

DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT NON-NATIVE INVASIVE PLANT AMENDMENT

**USDA FOREST SERVICE, CHEQUAMEGON-NICOLET NATIONAL FOREST
ASHLAND, BAYFIELD, FLORENCE, FOREST, LANGLADE, OCONTO, ONEIDA, PRICE,
SAWYER, TAYLOR, AND VILAS, COUNTIES; WISCONSIN**

Decision and Reasons for the Decision

Background: Since approving non-native invasive plant control actions, monitoring and surveys have identified additional infestations in need of control actions. This new information and changed condition led to a review of the original environmental document (2005 Non-native Invasive Plant Control Project EA). This review is documented as a supplement to the original EA (SEA). The purpose and Need for action remains the same: to protect and restore native ecosystems by controlling or eliminating populations of non-native invasive (NNIS) species of plants. I have based my decision on this supplemental review combined with environmental documents relevant to the original decision.

Decision: I have decided to amend the July 1, 2005 Non-native Invasive Plant Decision Notice to add 466 new infestation sites (about 190 acres) to the original approved treatments.

When compared to the other alternatives this alternative best meets the purpose and need because there would be no unacceptable effects to forest resources (SEA pg 8). It combines protocols designed into the project to reduce the effect of actions on non-target organisms. It would prevent further spread of invasive plants and will eliminate many populations on the Forest. It will protect and restore native ecosystems and rare plant populations. This alternative meets requirements under state noxious weed laws, Executive Order 13112, and Forest Plan goals (EA 3.2).

My selected action reduces risk to the environment and human health and provides for safety from chemicals and accidental injury. This is accomplished by imposing strict design criteria (EA 2.6.1) and precise targeted application techniques (EA 2.2.1). A Biological Evaluation and Soils/Hydrology/Aquatics Specialist Report were conducted to analyze potential effects.

Project sites have been mapped (EA Appendix B) and are listed in table form in the EA Appendix A.

Other Alternatives Considered: Two alternatives and the No-Action were considered in the 2005 EA. Public involvement surfaced no additional issues related to this changed condition and therefore the original range of alternatives remains adequate:

Alternative 1 (No Action)

Under the No Action alternative, current management plans would continue to guide management of the project area. Past decisions to treat NNIS mean that other areas are being treated.

Alternative 2 (Proposed Action see above)

Alternative 2 was designed to emphasize the purpose and need and uses an integrated pest management approach that includes manual, mechanical, chemical, and biological control methods.

Public Involvement

Extensive public involvement was conducted for the original proposal (EA 2005 Sec 1.5) Public response at that time was limited to nine parties who supported the action and one who opposed the use of herbicide and bio-control on principle. Tribal, state, and county scoping indicated support for the action. No formal tribal contacts were made but project designers remain in close contact with tribal biologists and solicited their opinion on treatment methods and have collaborated on projects through Invasive Species Cooperatives. Only supportive comments were received on initial involvement efforts of the current proposal to amend.

Detailed information and a solicitation for comments concerning the proposed action was mailed to parties previously expressing interest in the original project. A legal notice initiating the formal 30-day notice and comment period was published in the Milwaukee Journal/Sentinel (Forest Paper of Record) on June 21, 2007. Three responses were received. All responses were fully supportive (SEA pg 4).

Finding of No Significant Impact

After considering the environmental effects described in the SEA and 2005 EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

Context: the context of this action is limited. The effects are confined to only a small portion (<1%) of lands on the Forest, and are widely distributed so that effects are not overlapping and cumulative (SEA pg 6; 2005 EA sec 4.0). Treatments are also distributed widely over time, with impacts generally dissipating before a site is re-treated. Application rates of pesticides will be well below EPA approved thresholds (2005 EA 4.1.2) and overspray strongly controlled through spot application (2005 EA 2.2.1) and design features to minimize non-target application (EA 2.6.1). Adverse impacts are limited to local sites and will not incur widespread impacts at regional, state, or national levels.

Intensity: The intensity of effects are small. The following factors were considered in evaluating the intensity of effects:

1. The disclosure of adverse environmental effects is not biased by the beneficial effects of the action. I have considered both adverse and beneficial effects, but did not use beneficial effects to mask adverse impacts (SEA pg 6-8).
2. There will be no significant effects on public health and safety. Requirements of state law, pesticide label directions and design features will minimize adverse impacts to non-target plants and animals, including humans and potable water sources (2005 EA 3.4.1 & 4.1.2). Safety requirements and identification of "spill plan" minimize adverse exposure and risks of public health and safety (2005 EA 4.1.2).
3. There will be no significant effects on unique characteristics or ecologically critical areas such as historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers. There is another purple loosestrife site on the candidate wild and scenic river corridor segment on the South Fork Flambeau River but removing NNIS here will restore the native vegetation and enhance the wild character (see EA 4.2.3 and 2005 DN pg 5). Heritages resources have been analyzed (EA 1.6 1st pph) and no adverse effects would occur as a result of my action. All wetland areas in the project have been analyzed by a botanist and hydrologist (SEA pg 6) and following design criteria (EA 2.6.1) will reduce effect to wetlands or soils (EA 4.3).
4. The effects on the quality of the human environment are not likely to be highly controversial. Internal and public scoping identified no scientific controversy over the impacts of the project (EA 3.4.1 & 2005 DN pg 3 #4).
5. We have considerable experience with the types of activities to be implemented. This action has occurred in the past in this area, and the effects are well-known. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see SEA pages 4-6).
6. This action is not likely to establish a precedent for future actions with significant effects, because this action has occurred frequently in the past in forests across the country. It is not a new or unique action. These methods are commonly used for controlling NNIS and are consistent with the Forest Plan standard to "use permissible mechanical, biological, and chemical controls to reduce the spread of non-native invasive species (EA 1.2).
7. The cumulative impacts are not significant (see SEA pages 4-6).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The treatment sites and treatment methods have been reviewed by a professional archeologist. There are no

factors present that would disturb or destroy potentially significant historic properties or resources. (SEA page 1; EA 1.6).

9. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973. (SEA pg 7-8)
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA 3.3). The action is consistent with the Chequamegon-Nicolet Land and Resource Management Plan (EA 3.2).

Findings Required by Other Laws and Regulations

This decision to add 466 sites to the NNIS Control Project is consistent with the intent of the forest plan's long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for prevention and control on NNIS listed on page 1-3 and 2-25.

Laws and policies Related to NNIS (for other references to laws see 2005 EA 3.3)

- Executive Order 13112 (1999) - directs all federal agencies to address invasive species and refrain from actions likely to increase invasive species problems.
- Forest Service Manual 2150 - Pesticide use management and coordination with the objective of ensuring the proper use of pesticides including applicator certification and documenting pesticide approval.

Administrative Review or Appeal Opportunities

As only supportive comments were received during the 30-day Notice and Comment period, this decision is not subject to appeal pursuant to 36 CFR 215.12. This decision may be implemented immediately following publication of legal notice in the Journal/Sentinel, Milwaukee, Wisconsin.

Contact

For additional information concerning this decision contact Linda Parker, Forest Ecologist, 1170 4th Ave. S. Park Falls, WI 54552; 715-762-5169.

<hr/> Jeanne M. Higgins Forest Supervisor	<hr/> Date
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