



**United States
Department
of Agriculture**

**Forest
Service**

**Midewin National
Tallgrass Prairie**

**30071 South State Route 53
Wilmington, IL 60481**

File Code: 1950

Date: August 2, 2001

To Interested and Concerned Citizens:

The 30-day public comment period for the environmental assessment for Managing Vegetation with Prescribed Fire at Midewin National Tallgrass Prairie has passed, and I have made my final decision. I want to thank those who took the time to comment throughout the planning process for this project.

Enclosed you will find the Decision Notice which explains my decision to implement Alternative 1, and Appendix A - Response to Public Comments received during the Environmental Assessment comment period. The Environmental Assessment, the public comments received, and the project planning record are on file at our office. I hope that you will continue to be involved with future planning of projects for Midewin National Tallgrass Prairie.

Sincerely yours,

FRANK KOENIG
Prairie Supervisor

Enclosures:

Decision Notice/Finding of No Significant Impact
Appendix A, Response to Public Comments

**Decision Notice
and
Finding of No Significant Impact
for
Managing Vegetation with Prescribed Fire**

**USDA Forest Service
Midewin National Tallgrass Prairie
Will County, Illinois**

Introduction

This project fulfills the need to manage vegetation at ten sites at Midewin through the use of prescribed fire as a restoration management tool. Although a Final Land and Resource Management Plan (Plan) has not been implemented, the Midewin enabling legislation (Illinois Land Conservation Act of 1995) states that the Forest Service may conduct management activities at Midewin prior to completion of the Plan. Using prescribed fire as a restoration management tool is consistent with the “Analysis of Management Situation” (July 1999) objective of managing for a large unfragmented grassland habitat, pending compliance with the following criteria for interim projects listed in the “Notice of Intent to Prepare an Environmental Impact Statement for the Land and Resource Management Plan, 1998”:

1. The Forest Service must determine that the environmental conditions of the site where the activity may occur meet the standards necessary for the activity.
2. The activity does not interfere with Army cleanup operations as directed in the legislation (2913 [e][1]).
3. The activity does not represent an irretrievable commitment of resources (i.e., a project can be “undone” with relative ease and minimal finances) unless it is necessary for safety or resource protection purposes.
4. The activity represents a valid, existing right as provided by the legislation (Section 2911[f]).

Implementation of vegetation management through the use of prescribed fire will not preclude options for future land uses in the Proposed Plan alternatives and will comply with the direction outlined in the Illinois Land Conservation Act.

Decision

After consideration of the environmental effects displayed in the Environmental Assessment for Managing Vegetation with Prescribed Fire, I have decided to implement Alternative 1 and allow the use of prescribed fire at ten Midewin sites in order to manage vegetation at those sites.

The ten project areas selected for prescribed burns total approximately 1,745 acres of the approximate 15,189-acre Midewin National Tallgrass Prairie, fifteen miles south of Joliet

and four miles north of Wilmington, Illinois. Please see the site-specific attached map for the locations planned for prescribed burns.

Burn plans will be prepared for each of the ten sites prior to ignition, and these will be approved in accordance with Forest Service prescribed fire requirements. The burn plans will address burn conditions, restrictions, and type of fire crew needed, depending on specific characteristics and conditions of the ten sites. Firebreaks/fire lines (or paths where vegetation has been removed through mowing, mechanical thinning, or other kind of removal) will be in place before burning activities commence. Existing roads and/or abandoned railroad beds will be used as fire control lines as possible. The burning season will be primarily from October 1 through April 30.

My decision takes into account project objectives designed to conserve/enhance native vegetation and wildlife, improve or provide potential habitat for Regional Forester sensitive species and state-listed species, control exotic and invasive plant species through brush removal, provide visitors with learning opportunities, prevent rapid runoff or sediment into streams or wetlands following prescribed burn activities, minimize soil damage, and prevent seeding by undesirable plant species through careful fire project timing and locations.

Rationale for the Decision

In making this decision I considered the direction and intent of the 1995 Illinois Land Conservation Act, whereby the Forest Service may conduct management activities prior to a Land and Resource Management (Plan) to promote the purposes for which Midewin was established. The use of prescribed fire as a vegetation management tool for restoration purposes is consistent with the “Analysis of Management Situation” (July 1999) objective of managing for a large unfragmented grassland habitat.

Alternative 1 meets the project objectives to control encroachment of woody vegetation into existing native prairie habitat, slow the spread of exotic and weedy plant species, and stimulate the restoration and growth of native prairie and non-native (desired cool-season grasses) vegetation at Midewin (EA p. 4). The ten sites selected for prescribed burning to manage vegetation were prioritized on the basis of whether or not the site consists of a native vegetation remnant (although not all native vegetation remnants at Midewin are ranked equally), whether fire is absent in vegetation communities which depend on periodic fire, access to the sites with well-established fire breaks, less risk to significant species or resources, and the potential to provide improved habitat for sensitive grassland birds (EA p.5).

Alternative 1 also conforms to all action alternatives presented in the Proposed Land and Resource Management Plan for Midewin and will not preclude options for future land uses provided in the Proposed Plan alternatives. Alternative 1 complies with the four criteria for “interim projects” cited in the Introduction on page 1 of this decision:

1. The environmental conditions of the sites where the activities occur meet the standards necessary for the activity. The encroachment of woody vegetation and the spread of exotic and weedy plants present an obstacle to prairie restoration in which the goal is to protect/enhance habitat for sensitive plant and animal species. Alternative 1 will help alleviate these invasive problems.
2. Midewin will coordinate all burning activities with Army cleanup operations.

3. While this project represents an irretrievable commitment of resources that could not be “undone” with relative ease and minimal finances, I believe that prescribed burns are necessary for resource protection purposes.
4. Using prescribed fire for the management of vegetation represents a valid activity that is consistent with the enabling legislation and subsequent established criteria for Midewin.

Other Alternatives That Were Considered

Alternative 2 (No Action)

I did not select this alternative, which would leave the sites in their current conditions of woody vegetation and exotic and weedy plant encroachment. The enabling legislation for Midewin envisioned restoration of a tallgrass prairie rather than preservation of invasive and exotic flora. By leaving the exotic and invasive vegetation in place, the No Action Alternative would promote their continued growth, thereby prohibiting the effective restoration of a tallgrass prairie environment.

There would have been little to no effects on soils, water quality, air quality, heritage resources, or hazardous materials under the No Action alternative (EA p. 15-18 and 50).

The No Action alternative would not immediately affect vegetation in the ten sites planned for prescribed fire; however, continued habitat fragmentation, non-management, and isolation of small native vegetation remnants would eventually affect the size, quality, and species richness of the sites. Habitat available for wetland and grassland species would decrease significantly over time, although woody encroachment would increase habitat for edge species.

For Management Indicator (MIS) and special status species, impacts to and/or declines would likely occur with the Leafy prairie clover, Eastern prairie white-fringed orchid, Crawe’s sedge, Hill’s thistle, small white lady’s-slipper, Butler’s quillwort, false mallow, Pitcher’s stitchwort, glad mallow, Sullivant’s coneflower, earleaf false-foxglove, hairy valerian, red-veined prairie leafhopper, Henslow’s sparrow, short-eared owl, upland sandpiper, Northern harrier, bobolink, Blanding’s turtle, least bittern, migrant loggerhead shrike, blazing-star stem-borer, rattlesnake-master stem-borer, King rail, plains leopard frog, common moorhen, and pied-billed grebe (EA p. 19-49).

Although there is no current recreational access to some locations proposed for prescribed fire, others have been opened for public planning tours and hunting (from October 1 through mid-January) in recent years. Two interim hiking trails were opened for public use in 2001, but these are not adjacent to areas planned for prescribed burns. The No Action alternative would preclude a true prairie experience for the visiting public and not comply with Proposed Scenic Integrity for Midewin as designated in the Proposed Plan. Enhancement of the scenic integrity through ecosystem management using prescribed fire as a restoration tool would not occur (EA p. 49-50).

Public Involvement

Public involvement in this project and decision were invited in a January 10, 2000 scoping notice sent to approximately 600 people and organizations. On June 27, 2001, a letter requesting comments on the environmental assessment (EA) was made available to

the public and interested parties. Hard copies of the EA were mailed to approximately 80 individuals and organizations. Information on the proposed prescribed fire vegetation management projects was published in the Midewin Quarterly issues for July-September 2000, October-December 2000, Spring 2001, and Summer 2001.

Mitigation Measures

The Environmental Assessment, pages 12-13, outlines numerous mitigation and monitoring measures that will be implemented as part of this decision. We have effectively used these mitigation measures in years past to reduce or eliminate adverse effects on different resources. We anticipate continued effectiveness of the mitigation measures listed below.

- No more than 25% of the total area occupied by the leafy prairie-clover will receive burn treatment in one burning event at Drummond Dolomite Prairie.
- To minimize effects on nesting sensitive birds, Blanding's turtles, and certain sensitive prairie plants, all burns on sites 1, 2, 3, 4, 5, and 7 will take place between October 1 and April 30, unless implemented so as to minimize any adverse effects.
- Surveys prior to prescribed burning shall be conducted at sites 1, 2, 3, 4, 5, and 7 for nests or populations of concern, and burns shall be redesigned to reduce effects on these species.
- Burns found necessary at sites 1, 2, 3, 6, 8, 9, and 10 between March 1 and April 15 will first be surveyed for nesting northern harriers and short-eared owls. If active nests are located, burns will be postponed until after August 15 or if protective measures can be implemented through firebreaks and buffers.
- No more than 1/3 of sites with native vegetation will be burned at one time in order to protect insects of concern.
- Delay additional burning until after August if over 25% of potential cover of any marsh habitat is burned at sites 2 or 9 in the spring.
- No more than 1/3 of total Henslow's sparrow habitat (including potential habitat) will be burned each year from August 15 – April 15.
- Mowing of firebreaks will be timed in sensitive plant habitat, native vegetation remnants, or wetlands so as not to impact soils or plants; use of leaf-blowers, hand-held brush-cutters, or two-wheel brush mowers is recommended.
- Approved fire plans will be followed during implementation of prescribed burns, and monitoring from 1-2 months prior to scheduled burns for weather conditions, fuel moisture, and regional fire danger will support a "go" or "no-go" decision for conducting the prescribed burns relative to safety concerns and the potential for smoke impacts.
- A prescribed fire burn boss appointed by Midewin Forest Service (FS) staff will be responsible for safety, timing, execution, and declaring burns extinguished. Prescribed burn preparation work will be completed by Midewin FS and Illinois Department of Natural Resources personnel and trained volunteers.
- A low to moderate degree of complexity of prescribed burns requires proper firing techniques, many natural firebreaks, and close proximity to other firefighting resources to lessen associated risks. Escaped fires and contingency plans are detailed in the prescribed burn plans, which contain a risk analysis.

- In compliance with Section 106 of the National Historic Preservation Act, protection of significant heritage resources will be achieved through avoidance during prescribed fire activities. Firebreaks and buffers, in addition to careful monitoring, will assure protection of heritage resources.
- Water resources will be protected through the use of riparian buffers, firebreaks, runoff detention, or other erosion control measures.
- Sites where heavy fuel loading by woody vegetation may adversely affect soils by overheating will be identified and protected.

Finding of No Significant Impact

Based on the interdisciplinary environmental analysis, review of the National Environmental Policy Act (NEPA) criteria for significant effects, and knowledge of the expected impacts, I have determined that this action does not pose a significant effect upon the quality of the human environment and is not a major federal action. Therefore, an Environmental Impact Statement is not indicated for managing vegetation with prescribed fire at Midewin. This determination is based on the following factors:

Context:

Alternative 1 is within the context (here a local action) of the 1995 Illinois Land Conservation Act, which allows the Forest Service to conduct management activities at Midewin prior to completion of a Plan. Managing vegetation with prescribed fire is also consistent with the “Analysis of Management Situation” (July 1999) objective of managing for a large unfragmented grassland habitat.

Intensity:

The severity of the environmental effects of the proposed prescribed fire activities, considered alone or cumulatively with other effects, were tested against the following ten criteria listed in the NEPA regulations, 40 CFR 1508.27:

1. In reaching my conclusion of no significant impact, I recognize that these prescribed fire projects may have some impact on the land. However, there are no significant effects either individually or cumulatively, which would preclude implementation of prescribed fires in the ten sites designated for burning. Negative effects are limited to minor soil cover reduction and temporarily heated soils, short-term adverse effects to water quality if heavy rains follow burns before new vegetation has a chance to prevent sedimentation into surface waters, enhancement of certain undesired exotics and adverse effects on some savanna trees at Prairie Creek, some limited habitat alteration and impacts on faunal edge species, and temporary adverse effects to some Management Indicator and Special Status Species (EA p. 15).
2. This action does not pose a substantial question of significant effect upon public health and safety. The areas where individuals have raised concerns about public health and safety involve smoke resulting from prescribe burning, firefighter safety during the course of burn activities, and contaminants and hazardous materials. Prescribed burns will be conducted in accordance with burn plans developed for the ten sites, addressing the need for reduced smoke, firefighter

safety, and maintaining safe distances from known contaminated sites (EA p. 17-19).

3. There are no significant adverse effects to prime farmlands, floodplains, wetlands, Wild and Scenic rivers, Wilderness Areas, or ecologically sensitive areas. At Midewin there are no Wilderness Areas, and no Wild and Scenic rivers. This project will not impact ecologically sensitive areas. Wetlands and floodplains will not be adversely affected.
4. The effects on the quality of the human environment are not expected to be highly controversial. I believe we have addressed the known significant biological, social, and economical issues sufficiently to avoid scientific controversy over the scope and intensity of effects. Based upon reports and discussions with professional resource specialists there is agreement by my staff and other professionals consulted about the conclusions and effects identified in this analysis.
5. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.
6. No precedents are established as a result of the decision being made. Prescribed fire to manage vegetation is specific to Midewin National Tallgrass Prairie. Future proposals within the area or in surrounding areas can be analyzed on their merits and implemented or not, independent of the actions currently proposed.
7. There are no known cumulative adverse effects associated with the use of prescribed fire to manage vegetation when added to other past or reasonably foreseeable future actions implemented or planned within the project area (EA p. 41, BE - II).
8. These project sites have been extensively disturbed and used for agricultural purposes in the past. The Forest Service archaeologist for Midewin has reviewed and compiled information, and determined that heritage resources will not be impacted.
9. The Biological Evaluation prepared for this project, which is available to the public at our office, found that there will be no adverse effects to federally endangered or threatened species within the proposed sites (BE - V).
10. The actions in this decision do not violate federal, state or local laws or regulations imposed for the protection of the environment (EA, p. 52-53).

Findings Required By Other Laws

Managing vegetation with prescribed fire is consistent with the Illinois Land Conservation Act of 1995, the National Historic Preservation Act, the Archaeological

Resources Protection Act, the Endangered Species Act, and all other applicable laws, regulations, and Forest Service direction.

Project Implementation

Implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is filed, implementation may not occur for 15 days following the date of appeal disposition (36 CFR 215.10). Implementation means conducting ground-disturbing actions described in this decision.

Appeal Rights

This decision is subject to the USDA Forest Service process for administrative review pursuant to 36 CFR 215.7, by those who provided comments or otherwise expressed an interest in this particular proposal. Written notice of appeal to remand or reverse this decision must be fully consistent with 36 CFR 215.14 "Content of Appeal," and must be submitted within 45 days of publication of the legal notice of this decision in the Joliet Herald newspaper to:

USDA Forest Service, Eastern Region (R9)
Attn: Appeals Deciding Officer
310 West Wisconsin Ave, Suite 500
Milwaukee, WI 53203

Detailed records of the Environmental Assessment are available for public review at USDA Forest Service, Midewin National Tallgrass Prairie, 30071 S. State Route 53, Wilmington, IL 60481. For additional information concerning this decision or the Forest Service appeal process, contact Enid Erickson, NEPA Coordinator, at the Midewin office or at (815) 423-6370.

FRANK KOENIG, Prairie Supervisor

August 2, 2001
Date

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Appendix A:

**AGENCY RESPONSES TO PUBLIC COMMENTS CONCERNING
ENVIRONMENTAL ASSESSMENT**

Agency Responses to Public Comments Concerning Environmental Assessment

Below are agency responses to the public comments received during the comment period of the environmental assessment on Managing Vegetation with Prescribed Fire. Letters received are available for review at the Midewin National Tallgrass Prairie (Midewin) office.

Comment 1 (letter from Mike Rzepka):

Supports prescribed burning at Midewin as outlined in the EA.

Forest Service Response to Comment 1:

Thank you for your support. Prescribed burning will be conducted safely, with benefits to federally listed endangered species, Regional Forester's list sensitive species, and state listed endangered species.

Comment 2 (phone call from Rosalyn Johnson, USEPA):

Recommends monitoring before and following prescribed burning, tracking program success with respect to Midewin's overall restoration goals, and following up with documentation as the monitoring progresses to assess effects of the prescribed burns.

Forest Service Response to Comment 2:

We have prepared burn plans specific to each site under consideration for prescribed burning at Midewin. The plans direct that monitoring will be conducted prior to initiating burns and after the burns are completed. The success and general disposition of these burn activities will be carefully tracked in order to ascertain any need for changes in our approach to future prescribed fires at other sites within Midewin. In order to assess the effects of prescribed burns, and in conjunction with monitoring, follow-up documentation will be completed for all prescribed fire actions.

Comment 3 (E mail letter from Marianne Hahn, Midewin Tallgrass Prairie Alliance):

Comment 3a:

Concern that lengthy environmental assessments may be required for future prescribed burns and slow the progress of prairie restoration. Suggests a burn plan based on management units consisting of the various habitats, and a single EA covering all of Midewin. Forest Service Response to Comment 3a:

Forest Service Response to Comment 3a:

An environmental assessment was completed for the 10 selected sites first in order to determine issues and concerns, and work out potential problems related to the prescribed burning program for a smaller and more manageable area. Planning for these prescribed burns was guided by the Proposed Land and Resource Management Plan for Midewin in addition to detailed burn plans for each site. A programmatic EA covering all of Midewin with respect to prescribed fires would still require assessments at a site-specific level in order to determine effects. At this time, we feel that proceeding on a smaller scale will allow us to better assess the effects of fire on species and habitat of concern and determine how to approach our NEPA requirements in the future.

Comment 3b:

Concerns are raised over the potential for wildfires and the use of traditional Forest Service suppression techniques. For ecosystem management and economic reasons, suggests allowing fires to burn themselves out unless critical areas are threatened.

Forest Service Response to Comment 3b:

Since managing vegetation through the use of prescribed burning is the focus of our environmental assessment, wildfire suppression at Midewin is not addressed in this decision. Information on suppression of wildfires can be found in our Annual Fire Management Plan (Fire Plan III, B-1a). Also, associated burn plans address how fire suppression at each of the 10 sites would be conducted in the unlikely event of an escaped burn. Midewin's fire plans are particular to the topography, vegetation, and fuels of our grassland environment, and suppression actions will be carried out according to the plans. The chance of natural fire ignition through lightning strikes at Midewin is minimal. Our goal is to determine when, where, and under what conditions fires will be implemented, as we believe it is not in the best interest of significant species crucial to prairie restoration to risk any unplanned or unforeseen loss of habitat from unscheduled fires. Also, allowing fires to burn could endanger nearby private land holdings and compromise the safety of fire personnel and others if unexploded ordnance, certain hazardous materials, or some contaminants are impacted by escaped fire that cannot be contained.

Comment 3c:

Concerns are raised over Henslow's sparrow habitat, since 1/3 of its habitat is planned for burning annually. Therefore there will be insufficient duff to provide nesting sites in grasslands every fourth year, reducing the amount of available habitat for Henslow's sparrow.

Forest Service Response to Comment 3c:

Within the areas proposed for prescribed burns, only two sites are being used for nesting by Henslow's sparrows. The remaining sites do not meet this species' requirements for breeding. No more than 130 acres of the total of 6,067 acres of Henslow's sparrow habitat will be burned. There is considerably greater habitat for the Henslow's sparrow outside the burn areas that will be unaffected, and as restoration activities progress, habitat will increase substantially in future years. This species has been found to move to other nearby areas following a burn. Studies at Goose Lake indicate that Henslow's sparrow habitat becomes less suitable when excess duff is allowed to accumulate too long and the prairie is not reinvigorated (Herkert, 1998; Herkert and Glass, 2000). A temporary and limited loss of habitat, with maintenance of available, nearby areas of breeding habitat, is believed to be a superior option for the long-term viability of this species than increasingly degraded, shrubby habitat offering less quality for the Henslow's sparrow over time, as would occur under the "no action" alternative.

Comment 3d:

Supports using prescribed fire at Midewin for ecosystem restoration and wants to see burns implemented in the fall of 2001 to begin the healing process.

Forest Service Response to Comment 3d:

Thank you for your comments on prescribed burns planned at Midewin.