

Decision Memo
Thinning, Midstory Removal and Prescribed Burning
Payne Creek Shortleaf Woodland Restoration Demonstration Area
FY 2007 - 2011

USDA Forest Service
Bankhead National Forest
Bankhead Ranger District
Winston County, Alabama

Decision and Rationale for the Decision

I have decided to proceed with the proposal to remove 100 acres of midstory vegetation, and prescribe burn 360 acres located in Sections 26, 27, 34 and 35, T9S, R8W in the Payne Creek Shortleaf Woodland Restoration Demonstration Area. My decision is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk specifically as it relates to biological effects. The project is proposed to begin in fiscal year 2007 and continue through fiscal year 2011. This area will be managed as a demonstration area for educational outreach.

The purpose of this project is to restore the existing loblolly stands to native shortleaf pine/bluestem woodland ecosystems. The midstory removal would be accomplished using a mulcher and/or manual (handtools) treatment. This will mechanically reduce the density and continuity of small diameter vegetation within the treatment areas. As a result, the chance of catastrophic wildfires will be reduced, fire dependent woodlands are restored, and wildlife habitat will be improved. Prescribed burning will encourage the restoration of woodland communities. In addition, prescribed fire will promote the establishment of native warm-season grasses and forbs as well as improve habitat for wildlife. The artificial regeneration (hand planting) of shortleaf pine within the demonstration area is covered under a separate decision.

This project will accomplish the goals and objectives of the Revised Land and Resource Management Plan by promoting the restoration of upland forest communities native to the Cumberland Plateau Region. The project areas are managed under Prescription 9.C.3. (Southern Cumberland Plateau Native Ecosystem Restoration and Maintenance) as outlined in the Revised Land and Resource Management Plan for the National Forests in Alabama. This particular prescription emphasizes restoration of "...pine (...shortleaf...)...forest communities based on historic conditions" ([RLRMP](#)).

The original decision memo was published in the newspaper of record on March 3, 2007. However, the agency has been enjoined from using CE #10 and that the project appropriately fits the newly selected category. This action is categorically excluded from documentation in an EIS or EA because it is consistent with the following category from Forest Service Handbook 1909.15-2004-3, dated 07/06/2004:

Section 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”.

I find that this project is appropriate for categorical exclusion within these categories because no extraordinary circumstances exist as defined in FSH 1909.15, 30.3.2.

Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. – The project area has been surveyed for threatened, endangered or sensitive plants and animals (TES), the biological evaluation ([BE](#)) was completed and the determination was “No Effect”, on T & E species requiring no further consultation, and “No Impact” on Sensitive species.

Flood plains, wetlands, or municipal watersheds. – The proposed action is not in a floodplain, wetland, or municipal watershed, and forest plan standards are implemented to prevent off site impacts.

Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas. – No congressionally designated areas are within the project area.

Inventoried roadless areas. – No part of the project area is designated as inventoried roadless area or research natural area.

American Indians and Alaska Native religious or cultural sites or Archaeological sites, or historic properties or areas. – A cultural resource survey has been conducted on the project area and reports were sent to the State Historic Preservation Officer who concurred with the findings. Since the road corridor is located in a previously disturbed area, no sites eligible for the National Register of Historic Places will be affected by the activity.

Mitigation measures that are listed in the Revised Land and Resource Management Plan of the National Forests in Alabama ([RLRMP](#)) will be followed.

Public Involvement

A legal notice of formal notice and comment period being established for this project was published in *The Northwest Alabamian* on January 24, 2007. Four responses were received. Each expressed support of the project proposal.

Findings Required By Other Laws and Regulations

The project follows Forest-Wide Goals and Objectives listed in the Plan (pp. 2-9 through 2-60) including, but not limited to: Goal 1, Objective 1.3, 1.4 and 1.5; Goal 16, Objective 16.1; Goals 17-19, 27 and 29. Forest Wide Standards and Guides FW-7, 8, 14, 15, 17, 18, 38-40, 43, 48, 50, 56, 61-69, 76, 94-99, 105, 118 . Management Area Direction, state-

approved Best Management Practices would be implemented and the actions would comply with the Clean Water Act, Clean Air Act, and with the seven requirements of 36 CFR 219.27 (b). I have also determined that this action is consistent with the intent and requirements of the Endangered Species Act, The National Preservation Act, the National Environmental Policy Act, and the National Forest Management Act.

Implementation

Implementation of this decision may begin immediately upon publication of the Notice of Decision in the paper of record (*Northwest Alabamian*).

Administrative Review or Appeal Opportunities

Pursuant to the 2002 version of 36 CFR 215.12, this decision is not subject to appeal.

Contact Person

For further information, contact Glen Gaines, Bankhead National Forest, PO Box 278, Double Springs, AL or at (205) 489-5111.

 /s/ Glen D. Gaines
GLEN D. GAINES
District Ranger

 February 12, 2008
Date