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Department of  
Agriculture

Forest  
Service

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**File Code:** 1950

**Date:** February 15, 2007

Dear Interested Public:

Thank you for your participation in the environmental analysis process for the activities proposed in Bearcat Hollow. Your comments and an agency response have been summarized in Appendix C of the final Environmental Assessment (EA). A copy of the final EA is enclosed.

Enclosed you will also find the Decision Notice (DN) I signed on February 9, 2007 that describes the actions that will be taken in the project area over the next few years. I decided to implement the Proposed Action (PA) as described in the EA. The final version of the EA corrects minor errors such as transposed numbers and spelling. The EA also attempts to clarify some areas that seemed confusing based on the comments we received. There were no changes to the PA or alternatives nor were any of the findings of the analyses changed.

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 this notice is published in the Newton County Times, Jasper, Arkansas. The Notice of Appeal must be sent to: Ozark-St. Francis National Forests, ATTN: Appeals Deciding Officer, 605 West Main, Russellville, AR 72801. Appeals may be faxed to (479) 964-7229. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may also be mailed electronically in a common digital format to *appeals-southern-ozark-stfrancis.nfs@fs.fed.us*.

Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact: Jim Dixon, District Timber Management Assistant or Jan Self, District Wildlife Biologist, Big Piney Ranger District, P.O. Box 427, Jasper, AR 72641 or call 870-446-5122.



If no appeal is received, implementation of this decision may occur on, but not before, 5 business 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.

Sincerely,

//S// LEW W. PURCELL, JR.

Lew W. Purcell, Jr.  
District Ranger

# DECISION NOTICE and FINDING OF NO SIGNIFICANT IMPACT

## Bearcat Hollow Project

U.S.D.A. Forest Service  
Ozark-St. Francis National Forests  
Big Piney Ranger District  
Compartments 134, 135, 744, and 745  
Newton County, Arkansas

### Decision

The Bearcat Hollow Project Environmental Assessment (EA) documents the analysis of the Proposed Action and three alternatives. The EA is on file at the Big Piney Ranger District office in Jasper, AR.

It is my decision to select the Proposed Action (PA). The PA consists of the following treatments (see map B for locations):

- Creation of High Quality Forage Openings on approximately 422 acres,
- Restore Oak/Pine Woodlands on approximately 240 acres,
- Restore Oak/Pine Savannah on approximately 127 acres,
- Commercially thin approximately 216 acres,
- Control noxious weed on approximately 500 acres of road rights of ways,
- Seasonally close about 7.5 miles of existing roads,
- Construct 11 wildlife ponds,
- Decommission approximately 6 miles of roads as recommended by the Roads Analysis Process (RAP),
- Designate approximately 4.3 miles of Off-Highway Vehicle (OHV) trails to year-round use and 6.4 miles of trails to seasonal use,
- Construct interpretive displays and observation stations to provide visitor information on hunting, wildlife viewing, and education,
- Conduct prescribe burns as needed on approximately 6000 acres,
- Place large woody debris into Dry Creek at five locations,
- Reconstruct and maintain about 1.7 miles and 7.9 miles of existing roads, respectively, and
- Implement all associated/connected actions described on pages II-5 through II-10 of the EA.

### Reasons for the Decision

My decision is within my delegated authority per 1230/2400 memo dated January 1, 2003 signed by the Forest Supervisor, Ozark-St. Francis National Forests. Actions contained within the Proposed Action are consistent with regulations under 36 CFR 219.27(B). Management activities in the Proposed Action are consistent with the Revised Ozark-St. Francis National Forests Land and Resource Management Plan (Forest Plan), as required by NFMA under 16 USC 1604(i), Forest Service Manual (FSM) 1922.41(1), and Forest Service Handbook (FSH) 1909.12. The selection of the Proposed Action was based on the analysis contained in the Environmental Assessment. Analysis contained in the Final Environmental Impact Statement (FEIS) for the Forest Plan and the Forest Plan, both tiered to in the EA, were also considered in making this decision.

## The Proposed Action (PA) was selected because:

- 1) I believe the PA provides the best plan of action to meet the desired conditions for Management Area (MA) 3.K of the Forest Plan (pgs. 2-77 and 2-78). The desired conditions for MA 3.K are:
  - Native and improved pastures are sufficient to provide year round forage for various wildlife species including elk and non-game species,
  - Ponds are sufficient to allow for even dispersal of wildlife,
  - Reintroduce fire back into the ecosystem, where needed, to control hardwood understories and to stimulate and maintain an abundant herbaceous component,
  - The area is dominated by grass and herbaceous understories with widely spaced large oaks and pine (pine and oak woodlands),
  - Habitat for bobwhite quail, whitetail deer, eastern wild turkey, and black bear is improved and maintained,
  - Elk winter forage grounds are improved and maintained with high grass and forb plant communities,
  - The character of the landscape is open with prairie-like ground cover with sparse overstory intermixed with openings, pastures, and ponds with a closed canopy forest mostly on the north and east slopes.
  - The area will provide a variety of recreational opportunities, mostly non-motorized, such as hiking, horseback riding, nature study, and hunting.
  - High quality forest product prescriptions for oak, pine, and mixed forest types will be utilized as scattered small vegetative communities, where appropriate.
- 2) The Proposed Action addresses three of the four threats to conservation on National Forests as identified by the Chief of the Forest Service Dale Bosworth (Forest Plan, pg. 1-4 and 1-5). The three threats are Fire and Fuels, Invasive Species, and Unmanaged Recreation. The PA addresses the threat of severe wildland fires by reducing the hazardous forest fuels that contribute to its occurrence. The PA reduces or eliminates non-native, invasive species (Forest Plan, pg. 2-12). The PA also manages the impacts of motorized recreation vehicles by restricting use to designated roads and trails while closing unneeded roads and trails (Forest Plan, pg. 2-18).
- 3) All adverse environmental impacts can and will be successfully mitigated.
- 4) The PA successfully addresses the issues in the EA:
  - Issue 1. Water quality. Water quality will not be impaired because the anticipated amount of sedimentation generated is considered to be a minimal risk to water quality. Best Management Practices will be implemented which our experience has shown helps keep sediment out of drainages.
  - Issue 2. Need for High Quality Forage Openings. These openings and their maintenance will provide a constant source of early successional habitat for those species dependent on that type of habitat. This increase in early seral habitat does not come at the expense of late seral habitat, as the area will still be dominated by late seral conditions.
  - Issue 3. Unmanaged Recreation (OHV use). Through the designation of permanent and seasonal OHV roads/trails and the closure of unneeded roads/trails, the conditions are set for

the appropriate management of OHV use. If this management strategy is not successful, other closures may be implemented without further notice.

- 5) The PA specifically meets Forest Plan priority direction (pg. 2-78) of “work[ing] with Arkansas Game and Fish Commission (AGFC) and other partners to provide elk habitat”.
- 6) The PA contributes to the overall Forest resource management strategy by:
  - Establishing large woody debris (LWD) in streams and rivers where natural levels are inadequate (Forest Plan, pg. 2-16),
  - Reducing the risk for oak and pine mortality events through commercial and non-commercial thinning (Forest Plan, pg. 2-11),
  - Reducing the wildland fire hazard by restoring 15 to 20 percent of all ecological communities into Fire Regime Condition Class 1 (Forest Plan, pg. 2-26),
  - Providing sawtimber and pulpwood products to assist in meeting the Forest Plan goal of 731 MMBF per decade (Forest Plan, pg. 2-28), and
  - Contributing to the restoration oak and pine woodlands (Forest Plan, pg. 2-10).

**The Proposed Action was selected over Alternative 1 because:**

1. The No Action alternative would not work toward meeting the desired conditions of the project area.
2. Chief Dale Bosworth delineated four threats to the health of the National Forest and Grassland system and this alternative fails to reduce the effects of these threats within the project area.
3. It is only partially successfully in addressing the issues in the EA:
  - Water quality (issue #1) will not be impaired because there are no actions proposed.
  - The analysis in Chapter 3 of the EA discusses the lack of early seral habitat. The need for High Quality Forage Openings (issue #2) is not addressed with this alternative. This alternative would continue to support the late seral species, but would not provide a desirable balance of habitat for species as indicated by the Forest Plan (pg. 1-19).
  - This alternative fails to address issue # 3 unmanaged recreation (OHV use).

**The Proposed Action was selected over Alternative 2 because:**

1. The actions proposed in Alternative 2 would work toward meeting the desired conditions of the project area with the following exceptions:
  - The project area presently has a number of invasive species and I don't feel that we can reduce that current population or prevent the spread of those species into areas proposed for high quality forage, pine/oak savannah, or pine/oak woodland without the use of herbicides.
  - The use of herbicide is also necessary to control hardwood sprouts, blackberry vines, and other undesirable woody plants. Without the use of herbicides, the treated areas would not reach their full potential and the project activities would be far less effective in creating the desired vegetative condition.
2. This alternative would be less effective in addressing the Chief's identified threats to the health

of the National Forests by excluding the use of herbicides.

### **The Proposed Action was selected over Alternative 3 because:**

1. Alternative 3 does not fully work towards meeting the desired conditions of the project area for the following reasons:
  - Alternative 3 relies solely on native grass species produced from thinnings and prescribe fire to produce the suitable forage conditions needed by elk. No improved (green) pastures would be constructed. The personal experiences of current elk herd managers has verified that elk tend to migrate to green pastures during winter because they prefer this seasonal food source over dormant native grass species. Without suitable improved (green) pastures within the project area during the winter, the elk would tend to migrate off the project area and possibly cause damage to nearby privately-owned pasture lands.
  - This alternative would continue to support the late seral species, but would not provide a desirable balance of habitat for species as indicated by the Forest Plan (1-19) as well as the PA.

### **Public Involvement and the Consideration of Issues and Comments**

To encourage public participation in the **Bearcat Hollow Habitat Enhancement Project** decision process, the District initially published a scoping letter in the Newton County Times on March 2, 2006 requesting comments, questions, and offering detailed information to those expressing an interest in the project. The legal notice announced a thirty day comment period, an open house to be held on March 11, 2006 from 9:00 am until 2:00 pm, and also invited the public to come by the office, call, or, express by letter their views on the project. Six people attended the March 11 meeting. In addition, to the March meeting, a notice was published in the Marshall Mountain Wave inviting the public to a meeting on May 20, 2006 at the Witt Springs gymnasium. Sixty-seven people attended this meeting and twenty people came to the office or telephoned to express their opinion. Fourteen letters were received from the public expressing an interest in, or their opinion of the project.

The District also sought public participation is by sending a letter to those landowners located within the proposed project and to those people who have shown a previous interest. On February 24, 2006 180 people were mailed a letter (with maps) explaining the project. They were asked to comment on, or involve themselves in, the analysis of the proposed project and develop alternatives, and were informed about the kinds of decisions to be made. This effort yielded eleven letters, ten phone calls, one Fax, and two E-mails requesting more information.

The District, also on February 24, 2006, sent a letter explaining the project to the 13 selected Tribes identified as having potential ancestral connections to the area. They were asked to comment on, or involve themselves in, the analysis of the proposed project and develop alternatives, and were informed about the kinds of decisions to be made. Five responses were received which expressed interest if archeological materials were found during project implementation.

## **Finding of No Significant Impact (FONSI)**

I have determined that these actions are not a major Federal Action, individually or cumulatively, and will not have a significant effect on the quality of the human environment. An environmental impact statement is not needed. This determination is based on the following factors (40 CFR 1508.27):

1. According to the EA (III-52 to III-59) and Biological Evaluation (located in the process file), the actions are not likely to adversely affect any threatened or endangered species or their critical habitat. (See section 1508.27(b)(9) of the Council on Environmental Quality (CEQ) regulations.)
2. The project will not significantly affect unique characteristics of the geographic area such as proximity to historic or cultural resources, wetlands, floodplains, wild and scenic rivers, or ecologically critical areas (EA III-7, III-59 to III-60). (See section 1508.27(b)(3) of the CEQ regulations.)
3. The actions will not affect any sites listed in, or eligible for listing in the National Register of Historic Places or will they cause loss or destruction of significant scientific, cultural, or historic resources because a survey has been conducted (EA III-59 to III-60) and necessary boundary adjustments have been made. (See section 1508.27(b)(8) of the CEQ regulations.)
4. As discussed in the EA (p. III-4, III-10, III-13, III-29, III-46-51, III-55, III-58, and III-60) there are no significant cumulative effects anticipated. However, there is a low risk rating for long-term cumulative effects to stream habitat in the project area (EA III-9). (See section 1508.27(b)(7) of the CEQ regulations.)
5. I do not consider the proposal as "highly controversial" with respect to the nature or extent of effects. (See section 1508.27(b)(4) of the CEQ regulations.)
6. Because the actions contemplated are similar to those that have occurred in other portions of the District, I do not feel they present any highly uncertain effects or involve unique or unknown risks. (See section 1508.27(b)(5) of the CEQ regulations.)
7. There are no adverse effects foreseen on public health or safety and this action will not have a significant effect on the quality of the human environment. (See section 1508.27(b)(2) of the CEQ regulations.)
8. According to the EA (Chapter III and IV), both the beneficial and adverse effects have been identified. (See section 1508.27(b)(1) of the CEQ regulations.)
9. The actions in this decision will not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration. (See section 1508.27(b)(6) of the CEQ regulations.)
10. None of the actions threaten to lead to violation of federal, state, or local laws imposed for the protection of the environment. (See section 1508.27(b)(10) of the CEQ regulations.)

## Findings Required by Other Laws and Regulations

1. State-approved Best Management Practices (BMP) for water quality will be followed for this project. These BMP's are incorporated into mitigations found in the FEIS for the Forest Plan, incorporated by reference. These BMP's are from the State Water Quality Management Plan. The project will be monitored to ensure BMP's are implemented. If implementing actions on a specific site results in effects significantly higher than anticipated due to unforeseen site factors or events, appropriate corrective measures will be considered and implemented. Management requirements under 36 CFR 219.27 will also be followed.
2. Vegetation management practices occur on Management Area 3.K lands and are identified in the Forest Plan as being suitable for timber production and all other planned actions, as required by 36 CFR 219.7(d).
3. This project is reasonable and feasible and results in applying management practices, with appropriate mitigation measures when indicated, that meet the Forest Plan's overall direction of protecting the environment while producing goods and services.
4. Does provide desired effects on forest health, recreation uses, and wildlife.

## I have also determined that the Proposed Action:

1. Is right for the lands being harvested and where other treatments are proposed.
2. Is not selected because of its dollar return or output of timber, although these factors were considered.
3. Is selected after considering the potential effects on remaining trees and adjacent stands.
4. Is practical in terms of transportation and harvesting requirements, and total costs of preparation, logging, and administration.

## Appeal, Administrative Review, and Implementation

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 this notice is published in the Newton County Times, Jasper, Arkansas. The Notice of Appeal must be sent to: Ozark-St. Francis National Forest, ATTN: Appeals Deciding Officer, 605 West Main, Russellville, AR 72801. Appeals may be faxed to (479) 964-7229. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may also be mailed electronically in a common digital format to *appeals-southern-ozark-stfrancis.nfs@fs.fed.us*.

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Lew W. Purcell, Jr.

LEW W. PURCELL, JR.  
District Ranger

February 9, 2007  
DATE

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