 3 does not move as much of the NE Corner area towards the Desired Future Condition I did not select it.

PUBLIC INVOLVEMENT

The public has been invited and encouraged to participate in the development of the NE Corner project since its inception. The proposal has been described in the Doniphan/Eleven Point District's **Schedule of Proposed Projects** since July 2002.

A Scoping Report was mailed to interested parties and neighboring landowners on January 31, 2003. The public was notified of the availability of the Scoping Report through publication of a legal notice in the **Current Wave** of Eminence, Missouri on February 5, 2003.

The NE Corner Proposed Action Report was made available to the public through the 30 Day Comment period which began the day after publication of the Legal Notice and Comment period in the Current Wave on October 8, 2003 per 36 CFR 215.6. Thirteen individuals were mailed the Proposed Action Report and the Report was posted to the Mark Twain National Forest public website and 127 individuals were mailed notification of the EA's availability for review upon their request.

ENVIRONMENTAL JUSTICE

The EA states on page 116 that Shannon County, in which the NE Corner Projects are located, is an area of “persistent poverty”. This is defined as a county in which persons with poverty-level incomes were 20% or more of the population in each of the years surveyed; 1960, 1970, 1980, and 1990. With about 25.4% of Shannon County classified as low income, twice the state average for Missouri, this county qualifies as an environmental justice community.

Of the alternatives evaluated for the NE Corner area it is my opinion only Alternative 1 – No Action would pose a disproportionately high and adverse impact on the economic or social fabric of these counties. By generating no direct economic benefits to the area this alternative would continue the existing economically depressed conditions.

The two action alternatives would generate varying levels of products which would provide some level of economic improvement to the area. Alternative 2 would generate the greatest return from timber harvesting, a present net value (PNV) of about \$368,971; with Alternative 3 generating the lowest PNV of around \$318,148.

In my judgment Alternative 2 will not have a disproportionate negative impact on these low-income counties. I believe the projected economic outputs from the NE Corner area will be beneficial.

CONSISTENCY WITH LAWS, REGULATIONS, AND PREVIOUS NEPA DECISIONS

It is my finding that the actions described in this decision comply with the requirements of the National Forest Management Act (NFMA) of 1976; NFMA implementing regulations, in 36 CFR Section 219; and the Mark Twain National Forest Land and Resource Management Plan.

HARVESTING ON SUITABLE LANDS

I have determined that the land on which harvesting has been proposed is suitable for timber production as described in 16 U.S.C. 1604(k) and 36 CFR 219.14 and 36 CFR 219.27 (c)(1).

1. The land is forest land (as defined in 36 CFR 219.3) which is at least 10% occupied by trees of any size. This has been verified through on-the-ground examination of the stands proposed for harvest, documentation of these examinations is found in the project file. See Appendix D of the EA for details on obtaining copies of these records.

2. Technology is available to ensure timber production from the land without irreversible resource damage to watershed conditions. This is documented on pages 36 through 57 of the EA in the section concerning the environmental effects on Water/Riparian and Soil Resources.

3. There is reasonable assurance that the lands can be adequately restocked within five years of completion of the even-age treatment as required in 36 CFR 219.27 (c)(3). The on-the-ground examinations of the stands proposed for final harvest have confirmed that conditions are sufficiently similar to successfully regenerated stands in the area that it is likely that the results will be similar. In the past, stands like these have become adequately restocked with acceptable species within five years with very few exceptions. Those stands prescribed for planting of shortleaf pine are similar to areas where planting of this tree species has been successful in the past, beginning with extensive tree planting by the Civilian Conservation Corps in the 1930's. The silvicultural files maintained at the District Office contain records of these previously treated stands.

4. An Act of Congress, the Secretary of Agriculture, or the Chief of the Forest Service has not withdrawn the lands proposed for timber harvest from timber production.

5. The land has not been deemed inappropriate for timber production due to assignment to other resource uses or considerations of cost efficiency.

NATIONAL FOREST MANAGEMENT ACT REQUIREMENTS

All proposals involving the manipulation of the tree cover for any purpose comply with the seven requirements found in 36 CFR 219.27(b). My reasons for making this determination follow:

1. The actions are best suited to the goals stated in the Forest Plan as discussed previously in this decision notice. Appendix D to the Forest Plan EIS describes the use of vegetative manipulation as a means to achieving these goals.

2. The technology and knowledge exists to adequately restock lands within five years after final harvest per 36 CFR 219.27(c)(3); item 3 of the previous section of this decision discusses this concern.

3. These activities were not chosen primarily because they will give the greatest dollar return or the greatest output of timber. I describe in the Reasons for the Decision section of this Decision Notice the combination of factors that I considered in selecting Alternative 2. The choice of management practices was determined by a combination of factors including protection of other resource values, improving forest health, providing a diversity of habitat types, and by the resulting commodity outputs.

4. These activities were chosen after considering potential effects on residual trees and adjacent stands. These effects are documented throughout the EA.

5. The selected activities will avoid permanent impairment of site productivity and will insure conservation of water resources. These considerations are discussed on pages 36 through 57 of the EA.

6. The selected activities will provide the desired effects on water quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, aesthetic values, and other resource yields. These considerations are discussed beginning on page 36 of the EA.

7. The selected activities are practical in terms of transportation and harvesting requirements and total cost of preparation, logging, and administration. I base this determination on the fact that the selected activities are similar to those which have been practiced, and are currently being practiced, on the Mark Twain National Forest and the Doniphan/Eleven Point Ranger District in areas similar to those within the NE Corner Project Area.

APPROPRIATENESS OF EVEN-AGED MANAGEMENT

The majority of timber management in this project uses even-aged management, 2,268 acres of even-aged and 431 acres of uneven-aged management. Even-age management in this project consists of approximately 338 acres of clearcutting, about 33 acres of shelterwood seed cut harvesting, about 88 acres of seed tree seed cut harvesting approximately 33 acres of shelterwood preparatory harvesting, about 114 acres of salvage cutting and approximately 1,638 acres of commercial thinning conducted as an intermediate treatment. I have determined that the site-specific silvicultural prescriptions, contained in the project file and noted as available in Appendix D of the EA, specifying even-aged management are appropriate for timber management purposes on these stands. Implementing even-aged management on these stands is consistent with Forest Plan direction found in Chapter IV, pages 36-38 and Forest Plan EIS Appendix D. This determination is in accordance with the requirements of 12 U.S.C. 1604 (g)(3)(f)(i) and (ii).

OPTIMALITY OF CLEARCUTTING

On the 338 acres prescribed for clearcutting I have determined that this is the optimum treatment to achieve management objectives for these areas. On pages 5 and 91-92 the EA describes the stand conditions found in the stands to be clearcut. Appendix D of the EA and the silvicultural stand folders filed at the District Office contain additional documentation of stand conditions. Briefly, these stands are stocked with a significant component of mature, low quality or high-risk trees in the red oak group. There are insufficient shortleaf pine or other trees not in the red oak group to conduct successful shelterwood or seed tree harvests on these stands. These stands have advanced regeneration and expected stump sprouting (coppice) will adequately restock all of the stands. Clearcutting will provide woodland habitat in the 0-9 Year Age classes that is one of the habitat objectives for the 4.1-12 management prescription.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that these actions are not a major federal action, individually or cumulatively, and will not significantly affect the quality of the environment. Therefore, an environmental impact statement is not needed. This determination is based on the context and intensity of the following factors (40 CFR 1508.27):

1. There will be no significant effects, beneficial or adverse, resulting from implementation of this project. The EA discusses the environmental effects of implementing any of the alternatives, including the selected alternative, on pages 36 through 121.
2. Public health and safety are not significantly affected by the proposed actions. Public safety will be slightly improved by measures to improve or restore roads. The EA describes effects of road reconstruction on pages 58-59, as well as in Appendix E.
3. There will be no significant adverse effects on prime farmlands, park lands, floodplains, wetlands, historic or cultural resources, scenic rivers, ecologically critical areas, civil rights, women or minority groups. The Environmental Effects section of the EA, beginning on page 36, describes the anticipated effects of implementing these actions.
4. Based on public participation and the involvement of resource specialists, I do not expect the effects on the quality of the human environment to be highly controversial. This does not mean that the decision to proceed will be acceptable to all people, as some people will probably find that their needs and interests are not served by the selected actions. The selected actions are similar to management activities that have been initiated on forested lands in this vicinity previously and the anticipated effects are reasonably predictable; therefore, these effects are not highly controversial. It is my professional judgment that the significant biological, social, and economic issues have been addressed well enough in the EA for this project to avoid major scientific controversy over environmental effects.
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. The Environmental Effects section of the EA, pages 36 through 120, adequately evaluates the anticipated effects of this project.
6. These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the Forest Plan. This type of project has been analyzed and implemented on the Mark Twain National Forest many times (reference cumulative effects analysis in EA).
7. There are no known significant cumulative effects between this project and other projects implemented or planned on areas separated from the affected area of this project beyond those I have assessed. With the exception of routine maintenance activities, all known connected actions associated with the selected activities which are

likely to occur in the reasonably foreseeable future have been identified in the assessment and the direct, indirect, and cumulative effects disclosed.

8. Based on surveys accomplished prior to this decision, I can state that this action will not adversely affect sites or structures eligible for the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historic resources. The project file and pages 59-64 of the EA contain descriptions of the cultural resources in this area.

9. Based on the Biological Evaluation, Appendix H of the EA, prepared for this project the selected actions will have no additional effects beyond those identified in the 1998 Programmatic BA and June 23, 1999 US Fish and Wildlife Service Biological Opinion. The November 6, 2003 letter from the US Fish and Wildlife Service specific to the NE Corner Projects states “We concur with your determination of “not likely to adversely affect” for Curtis’ pearly mussel, pink mucket pearly mussel, running buffalo clover, and Topeka shiner.” It further states “We concur with your conclusion that there are no additional effects to federally listed species associated with the NE Corner Project beyond those that were previously disclosed and discussed in the Service’s Programmatic BO of June 23, 1999.” Therefore, I determine that the effects to Threatened and Endangered species are not significant.

10. The actions do not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

APPEAL RIGHTS

This decision is subject to appeal pursuant to 36 CFR 215.11. A written Notice of Appeal must be postmarked or received within 45 days after the date of publication of this decision at the following address:

Forest Supervisor Ronnie Raum, Appeal Deciding Officer
Attn: Appeals and Litigation
USDA-Forest Service, Eastern Region
626 E. Wisconsin Ave.
Milwaukee, WI 53202
FAX (414) 944-3963

Electronic Appeals to appeals-eastern-regional-office@fs.fed.us
Electronic appeals should be in TXT, RTF, DOC, PDF or other
Microsoft Office-compatible formats.

Normal business hours 7:30 a.m. – 4:00 p.m. Monday through Friday.

The legal notice of this decision will be published in the **Current Wave** of Eminence, MO.

Appeals must meet the content requirements of 36 CFR 215.14. Detailed records of the environmental analysis are available for public review at the Doniphan Ranger Station. For further information on this decision contact:

Jerry Bird, District Ranger
USDA Forest Service
Mark Twain National Forest
1104 Walnut Street
Doniphan, MO 63935
(Telephone and TTY (573) 996-2153 or FAX (573) 996-7745)

If no appeal is received, implementation of this decision may occur on, but not before, five days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

/s/ Jerry Bird

02/20/04

JERRY BIRD
District Ranger
Doniphan/Eleven Point Ranger District

DATE