

Decision Memo Project # 40407

Pine Fuel Reduction Activities in
Compartments 95, 98, 146, and 163
Carter and Butler Counties, Missouri
Poplar Bluff Ranger District,
Mark Twain National Forest
USDA-Forest Service

I. DECISION

I have decided to implement the Proposed Action to utilize thinning and burning for fuel reduction in an urban wildland intermix area of the Poplar Bluff Ranger District in 23 stands totaling an estimated 374 acres in Compartments 95, 98, 146, and 163, respectively. (See attached map and Attachment A). Thinning will reduce the density of trees in the area to approximately 60-70 square feet per acre. Current density in these pine stands is over 100 square feet per acre. Prescribed burning treatments would entail using multiple, periodic controlled burns on an as needed basis over the next ten years to reduce and maintain fuel loading to an acceptable level.

Thinning and burning will be used to achieve the following objectives:

- Reduce risk of crown fire by reducing the interconnection of pine tree crowns.
- Reduce fuel loading by removing, reducing, or consuming accumulated fuels.

Connected actions necessary to accomplish the proposal may include fire line construction, temporary road construction, and limited maintenance of existing roads (i.e., draining or gravelling mud holes).

The project area is located generally west of Poplar Bluff, Missouri, on the Poplar Bluff Ranger District. The project area includes stands in Compartment 95 (Township 26 North, Range 3 East, Sections 4 and 5; and Township 27 North, Range 3 East, Sections 27, 28, 33, and 34,); Compartment 98 (Township 27 North, Range 3 East, Sections 28 and 29); Compartment 146 (Township 26 North, Range 3 East, Sections 20 and 29); and Compartment 163 (Township 25 North, Range 4 East, Sections 23, 30, 14, and 23). Compartments 95, 98, 146, and 163 are in Carter County, Missouri; Compartment 163 is in Butler County, Missouri. A list of compartments and stands is attached at the end of this document.

This area is one of several areas on the Poplar Bluff Ranger District identified for pine fuel reduction treatments in "Category 2: Intermix Communities" as defined in the Federal Register Notice of January 4, 2001 regarding "*Urban Wildland Interface Communities Within the Vicinity of Federal Lands That Are at High Risk From*

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Wildfire". Urban Wildland Interface is defined as the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. This area, including the intermix community of Rombauer, is considered "at high risk" from catastrophic wildfire.

Homes occupied seasonally and year-round were constructed during the past few years within and in close proximity to the project area. Development density ranges from structures very close together to one structure per 40 acres. An alternative definition of an intermix community is a population density of between 28 to 250 people per square mile.

Prescribed burning activities will be implemented beginning in 2005. Additional burning treatments over the course of the next ten years will be implemented based on fuel loading conditions. Subsequent prescribed burns will be implemented generally on a three to five-year rotation cycle when conditions meet prescription parameters. The prescribed burn will include mitigation measures to minimize the potential for soil erosion, protect water quality, and mitigate other possible effects. Necessary man-made and natural firebreaks are essentially in place, such as roads and trails, and streams. Also, prescribed burns would be implemented only on days when atmospheric conditions are favorable for effective transport and dispersion of smoke and other particulate matter (Refer to the appropriate Forest Service Manual and Forest Service Handbook).

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

I have decided this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it falls within one of the categories identified by the U. S. Department of Agriculture in 7 CFR part 1b, and there are no extraordinary circumstances related to the decision that may result in a significant environmental effect.

A. Category of Exclusion

The Proposed Action falls within a category of actions established by the Chief of the Forest Service as routine actions that do not normally, in and of themselves, individually or cumulatively, have a significant effect on the quality of the human environment and, therefore, may be excluded from documentation in an environmental assessment. It does require a project or case file and decision memo (Forest Service Handbook 1909.15. They include: 1) Category 31.2{10}, "***Hazardous fuels reduction activities using prescribed fire, not to exceed 4,500 acres and mechanical methods for crushing, piling, pruning, cutting, chipping, mulching, and mowing not to exceed 1,000 acres***"; and 3) Category 31.2 {6}), "***Timber stand and/or wildlife habitat improvement activities which do not include the use of***

herbicides or do not require more than one mile of low standard road construction."

B. Relationship to Extraordinary Circumstances

1. Steep Slopes or Highly Erosive Soils.

There are no steep slopes or highly erosive soils. Topography in proposed treatment areas consists of rolling hills with moderate slopes. Similar harvest and prescribed burning activities near this project area, conducted in the past, were determined to have no significant soil-related impacts. Mitigation measures will be implemented to deter significant soil-related impacts. Physical and chemical properties of forest soils, which determine site productivity, are largely unchanged by prescribed fires in the long run, even though small increases in some plant nutrients may occur after burning.

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.

A determination has been made by the Poplar Bluff Ranger District Wildlife Biologist that, these actions will not have a direct, indirect or cumulative effect to the Bald eagle, Indiana bat, Gray bat, Pink mucket, Curtis' pearly mussel, Running buffalo clover or Hine's emerald dragon fly beyond those that were previously disclosed and discussed in the US Fish & Wildlife Service's Biological Opinion of June 23, 1999. On June 12, 2003, the US Fish & Wildlife Service concurred with that determination. This is documented in the Federal Biological Evaluation and concurrence letter (Project File).

3. Floodplains, Wetlands, or Municipal Watersheds.

Floodplains: Executive Order 11988 requires avoiding 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 flood prone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in anyone year.*" Proposed resource management activities will not impair the function of any floodplains. Similar past projects near these areas have been determined to have had no significant floodplain-related impacts. Therefore, this decision should not result in significant floodplain-related impacts.

Wetlands: Executive Order 11990 directs us 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*

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a frequency sufficient to support and under normal circumstances does or will support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction." The project is not located in or near wetlands. Topographical map review, field visits, and District records review support this determination. Therefore this decision will have no affect on wetlands.

Municipal Watersheds: Municipal watersheds are designated by Congress, and managed under multiple use prescriptions in forest plans. There are no congressionally designated municipal watersheds on the Forest. This decision will not affect municipal watersheds.

4. Congressionally Designated Areas –Wilderness. This decision, with impacts limited to the immediate area of activity, will not adversely affect any wilderness area. The nearest wilderness area is the Mingo Wilderness, an estimated 25 air miles to the east of the project area.

This project meets the State Air Quality Regulations (Forest Plan, p. IV -22). Similar past projects in this area were determined to have no significant impacts to the wilderness. Therefore, this decision should not result in significant wilderness-related impacts.

Wilderness Study Areas

There are no Wilderness Study Areas on the Forest (Forest Plan FEIS, p. 111-23). This decision will not affect Wilderness Study Areas.

National Recreation Areas

There are no National Recreation Areas on the Forest. Therefore, this decision will not affect National Recreation Areas.

5. Inventoried Roadless Areas.

The project is not within an inventoried roadless area (Forest Service Roadless Area Conservation Final Environmental Impact Statement [FEIS]). Therefore, this decision will not result in inventoried roadless area-related impacts.

6. Research Natural Areas. There are no Research Natural Areas on the Forest, (Forest Plan FEIS, p. 111-25 thru 26.) This decision will not affect any Research Natural Areas.

7. Native American Religious or Cultural Sites, Archeological 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

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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 found 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.

The Zone Archeologist has determined that this action does not have the potential to affect historic and unevaluated properties. The State Historic Preservation Office has concurred with the determination that the project "will have no adverse effect" on historic properties with mitigation measures applied (June 16, 2003).

III. PUBLIC INVOLVEMENT

Discussions were held with members of the Butler County Commission and Butler County Fire Department. A scoping identifying the project and requesting public input was mailed to individuals and organizations on the Poplar Bluff Ranger District mailing list on July 8, 2004. The project was also posted on the worldwide web. One electronic comment letter was received. Two organizations responded in one consolidated response in this comment letter which both electronically signed. Both commenters stated that the analysis needed to develop an alternative without commercial logging. Their comments are included and addressed in Attachment B.

IV. FINDINGS RELATED TO OTHER LAWS AND REGULATIONS

This decision will comply with all applicable laws and regulations. I have summarized some below:

Forest Plan Consistency (National Forest Management Act) -This Act requires the development of long-range land and resource management plans for individual National Forests. The Mark Twain Forest Plan was approved on June 23, 1986, as required by this Act. The plan provides for guidance for all natural resource management activities on the Forest. The Act requires that all projects and activities be consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction

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contained in the Plan, as summarized in this document in Section I, and is consistent with Plan Standards and Guidelines.

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 seven requirements found at 36 CFR 219.27(b).

1. **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.
2. **Assure that technology and knowledge exists to adequately restock lands within five years after treatment, except where permanent openings are created for wildlife habitat improvement, vistas, recreation uses, and similar practices.** The forested areas will become adequately stocked as a result of project implementation. Permanent openings are created for wildlife habitat improvement and for the other identified purposes. None are part of the proposal.
3. **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 identified in Section I of this decision. It was not chosen for its expected dollar return. The project does not include any timber outputs.
4. **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, described in the Forest Plan are designed to produce the desired effects of management practices on future resource values. This decision is consistent with the Forest Plan and is expected to produce the desired effect on residual trees.
5. **Be selected to avoid permanent impairment of site productivity and to ensure conservation of soil and water resources.** This decision avoids permanent impairment of site productivity. The nature of the project and use of mitigation measures will protect soil and water resources.
6. **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 will produce the desired effect on the above resources. The overall direction and Standards and Guidelines contained in the Forest Plan are designed to produce the desired effects of management practices on the other resource values. This decision is

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consistent with the Forest Plan and produces the desired effect on the above resources.

7. **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 or temporary roads are necessary to implement this decision. The project does not involve a large timber harvest or major logging operations. The treatment in this decision is appropriate to accomplish site-specific 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 population viability is a concern. On February 29, 2000, the Regional Forester approved the sensitive species list. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation (Project File). This decision should have no adverse impact on sensitive species.

Clean Water Act -This Act is intended to help restore and maintain the integrity of waters. The Forest Service complies with this Act with the application of Best Management Practices (BMP's). This decision incorporates BMP's to ensure protection of soil and water resources, in compliance with this Act.

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

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

Clean Air Act - Under this Act, areas of the country were designated as Class I, II, or III airsheds for Prevention of Significant Deterioration purposes. Class I areas generally include national parks and wilderness areas. Class I provides the most protection to pristine lands by severely limiting the amount of additional human-caused air pollution that can be added to these areas. Hercules Glades Wilderness, an estimated 150 miles west of the project area, is the only Class I airshed on the Forest. The remainder of the Forest is classified as a Class II airshed. No areas on the Forest have been designated as Class III. The prescribed burn will not affect the Class I airshed because the wilderness is well over 100 miles to the west.

There is a second wilderness area under the administration of the US Fish and Wildlife Service (Mingo Wilderness) approximately 25 air miles east of the project area. This prescribed burn is not expected to affect the Class I airshed. Also, implementation will only occur when the wind direction – generally from the south - would disperse the smoke away from any major population areas. Prescribed burning activities will be coordinated with the US Fish and Wildlife

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Service and the State of Missouri, and follow the State Implementation Plan to protect air resources.

Federal Cave Resources Protection Act - This Act is intended to secure, protect, preserve, and maintain significant caves, to the extent practical. Site features and field review substantiates that there are no known caves in the decision area. Therefore, 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.

American Indian Religious Freedom Act - This Act protects American Indians' inherent right of the freedom to believe, express, and exercise their traditional religions. The federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes reserved rights are protected. No tribal concerns were identified for this project.

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. Therefore, this decision will not 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 and district records for this decision supports compliance with this Act.

V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is not subject to appeal pursuant to 36 CFR 215.8(a)(4). It may be implemented immediately upon signing of this decision.

VI. IMPLEMENTATION DATE

The thinning treatments will be scheduled over the course of the next five years beginning in 2005, and prescribed burning treatments will be implemented over the next ten years on an as needed basis.

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VII. CONTACT PERSON

Further information about this decision can be obtained from Bill Paxton, Integrated Resource Analyst, Poplar Bluff Ranger District, 1420 Maud Street, Poplar Bluff, Missouri 63901; (573) 785-1475; fax (573) 785-0267, e-mail bpaxton@fs.fed.us.

VI. SIGNATURE AND DATE

/s/ Henry B. Hickerson
Henry B. Hickerson
District Ranger

August 6, 2004
Date

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Attachment A

**Pine Fuel Reduction Project: Compartments 95, 98, 146, and 163
Specific Treatment Stands**

Compartment	Stand #	acres	Year of Origin	Age	Township/Range/Section
95	30	9.1	1961	43	27N3E, Section 28
	44	3.7	1961	43	27N3E, Section 33
	47	13.9	1958	46	27N3E, Sections 33 and 34
	48	5.8	1957	47	27N3E, Section 34
	52	14.8	1961	43	27N3E, Section 28
	53	7.7	1956	48	27N3E, Sections 28 and 33
	75	3.6	1925	79	27N3E, Sections 27 and 28
	76	14.1	1961	43	27N3E, Sections 27, 28, 33, and 34
	77	0.3	1956	48	27N3E, Section 28
	78	13.9	1961	43	27N3E, Section 28
Subtotal 10 stands 86.9 acres					
98	4	30.1	1956	48	T27NR3E, Sections 28 and 29
	40	17.9	1956	48	T27NR3E, Section 28
Subtotal 2 stands 48.0 acres					
146	16	18.5	1926	78	T26NR3E, Section 20
	21	40.4	1929	75	T26NR3E, Sections 20 and 29
	22	22.5	1962	42	T26NR3E, Sections 20 and 29
Subtotal 3 stands 81.4 acres					
163	19	11.5	1958	47	T25NR4E, Section 23
	20	20.7	1958	46	T25NR4E, Section 23
	22	3.9	1958	46	T25NR4E, Section 23
	30	23.2	1960	44	T25NR4E, Section 30
	36	11.7	1959	45	T25NR4E, Section 23
	38	17.0	1960	44	T25NR4E, Section 23
	42	39.2	1959	45	T25NR4E, Section 30
	87	30.5	1956	48	T25NR4E, Sections 14 and 23
Subtotal 8 stands 157.7 acres					
Totals 4 Compartments			23 stands	374.0 acres	