

RECORD OF DECISION

for the

Texas Blowdown Reforestation Project

**USDA-Forest Service
The National Forests and Grasslands in Texas
Angelina and Sabine National Forests**

Sabine, San Augustine, and Shelby Counties

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I. Introduction

On February 10, 1998, a severe windstorm swept across east Texas, damaging approximately 103,000 acres on the Angelina, Sabine, and Sam Houston National Forests (NFs). The damage to the national forests included uprooted and windthrown trees, trees broken off at varying heights above the ground, or trees so severely root-damaged and leaning from the force of the wind that they could not reasonably be expected to survive. The Forest Service took immediate actions to protect public safety and identified other actions needed to protect forest resources and adjacent private property. To implement these actions and address the emergency situation the Forest Service requested alternative arrangements for compliance with National Environmental Policy Act (NEPA) requirements from the Council on Environmental Quality (CEQ) under 40 CFR 1506.11. The CEQ approved alternative arrangements on March 10, 1998. Windthrown trees were removed from the three affected national forests under the alternative arrangements. As part of the alternative arrangements the Forest Service and CEQ also agreed that the Forest Service would conduct the appropriate NEPA analysis process with full public participation to determine the actions to be taken to reforest and restore the areas damaged by the windstorm. I decided to prepare an Environmental Impact Statement (EIS) for reforestation actions.

Even while emergency response actions were in progress, resource specialists and managers on the National Forests and Grasslands in Texas (NFGT) began discussing the need for reforestation within the affected areas to meet the objectives of the Revised Forest Plan for the NFGT and to restore damaged of the endangered red-cockaded woodpecker (RCW). Although damage to RCW habitat on the Angelina and Sabine NFs was widespread the windstorm impacted the RCW population in the northern Sabine HMA the most severely. Approximately 15,000 acres of RCW habitat in the northern Sabine HMA sustained extensive and moderate damage. Foraging habitat was already limited for several active and inactive clusters and recruitment stands on the Sabine NF prior to the storm. Preliminary discussions revealed that not all information necessary to develop site-specific proposals for reforestation and RCW habitat restoration was available. Because additional information about the status of the storm-damaged areas following removal treatments was needed before beginning the formal EIS process, I decided to conduct a **Changed Condition Analysis** to provide the needed information.

On July 15, 1998, the Forest Service published notice in the Federal Register that it would prepare a Changed Condition Analysis. Interested members of the public were advised by letter about the process on July 10, 1998. I identified **two objectives** for the analysis: **1) to provide the basis for reforestation proposals in the storm-damaged areas of the NFGT and 2) to analyze the need to adjust land allocations on the Angelina and Sabine NFs to meet Plan objectives for RCW habitat.**

In my letter to the public, I described the process to be used to analyze the changed conditions and the types of information to be gathered, including inventories of existing vegetation and special features such as heritage sites, and threatened, endangered, and sensitive species. Since the windstorm had the greatest effect on trees in the overstory, the Changed Condition Analysis concentrated on assessing changes to that component of the vegetation. The Changed Condition Analysis was produced with the most reliable information available at the time.

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Although the storm affected approximately 100,000 acres on Angelina and Sabine NFs, not all of the areas met the criteria for consideration of additional management actions to provide for regeneration. The Interdisciplinary Team (IDT) identified areas with less than 30 square feet of post-storm residual basal area of overstory trees as the highest priority for reforestation, areas with between 30 and 60 square feet of basal area as high priority, and areas with more than 60 square feet as not needing reforestation actions. The IDT used a combination of satellite imagery and ground evaluation to determine that approximately 26,750 acres on the Angelina and Sabine NFs sustained sufficient damage to be considered for reforestation. The IDT also determined that the damage on the Sam Houston NF warranted no further action to provide for reforestation to meet the Plan's objectives. Table 1 summarizes the acreage by management area on the Angelina and Sabine NFs considered for reforestation actions.

Table 1. Summary of approximate acreage in Management Area 1 and Management Area 2 on the Angelina and Sabine NFs to be considered for reforestation activities.

	Residual Basal Area 0-30 square feet per acre (approx ac)		Residual Basal Area 31-60 square feet per acre (approx ac)		Total
	MA-1	MA-2	MA-1	MA-2	
Forest					
Angelina NF	---	1,300	---	1,400	2,700
Sabine NF	6,000	5,700	5,300	7,050	24,050
Total	6,000	7,000	5,300	8,450	26,750

The Changed Condition Analysis also identified the damage to RCW habitat on the Sabine NF as severe enough to warrant re-evaluation of the allocation of lands to Management Area 2 (RCW Emphasis) on the northern part of the forest. The damage to the northern Sabine Habitat Management Area (HMA) placed in doubt the long-term existence of the RCW subpopulation in this HMA. Additional habitat would be needed to provide sufficient area for the northern Sabine RCW population to expand and meet the Forest Plan objective.

Based on the information gathered for the Changed Condition Analysis and subsequent discussions with the IDT, I proposed the draft Texas Blowdown Reforestation Project to address reforestation in Management Areas 1 and 2 on the Angelina and Sabine NFs and changes to Management Area 2 allocations on the Sabine NF.

I identified the following decisions to be made (FEIS, p. 5):

- Whether or not to conduct management activities to prepare storm-affected areas for natural or artificial regeneration to ensure the development of vegetation that will meet the desired future conditions prescribed by the Plan within Management Areas 1 and 2 on the Angelina and Sabine National Forests. If management intervention is necessary to produce the desired future conditions of the Plan, then site preparation and regeneration methods must be determined.
- Whether or not to modify the boundaries of MA-2 for the northern Sabine HMA to meet the Plan's RCW population objectives. If reallocation of land to the northern Sabine HMA is needed, the configuration of lands in MA-1 and MA-2 to meet the needs of the RCW and objectives of the Plan must be determined. Any boundary modifications would have to

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offset losses in habitat caused by the windstorm, identify ecologically capable pine and pine-hardwood sites, and eliminate hardwood and hardwood-pine sites from RCW management for short-term and long-term benefit of the RCW population.

The Final Environmental Impact Statement (FEIS) for the Texas Blowdown Reforestation Project considers the physical, biological, social, and economic effects of the proposed action and alternatives.

II. Decisions and Reasons for the Decisions

It is my decision to select Alternative 5 as described in the FEIS for the Texas Blowdown Reforestation Project (FEIS, pp. 18-19) for reforestation of the windstorm-damaged areas of the Sabine and Angelina National Forests and as modified by this Record of Decision. After evaluating the situation, reviewing the impacts to the resources described in the FEIS and consulting with the U.S. Fish and Wildlife Service, I believe Alternative 5 as modified provides the best and most prudent course of action for reforestation of the storm-damaged areas and survival of the endangered red-cockaded woodpecker. My modifications to Alternative 5 are described in Section V - Findings Required by Other Laws, found later in this ROD.

Alternative 5 provides for the regeneration of forest communities that will meet the desired future conditions for Management Areas 1 and 2 on the Angelina and Sabine NFs. It results in the best mix of site preparation treatments consistent with the production of future RCW habitat and development of forest communities appropriate for the sites. It uses ground-based site preparation equipment only where necessary to meet these goals and avoids any further treatment on approximately 55% of the area examined. Stem-specific herbicide treatments provide for reduced soil disturbance and, ultimately, protection of water resources. Natural regeneration is emphasized and planting of longleaf and shortleaf pine will be limited to those areas where it would be subject to the least amount of competition from residual loblolly pine and hardwood regeneration. Finally, this alternative provides for amendment of the Plan to change Management Area 1 and 2 land allocations in a way that provides the best chance for short-term survival and long-term growth of the RCW population on the northern Sabine NF. Although Alternatives 2 and 5 provide for the same configuration of RCW habitat on the Sabine NF, Alternative 5 uses less mechanical site preparation and more natural regeneration, making it less ground-disturbing and less costly to implement than Alternative 2.

In addition to the actions of Alternative 5 described in the following sections, Part VII of the Biological Assessment identifies Management Requirements and Protection Measures and Management Recommendations for Federally Listed or Endangered Species that will be included in the design and implementation of the project. The Biological Assessment is included in the FEIS as Appendix B.

Alternative 5 as found in the FEIS is more specifically described as follows:

(1) Reforestation Actions

In MA-1 approximately 850 acres would be treated by chainsaw felling and burning; 250 acres by individual stem herbicide treatment using the herbicide Triclopyr (either Garlon 3A or Garlon 4) followed by prescribed burning; 2,000 acres by mechanical chopping and

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burning; 50 acres by mechanical shearing and burning; and 3,450 acres by prescribed burning alone. About 4,200 acres would be regenerated naturally, shortleaf pine would be planted on about 950 acres, and longleaf pine would be planted on about 1,700 acres. About 8,200 acres would not be treated by any site preparation method. Existing loblolly pine on storm-damaged shortleaf pine and longleaf pine sites in MA-1 would be removed to reduce the potential for excessive natural loblolly pine regeneration on the sites. Loblolly pine would be removed from about 67 sites totaling approximately 4,350 acres in Management Area 1 on the Sabine NF. An estimated 9,350 ccf of loblolly pine volume would be removed, preferably using the most cost-efficient method available, timber sale contracts. The Federal District Court of Eastern Texas enjoined the NFGT from harvesting timber except under certain circumstances, including insect and disease control, fire control, and forest health. However, the Fifth Circuit Court of Appeals recently remanded the District Court's decision, but has not issued a mandate that officially vacates the August, 1997 injunction. Removal of the loblolly pine would not occur until the injunction is lifted thereby allowing resumption of timber management for purposes not included as excepted circumstances in the August, 1997 injunction.

In MA-2 approximately 2,400 acres would be treated by individual stem herbicide treatment using the herbicide Triclopyr (either Garlon 3A or Garlon 4) followed by prescribed burning; 650 acres by chainsaw felling and burning; 1,900 acres by mechanical chopping and burning; and 500 acres by prescribed burning alone. No mechanical shearing and burning would be done in MA-2 under this alternative. About 3,550 acres would be regenerated naturally, shortleaf pine would be planted on about 1,050 acres, and longleaf pine would be planted on about 900 acres. About 6,500 acres would not be treated by any site preparation method. Table 2 summarizes the actions of the selected alternative.

Table 2. Alternative 5 Actions

MANAGEMENT ACTION	MANAGEMENT AREA			Total
	1- Upland Forests	2- Red-Cockaded Woodpecker Emphasis		
	Sabine NF	Angelina NF	Sabine NF	
No treatment	8200	1450	5050	14700
Prescribe Burn only	3450	250	250	3950
Chainsaw fell/prescribe burn	850	300	350	1500
Herbicide/prescribe burn	250	100	2300	2650
Chop/prescribe burn	2000	600	1300	3900
Shear/prescribe burn	50	0	0	50
Natural regeneration	4200	650	2900	7750
Plant shortleaf pine	950	100	950	2000
Plant longleaf pine	1700	500	400	2600
Loblolly pine removal(ac)	4350	0	0	4350
Loblolly pine removal(vol ccf)	9350	0	0	9350

In addition to Plan standards that provide direction on the application of management actions to accomplish the reforestation summarized in the FEIS and incorporated into the project, the following project-specific requirements will be implemented:

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Where chopping and burning is implemented, the areas will be evaluated after chopping to determine the need for additional treatment to remove larger hardwoods that would inhibit restoration of native pine-dominated communities. Generally, chopping would not remove hardwoods greater than 10" DBH. If needed to re-establish vegetation to meet the desired future conditions, follow-up hardwood removal using chainsaw cutting will be implemented. Hardwoods to be removed would be limited to those in excess of the number needed to meet retention standards under Forest-wide Standard FW-027 found in the Plan.

Where hardwoods will be cut for site preparation, the cut trees will be made available for utilization as firewood or pulpwood. In Alternatives 2, 3, 4, and 5 where loblolly pine would be removed from shortleaf pine and longleaf pine sites in MA-1 under a commercial timber sale, hardwoods that would be removed in site preparation may be included in the timber sale contract or made available for firewood cutting.

Mechanical site preparation will be done on 15 areas that lie partially or totally on sensitive soils. Approximately 289 acres of these fifteen areas lie on sensitive soils. One area is located on the Angelina NF (502) and fourteen on the Sabine NF (3901, 3905, 3908, 4011, 4902, 5610, 5802, 5803, 5805, 5807, 6307, 6506, 6601, and 6901). Of the fifteen areas, three (Angelina 502, Sabine 6307, and Sabine 6601) will have the portions of the areas located on sensitive soils excluded from mechanical treatment in Alternatives 2-5. The other twelve areas will have mechanical site preparation conducted on the entire area, including the portion located on sensitive soils. Mechanical site preparation will be limited to the dry season on these areas to minimize the potential for adverse soil effects.

The application of the herbicide Triclopyr (Garlon 3A or Garlon 4) will not exceed the typical rates analyzed in the FEIS and approved in the Record of Decision for Vegetation Management in the Coastal Plain/Piedmont. For the application methods to be used in this project the rate will not exceed 4 pounds of active ingredient per acre (4 lbs a.i./ac).

All implementation personnel will have, study, and follow all mitigation measures, including threatened and endangered species considerations and soil exclusions. The sensitive soils on the 15 sites that will receive site preparation treatments will be physically delineated on the ground prior to mechanical treatment.

(2) Immediate, non-significant amendment of the *Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas*

The boundaries of the northern Sabine HMA will be modified to add about 10,400 acres in Compartments 15, 16, 18, 19, 29, 35, 36, and 45 to provide suitable habitat for the RCW to meet the population objective. These areas will be reallocated to Management Area 2. Compartments 50, 60, 61, 63, 64, and the eastern portion of compartment 56, an area totaling approximately 5,200 acres, will be removed from the HMA because of their marginal benefit for future RCW habitat. The acres will be reallocated to MA-1.

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The HMA will be managed under the sub-HMA concept as defined in the RCW EIS (RCW-EIS, pp. 178-181). All of the areas retained from the pre-storm HMA will be managed as a sub-HMA under Management Intensity Level 4 (MIL 4) and all of the new additions to the HMA managed under MIL 2.

The Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas describes the various management areas and provides management direction for each. The descriptions include acreage estimates for each management area; due to the small changes made to management areas in this amendment, we will not adjust acreage figures shown throughout The Plan. A revised map of the northern Sabine National Forest showing the allocations to MA-2 is included as documentation of the amendment. See Section V for my modification of the area allocated to MA 2 to be implemented by amendment of the Plan.

III. Alternatives

The ID Team developed alternatives to the proposed action based on the issues identified through scoping. The alternatives to be analyzed in detail were designed to meet the purpose and need for action and direction from the Plan. One alternative that was proposed by the public was also considered but not examined in detail. Each alternative addresses the two components of action: 1) treatments for site preparation and reforestation and 2) allocations to Management Area 2 for RCW habitat.

Site Preparation and Reforestation - Damaged areas with post-storm residual basal area (BA) less than approximately 60 square feet were considered for management actions to provide for regeneration (about 26,750 acres on the Angelina and Sabine NFs). Damaged areas on the Sam Houston National Forest would be allowed, in all alternatives, to reforest naturally without active management to prepare sites or manipulate the plant species composition

Allocations to Management Area 2 for RCW Habitat - The Plan delineated approximately 18,360 acres pine and pine-hardwood forests within MA-2 of the Sabine National Forest as the Northern Sabine Habitat Management Area (HMA). Because of the habitat needs for the RCW, many of the acres that provided habitat for the RCW prior to the storm may not provide such habitat now. Many of these areas also would not provide RCW habitat in the future if regenerated to the forest types indicated by the Ecological Classification System (ECS). Alternatives 2, 3, and 5 would revise the boundaries of the northern Sabine HMA to provide sufficient pine and pine-hardwood forests for the short-term and long-term benefit of the RCW.

Alternative 1 - No Action

Storm-damaged sites would be allowed to regenerate without additional management actions; no site preparation or planting would be done. No management actions would be undertaken to ensure that the resultant natural regeneration meets the objectives of the forest plan and is consistent with the plant communities described by the Ecological Classification System. No modifications to the northern Sabine HMA would be made to provide for additional suitable habitat to meet the population objectives (FEIS, p. 13).

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Alternative 2 – Maximize RCW Habitat Restoration and Expand the Northern Sabine HMA
Red-cockaded woodpecker habitat within MA-2 would be maximized consistent with the ecological capability of the ground as determined by the ECS. The northern Sabine HMA boundary would be modified to provide suitable habitat for RCW. Site preparation methods to be used include chainsaw or hand tool cutting followed by prescribed burning, mechanical chopping or shearing followed by prescribed burning, and prescribed fire only. Within MA-1, existing loblolly pine on shortleaf pine and longleaf pine sites would be removed to reduce the potential for excessive natural loblolly pine regeneration on the sites (FEIS, pp. 13-14).

The northern Sabine HMA would be modified to provide suitable habitat for RCW. The boundaries of the northern Sabine HMA would be modified to add about 10,400 acres in Compartments 15, 16, 18, 19, 29, 35, 36, and 45 to provide suitable habitat for the RCW to meet the population objective. Compartments 50, 60, 61, 63, 64, and the eastern portion of compartment 56, an area totaling approximately 5,200 acres, would be removed from the HMA because of their marginal benefit for future RCW habitat and reallocated to MA-1. The HMA would be managed under the sub-HMA concept as defined in the RCW EIS. All of the areas retained from the pre-storm HMA would be managed as a sub-HMA under Management Intensity Level 4 (MIL 4) and all of the new additions to the HMA managed under MIL 2. Approximately 25,775 acres would be allocated to the northern Sabine HMA, an increase of about 7,400 acres (FEIS, pp. 14-15).

Alternative 3 – Proposed Action

This is the alternative presented to the public during the scoping process. Site preparation treatments would include hand chainsaw cutting, mechanical shearing, mechanical chopping, and prescribed burning. Longleaf pine or shortleaf pine would be planted on upland sites suitable for their management if no adequate seed source existed. New areas would be added to the northern Sabine HMA to provide sufficient suitable RCW habitat to meet the population objective (FEIS, pp. 15-16).

The proposed action would adjust the boundaries of MA-2 within the Northern Sabine HMA to include about 7,000 additional acres in Compartments 29, 35, 36, 45, 46, 47, and 54 to provide suitable habitat for the RCW to meet the population objective (FEIS, p. 16).

Alternative 4 - Maximize RCW Habitat Without HMA Expansion

This alternative would maximize the production of RCW habitat using the same rationale and methods of site preparation in MA-2 as in Alternative 2, except it would not modify the northern Sabine HMA to include any additional habitat areas. Treatment methods and emphases within the existing HMA are the same as those described in Alternative 2. Treatments within MA-1 would be the same as those described under Alternative 2 (FEIS, p. 17).

Alternative 5 – Low Impact Site Preparation Emphasis (Decision)

This alternative is described on pages 3-6 of this Record of Decision and emphasizes the use of low-impact site preparation and would rely on natural regeneration where possible. Site preparation would emphasize chainsaw felling with prescribed burning, prescribed burning only, or individual stem herbicide treatments. Herbicides for site preparation would be used where practical to lessen the soil disturbance. Mechanical site preparation would be used where other treatments would not result in the development of the desired vegetation. Planting would be limited to those areas that cannot be regenerated to an appropriate forest type using natural

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regeneration. Existing loblolly pine on storm-damaged shortleaf pine and longleaf pine sites in MA-1 would be removed to reduce the potential for excessive natural loblolly pine regeneration on the sites.

Alternative 5 would make the same changes in allocations to MA-1 and MA-2 as proposed under Alternative 2, resulting in a net increase in the northern Sabine HMA of approximately 5,200 acres.

Alternative 6 - Minimal Impact Site Preparation and Reforestation Without HMA Expansion

Site preparation would be limited to MA-2 only. The site preparation treatment least impacting to the ground would be done in MA-2 to produce regeneration consistent with the ECS that meets the needs for RCW habitat production. Hand tool cutting or chainsaw felling methods would be used where site preparation is needed to ensure regeneration of appropriate vegetation. No mechanical methods or herbicide methods of site preparation would be used. Prescribed fire may be used alone or in combination with other treatments to prepare sites for regeneration. Natural regeneration would be relied upon on all sites within MA-2 except those that do not have an adequate pine seed source, where planting would be done to ensure regeneration of appropriate vegetation. No site preparation would be done in MA-1; only natural regeneration would be allowed in this management area. No additional loblolly pine trees would be cut in MA-1. Prescribed fire for natural regeneration will not be done, although prescribed fire treatments for fuels reduction that have already been approved will be done (FEIS, pp. 19-20).

There would be no modifications to the northern Sabine HMA.

Table 3 summarizes the actions in each alternative considered in detail in the FEIS.

Alternatives Not Considered in Detail

The Houston Chapter of the Sierra Club proposed an alternative in their response to the scoping notice for the Texas Blowdown Reforestation Project. This alternative proposed actions including minimal site preparation using only hand tools to clear areas for seeding of locally gathered shortleaf pine and longleaf pine seed. Seeding would only be done in areas on gravelly or sandy ridgetops where a suitable seed source for shortleaf or longleaf pine does not exist. There would be no prescribed burning to prepare sites for regeneration. Areas to be managed for hardwood or hardwood-pine forests would be planted with locally gathered hardwood seeds. Areas identified in the ECS as appropriate for beech-white oak, mixed oaks, sweetbay-swamp tupelo, white oak-loblolly pine-sweetbay or white oak-loblolly pine-willow oak forest types in MAs 1 and 2 would be allowed to naturally regenerate without any further treatment for site preparation. No additional trees would be cut in any areas.

The alternative was not carried forward for consideration in detail because it is essentially the same as is described under the no action alternative except for the requirement to seed hardwoods, shortleaf pine, and longleaf pine using local seed with only hand tool site preparation. This alternative would not meet the purpose and need of the project described in the FEIS (FEIS, pp. 21-22).

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Table 3. Summary of Alternatives

	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6
Site Preparation						
No Treatment	26750	14650	14500	14700	14700	19900
Prescribe burn only	0	2300	2500	2050	3950	2200
Chainsaw/Burn	0	2400	2000	2650	1500	4650
Chop/Burn	0	6400	6800	6300	3900	0
Shear/Burn	0	1000	950	1050	50	0
Herbicide/Burn	0	0	0	0	2650	0
Loblolly Removal in MA-1 (acres/vol ccf)	0/0	4350/9350	3400/6700	3950/9600	4350/9350	0/0
Reforestation						
Natural Regeneration	12500	6100	6150	6000	7750	10600
Plant Shortleaf	0	3150	3200	3150	2000	950
Plant Longleaf	0	3100	3150	3150	2600	950
Changes to MA-2 Land Allocations on Northern Sabine HMA						
Compartments/Acres reallocated to MA-1	None	5,200 acres in Comps 50, 56, 60, 61, 63, and 64	None	None	5,200 acres in Comps 50, 56, 60, 61, 63, and 64	None
Compartments/Acres reallocated to MA-2	None	10,400 acres in Comps 15, 16, 18, 19, 29, 35, 36, and 45	7,000 acres in Comps 29, 35, 36, 45, 46, 47, and 54	None	10,400 acres in Comps 15, 16, 18, 19, 29, 35, 36, and 45	None

The Environmentally Preferable Alternative

The Council on Environmental Quality's regulations for implementing the procedural provisions of NEPA require identification of the environmentally preferable alternative or alternatives (40 CFR 1502.2(b)). Ordinarily, this is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. Often, the No Action Alternative is environmentally preferable to alternatives that propose management action. In this project, the No Action Alternative produces the least direct consequences on these resources from reforestation activities, but could result in significant adverse effects on the red-cockaded woodpecker subpopulation in the northern Sabine National Forest. Considering all the effects from management actions, the objectives and desired future conditions of the Plan, and the goals of NEPA, Alternative 5 is the most environmentally preferable alternative. It provides for regeneration of appropriate forest communities to meet the Plan's desired future conditions for vegetation and provides for the short-term and long-term survival and growth of the red-cockaded woodpecker population in the northern Sabine NF.

IV. Public Involvement Conducted

The NFGT sent scoping letters to approximately 400 individuals, organizations, and agencies on March 30, 1999 describing the proposed action. A list of the individuals, organizations, and agencies notified about the project is included in the project file. The project file also contains all of the letters and comments received during the scoping process.

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A Notice of Intent to Prepare an Environmental Impact Statement was published in the *Federal Register* on March 31, 1999 inviting comment on the proposed actions. The Forest Service received ten responses to the request for comments during the scoping period. The IDT then developed alternatives and conducted environmental analysis, documenting the results in the Draft Environmental Impact Statement (DEIS). The Forest Service transmitted copies of the DEIS on October 20, 1999, to the individuals and organizations who submitted scoping comments. The Forest Service sent a letter to the remainder of those on the mailing list, advising them of the availability of the DEIS and soliciting additional comments. The Environmental Protection Agency published the Notice of Availability of the DEIS in the *Federal Register* on October 29, 1999.

Issues

The IDT examined the responses received during the scoping period and developed a preliminary list of issues that related to the purpose and need of the proposal. The issues were then organized and grouped based on common resources, common cause-and-effect relationships, common geography, or because they related to the same action. As the result of the scoping process, the ID Team identified, and the decision-maker approved, the following significant issues to be considered in the development of alternatives and the analysis of effects (FEIS, pp. 5-7).

1. The Effects That Activities Taken to Ensure Regeneration Would Have on the Resultant Vegetation and Wildlife Habitat

The vegetation structure and composition in areas of moderate and extensive damage changed dramatically from pre-storm conditions. Overstory pine trees were destroyed in far greater numbers than overstory and midstory hardwoods. Considerable debate exists about the appropriate composition of forested stands on the NFGT. Many people believe that hardwoods should make up a greater percentage of the vegetation in many of the areas that were previously pine-dominated. The type of site preparation treatments could have significant effects on the composition of the regenerated areas. What effect would project activities have on the current and future hardwood composition of the storm-damaged areas? Will any areas be managed for pine-hardwood mixtures or for hardwood-dominated vegetation within the storm-affected areas? How would prescribed fire affect the structure and composition of the residual vegetation not damaged by the storm as well as the regeneration? How would the resultant vegetation affect the ability of the areas to provide habitat for Management Indicator Species (MIS)?

Indicators: Acres of forest type to be created

Acres of site preparation

Acres of artificial regeneration of shortleaf pine and longleaf pine

Acres of natural regeneration

Acres of no treatment

Effects on Management Indicators

2. The Ability to Support Existing RCW Populations and Provide Habitat Capable of Supporting RCW Population Objectives

The storm adversely affected RCW habitat, particularly on the Sabine NF. Many areas that provided RCW habitat before the storm are located on sites that, according to the ECS, may be more suitable for hardwood-dominated vegetation. What effect will reforestation activities, as

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guided by the ECS, have on the ability of the HMA to produce habitat suitable for RCW foraging and nesting and the potential for RCW population growth in the short and long term?

Indicators: Acres of RCW foraging currently available

Acres of RCW foraging (pine and pine-hardwood forest types) available 10, 20, and 30 years in the future

The number of RCW clusters that can be supported on the suitable habitat

3. The Effects of Project Actions on Soil and Water

Additional timber harvest, site preparation and regeneration activities produce soil disturbance and could cause increased compaction and soil movement, affecting soil productivity. Soil movement could result in increased soil deposition in streamcourses, affecting water quality due to increased turbidity and nutrients.

Indicators: Total acres of site preparation, by type, and acres of site preparation on sensitive soils

Acres of disturbance on sensitive soils due to harvest activities

Potential soil loss by alternative

Non-Significant Issues

In addition to the significant issues identified by the ID Team and approved by the decision-maker, a number of other comments were received that were not relevant to the development of alternatives or analysis of effects for the project (FEIS, p.7).

A number of the comments from one reviewer identified as a concern the supporting information used to develop the proposed action. The Sierra Club questioned the accuracy and completeness of the information contained in the Changed Condition Analysis and the conclusions made in the document. The CCA was prepared with the best information available at the time and used appropriate methods to analyze the changes to vegetation and red-cockaded woodpecker habitat as the result of the windstorm. The CCA was used as the starting point to develop a proposed action for reforestation and red-cockaded woodpecker habitat analysis.

The same response questioned whether the process used to determine the changed conditions on the Sam Houston NF was adequate since it was different than that used on the Angelina and Sabine NFs. Although the process used for the Sam Houston was different it provided the level of information needed to meet the objectives of the CCA.

The Sierra Club also expressed a concern about the Ecological Classification System Landtype Phase (LTP) descriptions of fire frequency as arbitrary and not quantitative. The ECS describes the historical fire frequency using terms such as very frequent, frequent, moderately frequent, infrequent, or very low fire frequency. The concerns are that such terms could be subject to multiple interpretations and that without a specific range of fire return interval, the Forest Service could burn at more frequent intervals than would have occurred naturally. The 1996 Revised Plan contains direction on the burning frequency to meet the desired future conditions and management objectives of the various management areas on the NFGT. The use of prescribed fire was assessed in the EIS for the Plan; the Plan provides direction on the use of fire, including fire frequency, to meet the objectives and Desired Future Conditions (DFCs). Fire frequency is outside the scope of this proposal.

V. Findings Required By Other Laws

A. Consistency with the Forest Plan

The Texas Blowdown Reforestation EIS tiers to the Final Environmental Impact Statement for the National Forests and Grasslands in Texas Revised Land and Resource Management Plan (The Plan). The Plan sets out management direction, goals, and standards that guide the Forest in planning, approving, and implementing activities. The site preparation and reforestation practices described in Alternative 5 are consistent with The Plan's forest-wide standards and guidelines and the standards and guidelines specific to Management Areas 1 and 2 where the actions will occur (FEIS, p. 25).

The management practices of Alternative 5 provide for management of some areas as red-cockaded woodpecker emphasis (MA-2) that are currently within MA-1, upland forests ecosystems. In addition, it provides for areas currently within MA-2 to be managed, not for RCW, but for production of upland forests ecosystems as in MA-1. This alternative includes a provision for amendment of The Plan to reallocate areas from MA-1 to MA-2. It also provides for reallocation of areas currently within MA-2 to MA-1. My decision to amend The Plan makes Alternative 5 consistent with The Plan (FEIS, p. 25).

B. Vegetative Manipulation

The management practices involve the manipulation of tree cover on suitable acres and were designed to meet the seven requirements of 36 CFR 219.27(b). Specifically:

- (a) The site preparation and reforestation actions of Alternative 5 are best suited to meeting the multiple-use goals established for the Angelina and Sabine NFs as discussed in the analysis contained in the FEIS (FEIS, pp. 30-118).
- (b) Survival and stocking checks on previous regeneration treatments on the NFGT demonstrate that natural seedlings and planted trees will ensure that the lands receiving treatment will be adequately restocked within five years.
- (c) These actions were not chosen because they would produce the greatest dollar return or greatest output of timber, but rather for the continued productivity of the land and ability to produce appropriate forest communities and RCW habitat (EIS, pp. 30-43, 40-96, 115-116 and the reasons for selecting this alternative on page 3 of this Record of Decision).
- (d) The actions consider the potential effects on residual trees and adjacent stands (EIS, pp. 46-78); these effects were considered in my decision.
- (e) The actions of Alternative 5 avoid permanent impairment of site productivity and ensure the conservation of soil and water resources (EIS, pp. 30-43).
- (f) These practices produce the desired effects on water quality and quantity, wildlife and fish habitat, regeneration of desired species, recreation uses, aesthetic values, and other resources yields as discussed on pages 30 through 100 of the EIS.
- (g) These practices are practical in terms of transportation and harvesting requirements, and total costs of implementing the selected alternative (EIS, pp. 24-25, 46-96, 115-116).

C. Endangered Species Act

As required by Section 7 of the Endangered Species Act (ESA) the Forest Service consulted with the USDI Fish and Wildlife Service (USFWS) regarding the implementation of Alternative 5 and its potential effects on threatened and endangered species. This decision has been based on the Biological Assessment finding of "is not likely to adversely affect" for any

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federally listed species and subsequent concurrence from the USFWS. In concurring with the findings of affect, the USFWS identified five areas of concern that necessitate modification and additional clarification to ensure the FEIS analysis information and implementation directions in this ROD are accurately described. These points include:

- (1) **Management area designations for Compartments 61, 63 and 64 on the Sabine National Forest** - These compartments contain upland pine and pine-hardwood RCW foraging habitat in MA-2, and within MA-8c of the Beech Ravines Scenic Area. These compartments provide foraging for three (3) RCW groups in the adjacent compartment 62. I want to emphasize that Alternative 5 will not reallocate areas within MA-4 or Beech Ravines Scenic Area to MA-1; Beech Ravines will remain MA-8c with upland pine and pine-hardwood managed for RCW as provided by the Plan direction for MA-8c. In addition, based on consultation with USFWS, I must modify Alternative 5 to provide additional area within MA-2. Approximately 1,700 acres of upland pine and pine hardwood in compartments 61, 63 and 64 will remain in MA-2 and will not be reallocated into MA-1. This modification will increase potential RCW habitat to support 8 clusters, and will eliminate removal of approximately 64 acres of pine overstory (100 ccf) identified in Alternative 5 from site preparation actions during reforestation.
- (2) **Prioritize reforestation actions in areas with existing active RCW groups** - Site preparation and regeneration in these areas will be prioritized so that management actions that benefit RCW habitat will be improved as soon as possible.
- (3) **Future treatments within ½-mile of RCW groups** - To ensure the quick and efficient development of RCW foraging habitat, regenerated sites within ½-mile of RCW groups will be prioritized for examination and environmental analysis to determine actions necessary to maintain growth and development of vegetation suitable for RCW habitat. To the extent possible, other cultural treatments will be accomplished on these areas before similar work on other areas outside the ½-mile zone is undertaken.
- (4) **Actions within the protection zones of active bald eagle nest trees** - As addressed in the Biological Assessment, all on-the-ground activities undertaken within bald eagle nest protection zones will be approved by the USFWS prior to project implementation as described in BA Exhibit 10.
- (5) **USFWS concurrence on implementation of on-the-ground site preparation and reforestation activities** - All projects developed within the parameters of this decision will be evaluated on the ground by the District Biologist to ensure all mitigation and protection measures (BA Exhibit 9) are implemented. These evaluations will be provided to USFWS East Texas Suboffice for concurrence.

VI. NFMA Finding of non-Significance for Amendment of the NFGT Land Management Plan

Under the National Forest Management Act (NFMA) (16 U.S.C. 1604(f) (4) Regional guides and forest plans must "be amended in any manner whatsoever after final adoption and after public notice, and, if such amendment would result in a significant change in such plan, in accordance with subsections (e) and (f) of this section and public involvement comparable to that required in subsection (d) of this section." The NFMA regulation at 36 CFR 219.10(f) states: "Based on an

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analysis of the objectives, guidelines, and other contents of the forest plan, the Forest Supervisor shall determine whether a proposed amendment would result in a significant change in the plan." Neither NFMA nor its implementing regulations define the term "significant". The regulations permit the Forest Service to determine whether or not the proposed amendment will be significant.

Under NFMA and its regulations, an amendment that does not result in a significant change in a forest plan must be undertaken with public notice and appropriate NEPA compliance. If a change to a forest plan is determined to be significant, the Regional Forester must follow the same procedure required for the development of the forest plan, including preparation of an EIS.

The Forest Service Land and Resource Management Planning Handbook (FSH 1902.12) provides more detailed guidance for exercising this discretion. This guidance offers a framework for consideration, but does not mandate a specific process to apply. No one factor is determinative and the guidelines make clear that other factors may be considered.

Under section 5.32, Forest Service Manual (FSM) 1909.12 lists four factors to be used when determining whether a proposed change to a forest plan is significant or not significant: timing; location and size; goal, objectives, and outputs; and management prescriptions. The determination if a proposed change to a forest be significant or not depends on an analysis of all of these factors. Basically, the decision-maker must consider the extent of the change in the context of the entire plan affected, and make use of the factors in the exercise of his or her professional judgment. I have carefully evaluated the proposed actions within the context of the entire area covered within the 1996 Land and Resource Management Plan and determined as follows:

Timing

The timing factor examines at what point, over the course of the forest plan period, the plan is amended. Both the age of the underlying document and the duration of the amendment are relevant considerations. The handbook indicates that the later in the time period, the less significant the change is likely to be. Although the Plan was approved four years ago, lands reallocated to RCW management by the Plan amendment probably will not be occupied by RCW until the second period of the Plan. However, it is critical that those lands have habitat improvement prior to occupation.

Location and Size

The key to the location and size is context of "the relationship of the affected area to the overall planning area" (FSH 1909.12, sec. 5.32(d)). As further discussed in FSH 1909.12, sec. 5.32(d): "the smaller the area affected, the less likely the change is to be a significant change in the forest plan." The appropriate inquiry when considering the significance of plan amendments is the change made on all four (4) Forests that comprise the Planning Area for the 1996 Plan, and not the change on any one of the habitat management areas or portions thereof for any of the involved Texas Forests. The cumulative change on all the involved Forests is assessed to determine whether any amendment is significant.

Management Area 2 for the National Forests and Grasslands in Texas is approximately 250,000 acres. In addition, the Plan provides approximately 32,300 acres in Management Area 6 (Longleaf Ridge Special Area) for management of RCW. The net gain in area in MA-2 as the result of re-

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allocation between MA-1 and MA-2 in the windstorm-affected area on the Sabine National Forest, including my modification to Alternative 5, is only about 6,900 acres. This represents less than 3% of the total land allocation for RCW management in the 1996 Plan and approximately 1% of the entire planning area.

Goals, Objectives, and Outputs

The goals, objectives, and outputs factor involves the determination of "whether the change alters the long-term relationship between the levels of goods and services in the overall planning area" (FSH 1909.12, sec. 5.32(c)). This criterion concerns analysis of the overall forest plan and the various multiple use resources that may be affected. There is no guarantee under NFMA that output projections will actually be produced. This immediate

action does not significantly alter the long-term relationships between the levels of goods and services projected by the forest plans. For example, the effects on timber supply and other commodity resources are relatively small.

The increase in acreage allocated to MA-2 in Alternative 5 (including modification) presents the potential for an increase in the number of RCW groups, in the long term, over what was predicted for the allocations made in the Revised Plan. Similarly, there may be a very slight decrease in the long-term sustained yield and Allowable Sale Quantity (ASQ) of timber under Alternative 5. This would be based on the assumption that, in the long term, there would be more acres in RCW clusters and replacement stands, areas unsuitable for timber management, in these alternatives than under the current MA-2 allocation. Long-term sustained yield and ASQ was determined in the forest planning process through the use of the FORPLAN model. Although FORPLAN was not used to predict the effects of the proposed management area reallocations on timber outputs, the effect would be negligible based on the relatively few acres that would be classed as unsuitable. No other commodity outputs are expected to be affected by these management area reallocations.

Management Prescriptions

The management prescriptions factor involves the determination of (1) "whether the change in a management prescription is only for a specific situation or whether it would apply to future decisions throughout the planning area" and (2) "whether or not the change alters the desired future condition of the land and resources or the anticipated goods and services to be produced" (FSH 1909.12, sec. 5.32(d)).

These management area changes would not affect the management prescriptions for the various Management Areas. The desired future conditions of the lands would not change, only shift slightly, since both MA-1 and MA-2 strive for older forests. There may be small differences in the vegetation composition of the upland forests between MA-1 and MA-2, although both areas would be managed so that the vegetation is consistent with the Ecological Classification System.

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VII. Implementation

As previously described, this decision is composed of two elements:

- (1) Reforestation of storm-damaged sites within Management Areas 1 and 2 of the Angelina and Sabine National Forests, and
- (2) Amendment of the *Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas* to modify allocation of land to MA-1 and MA-2 on the Sabine National Forest to best provide for the short-term and long-term benefit of the endangered red-cockaded woodpecker.

If no appeal is filed, the decision described in this ROD may be implemented on, but not before, five business days from the close of the appeal filing period. If appealed, this decision may not be implemented for fifteen days following the date of the appeal disposition (36 CFR 215.10(b)).

VIII. Administrative Review or Appeal Opportunities

This decision is subject to appeal under 36 CFR Part 215. To appeal a decision under this part, a written appeal must be submitted within 45 days of the day after notice of this decision is published in the Lufkin Daily News, Lufkin, Texas. Appeals must be sent to:

USDA Forest Service
Appeals Deciding Officer
1720 Peachtree Rd., NW, Suite 811N
Atlanta, Georgia 30309

Appeals must meet the following requirements:

- State that the document is an appeal filed pursuant to 36 CFR 215;
- List the name and address of the appellant and, if possible, a telephone number;
- Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official;
- Identify the specific change(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects;
- State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

The United States Department of Agriculture (USDA) prohibits discrimination on all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact the USDA's Target Center at (202) 720-2600 (voice and TDD).

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD), or call 1-800-245-6340 (voice), or (202) 720-1127 (TDD). USDA is an equal opportunity provider and employer.

VIII. Contact Person

For further information on this decision contact:

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For additional information on the Forest Service appeals process contact:

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(936) 639-8572



RONNIE RAUM
Forest Supervisor

11/28/00
Date