

**DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT**

**USDA Forest Service R-8
Ozark National Forest
Boston Mountain Ranger District
Madison and Franklin Counties, Arkansas**

PARSLEY PROJECT

An environmental assessment (EA) is available for public review in the district office in Ozark, Arkansas, for the Parsley Project. This document was prepared by an interdisciplinary team (ID Team) consisting of such experts as a Wildlife Biologist, Recreation Manager, Forester, Soil Scientist, Archeologist, Hydrologist, and Fisheries Biologist. They developed the purpose and need for action, proposed actions to meet the purpose and need, and evaluated the environmental impacts of proposed management treatments on National Forest land.

The Parsley Project is in the vicinity of Combs in Madison and Franklin Counties, Arkansas. The project area includes compartments 478, 503 and 504. The legal description is Township 13 North Range 27 West sections 10 – 12, 14, and 15 and covers approximately 2869 acres of federal property.

The purpose of this project is to improve the existing conditions of the watershed, recreation areas, timber resources, historic sites and wildlife habitat within the Parsley Project Area, all in compliance with Forest Plan goals, objectives and direction. The proposed activities are needed to move this vicinity of the Forest toward the desired conditions established in the Forest Plan.

Direction in the Forest Plan reads, in part, “... *(Provide) a stable and sustained flow of habitat conditions, recreational settings, and timber products.*” (Forest Plan, p. I-19). There is unmanaged and illegal OHV use along power line right-of-ways and along and within stream channels in this area. This illegal use is degrading the landscape and threatening the viability of wildlife and their habitats. In many places where roads cross or go through stream channels, stream banks are actively eroding. Many user-created trails in the area need to be obliterated in order to help restore riparian areas.

Areas off Mountain Crest Road north of Van Brunt Cemetery and east of Van Brunt Hollow are being heavily used by Forest patrons for parking to access the Mill Creek Trail system to the south. As a result, many places have been worn bare of vegetation. The area contains minimal amounts of early successional habitat, with less than 1% including trees less than 10 years old. Early successional habitat provides more cover and food for a host of wildlife species, including game animals and migratory birds.

Road closure activities are needed to improve watershed conditions where erosion is occurring, to control unauthorized OHV traffic, and to reduce the open road density in order to comply with Forest Plan standards.

Watershed restoration activities are needed to minimize unauthorized OHV use and to address the impacts of erosion and sediment entering Mill Creek. Gating powerline right of ways, blocking areas that have been worn to bare ground from illegal parking and planting bare areas in native species would help to achieve this.

PUBLIC INVOLVEMENT AND SCOPING

The Project was listed in Schedule of Proposed Actions. In June 2010 a scoping letter and activity map was posted on the Ozark-St Francis National Forests website.

http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5212739.pdf

We received 22 responses to the scoping letter. The comments and forest service responses are a part of the project file and may be viewed at the district office.

We issued a Draft Environmental Assessment for a 30 day comment period in May 2011. We received one comment in response supporting the project.

DECISION AND REASONS FOR THE DECISION

Based on the results of the analysis documented in the EA, it is my decision to implement Alternative 1 as described in the EA. The activities in Alternative 1 are as follows.

Recreation and Roads

Create Mill Creek Trailhead overflow parking area. Activities include expanding the opening, grading, and gravel placement. This site would be signed and a fee required to park here.

Close dispersed campsite south of Mill Creek Trailhead on east side of FSR 1509 adjacent to Mill Creek.

Create Mill Creek Trailhead overflow parking area on west side of FSR 1509 across from Mill Creek Trailhead on each side of the concrete creek crossing. This would require expanding the opening, grading, and gravel placement. Additionally, all illegal trails radiating from this site would be closed and access improved to the Van Brunt Cemetery.

Improve Mill Creek Trailhead parking area. Activities include grading and gravel replacement.

Create Mill Creek Trail Campground. Develop a moderate size 15 to 25 space campground with RV hookups (electric, water, and sewage dump station) and bathrooms. A water line would be installed along FSR 1509 connecting to the existing municipal water supply. Development of this campground is contingent upon increasing fee receipts at Mill Creek Trailhead and modifying the current OHV user fee structure.

Designate existing dispersed overnight use area located on west side of FSR 1007 north of the intersection with FSR 1509 as trailhead overflow parking. This area would be minimally improved and illegal trails radiating from this site would be closed. Access to the Mill Creek Trail head would be provided via designating portions of FSR 1007 and FSR 1509 as open to OHV use or developing a short trail along the existing power line.

Close dispersed use area located on the east side of FSR 1007 south of private land in the bend of Mill Creek. Restore the riparian area by planting in native forbs and grasses.

Road Maintenance. Forest Development Road (FDR) 1516A may need spot gravel replacement. FDRs 95503A, 95503E, 95478A, 95478D1, 95504B, 95504C, and 95504C1 would need pre-haul maintenance, which may include brushing, cleaning leadoffs, and spot surfacing. Additional culverts are needed on FDR 95503A to improve drainage.

Road Closures. Road 95478L.

Road Decommissioning. Approximately 6 miles.

Temporary Road Construction. Approximately 6.5 miles to access timber management units.

Gate Installation. As many as 20 gates would be needed throughout the area where resource damage has occurred. Cross fencing would also be needed to protect power line right of ways from illegal OHV use.

Wildlife Habitat Management

Terrestrial and Riparian Resource Protection. Block outer edges of current user-created campsite and Mill Creek Trailhead with boulders to discourage illegal trails. Bare areas throughout the project area would be re-planted in native forbs and warm season grasses. Areas along roadsides in the project area invaded by non-native invasive plant species would be sprayed with herbicides (about 65 acres) before replanting in native forbs and grasses.

Stream Habitat Improvement. For Mill Creek and the stream in Van Brunt Hollow: Replant bare areas to help stabilize streambanks. Native stone or geo-textiles would be used to harden road stream crossings for erosion control. Large woody debris consisting of fallen logs and felled trees may be added as needed to contribute to more productive pool habitat and food sources for fish.

Sensitive Species Protection. Remove and relocate a large site of Kentucky lady-slipper (*Cypripedium kentuckiense*) to an existing stable site. The site is on the edge of an eroding bank and needs to be relocated or the plants will likely perish.

Vegetation Management

The current composition of areas proposed for regeneration is 100% hardwood. The objective is to maintain this composition with at least 70% of the primary tree species, allowing up to 30% of the non-primary tree species. Regeneration and silvicultural methods would be prescribed to maintain stands composed of the current predominant species.

Regeneration Methods. Shelterwood-81 acres.

Silvicultural Treatments.

- Chemical site preparation
- Site preparation burn
- If stand adequately stocked after five years, remove sheltering trees

- If stand not adequately stocked, implement artificial regeneration as directed by the RLRMP
- Apply two chemical releases of preferred growing stock

Additional Silvicultural Treatment

Perform full planting with site preparation on 81 acres. This would be accomplished with herbicides or mechanical means followed by prescribed burning to prepare these sites for planting. Planting would be accomplished by either mechanical means or by hand. This treatment would only occur in the event that acceptable stocking levels are not met by natural regeneration means.

Thinning Methods

Sanitation Thin - 290 acres (Hardwood).

Commercial Thin - 323 acres (Hardwood), 68 acres (Pine).

Wildlife Stand Improvement - 10 acres. Thins the stands by removing early successional tree species in the understory and creating gaps in the canopy to allow sunlight to reach the ground. The goal is to favor mast producing species and herbaceous vegetation in the understory that is beneficial to wildlife. Chemical methods would help maintain a clean understory and promote herbaceous vegetation.

An estimated 5000 CCF (Hundred Cubic Feet) of hardwood and 1,500 CCF of pine timber will be harvested. The present value of direct revenue generated from the timber harvest is estimated at approximately \$143,800.

The timber sale, which will accomplish the timber harvesting, is scheduled for FY 2012. Following completion of harvest activities site preparation and other silvicultural activities will be scheduled. Rehabilitation of temporary roads will occur after all activities are completed. Recreation management and wildlife habitat improvement activities will be scheduled from 2012-2018.

Alternative 1 was selected because it best addressed the purpose and need in a balanced, cost effective way providing for a high level of resource outputs that can be maintained in perpetuity without harming land productivity. My conclusion 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. Analysis shows it:

1. Provides for healthy forests by thinning (EA, p.20, 39, 42, and 44).
2. Provides for early successional habitat (EA, p.9, 10, 35, and 44).
3. Begins to balance age classes (EA, p.9, 24-25).
4. Provides enhanced wildlife habitat through protection of riparian areas (EA, p.11-12, 22, 29, 50-51).
5. Provides commodities (EA, p.23-25).

Table 1. - Harvest and Silvicultural Treatments

| Compartment | Stand | Acres | Treatment |
|-------------|-------|-------|----------------------------|
| 478 | 06 | 67 | Sanitation Thin |
| 478 | 07 | 26 | Sanitation Thin |
| 478 | 11 | 27 | Thin |
| 478 | 19 | 30 | Shelterwood |
| 478 | 25 | 40 | Thin |
| 503 | 04 | 30 | Sanitation Thin |
| 503 | 09 | 36 | Sanitation Thin |
| 503 | 15 | 68 | Thin |
| 503 | 18 | 40 | Sanitation Thin |
| 504 | 04 | 59 | Sanitation Thin |
| 504 | 05 | 32 | Sanitation Thin |
| 504 | 11 | 38 | Thin |
| 504 | 13 | 39 | Thin |
| 504 | 14 | 34 | Shelterwood |
| 504 | 15 | 58 | Thin |
| 504 | 17 | 17 | Shelterwood |
| 504 | 20 | 41 | Thin |
| 504 | 22 | 40 | Thin |
| 504 | 27 | 40 | Thin |
| 478 | 08 | 10 | Wildlife Stand Improvement |

OTHER ALTERNATIVES CONSIDERED

An alternative was considered which would exclude the use of herbicides. This alternative was analyzed in the BAE (USDA 2010) but was dropped from detailed analysis because objectives for controlling invasive plants in the area could not be met using hand tools only.

Alternative 2, a no action alternative.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

All actions of Alternative 1 are consistent with the RLRMP and other applicable laws as follows:

1. The actions of this project are consistent with the RLRMP Vision, Strategy, and Design Criteria. The actions of this project occur in Management areas 3C, (Mixed Forest), 3 E, (High Quality Forest Products), and 3I, (Riparian Corridors). The actions in alternative 1

are consistent with the standards and guidelines for the RLRMP. Mitigation measures for environmental impacts have been fully applied in the planned actions. These mitigation measures include both monitoring and evaluation of planned actions. The project is feasible and reasonable, and it results in applying management practices that meet the RLRMP's overall direction of protecting the environment while producing goods and services (EA, p.7-10).

2. All actions of this project harvest timber on those lands the RLRMP identifies as suitable for timber production (LRMP, pp. 2-83 to 2-85; EA, p.24). (See 36 CFR 219.14 for definition).
3. I have determined that Alternative 1 complies with 36 CFR 219.27 (b) according to the following:
 - a. Is best suited to the multiple-use goals of the area with the potential environmental, biological, cultural resources, aesthetic, engineering and economic impacts, as stated in the regional guides and RLRMP, considered in this determination (EA, p. 23-24.).
 - b. The lands harvested can be adequately restocked in 5 years except for permanent openings created for wildlife, roads, and similar purposes (EA, p. 23-24).
 - c. Is not selected because of its dollar return or output of timber although these factors were considered (EA, p. 66-67).
 - d. Is selected after considering the potential effects on remaining trees and adjacent stands (EA, p. 9-10, 52-53).
 - e. Is not permanently harmful to site productivity and ensures conservation of soil and water resources (EA, p. 12, 15, 21, 26-29).
 - f. Does provide desired effects on water quantity and quality, wildlife and fish habitat, regeneration of desired species, recreation uses, aesthetic values, and other resource yields (EA, p.17-66).
 - g. Is practical in terms of transportation and harvesting requirements, and total costs of preparation, logging, and administration (EA, p.22, 26-27, and 66).

FINDING OF NO SIGNIFICANT IMPACT

I have determined that the proposed actions are not a major Federal action either individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not necessary. This determination is based on the following factors (40 CFR 1508.27):

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the quality of the human environment (EA, p.17-66).

2. The actions will not affect public health or safety (EA, p. 20, 23, and 64).
3. The project will not significantly affect any unique characteristics of the geographic area such as proximity to historic or cultural resources, wetlands, floodplains, wild and scenic rivers, or ecologically critical areas (EA, p. 26-29, and 65).
4. The project area is in the headwaters of a public supply watershed. The project will not negatively affect this watershed (EA, p.2 6-29).
5. The effects on the quality of the human environment are not likely to be highly controversial (EA, p. 17-66).
6. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment (EA, p. 17-66).
7. The actions in this decision will not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration (EA, p. 12 and 15-16).
8. There will be no cumulatively significant impacts on the environment. The cumulative effects of the proposed actions have been analyzed with consideration of other similar activities on adjacent lands, in past actions, and in foreseeable future actions (EA, p. 17-66).
9. The actions will not affect any sites listed in or eligible for listing in the National Register of Historic Places or will they cause loss or destruction of significant scientific, cultural, or historic resources (EA, p. 65-66).
10. The actions are not likely to adversely affect endangered or threatened plant or animal species, or their critical habitat (EA, p. 30-59).
11. None of the actions threaten to lead to violation of federal, state, or local laws imposed for the protection of the environment (EA, p. 11-16).

For water quality management, state-approved Best Management Practices (BMPs), which are incorporated into the mitigation measures, will be used for this project. These BMPs are from the state water quality management plan, and have been designed with the goal of producing water that meets state water quality standards. The project will be monitored to insure BMPs are implemented. If implementing BMPs on a specific site results in effects significantly higher than anticipated, because of unforeseen site factors or events, appropriate corrective measures will be considered and implemented. This project will fully comply with state approved BMPs and the Clean Water Act.

PROJECT IMPLEMENTATION AND APPEAL RIGHTS

This decision is subject to appeal pursuant to 36 CFR Part 215. Based on the April 2006 Federal Court decision in The Wilderness Society v. Rey, individuals or organizations who submitted comments or otherwise expressed interest in this action by the close of the comment

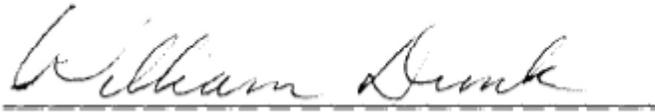
period specified in 36 CFR 215.6 may appeal this decision.

A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in the Times Record, Fort Smith, AR. The appeal shall be sent to Ozark-St. Francis National Forests, ATTN: Appeals Deciding Officer, 605 West Main Street, Russellville, AR 72801-3614. Appeals may be faxed to (479) 964-7255. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 a.m. Appeals may also be mailed electronically in a common digital format to appeals-southern-ozark-stfrancis@fs.fed.us.

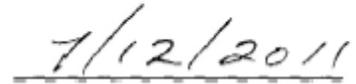
Appeals must meet content requirements of 36 CFR 215.14. If no appeal is filed within the 45-day time period, implementation of this decision may begin on, but not before, the 5th business day following the close of the appeal-filing period. If an appeal is received, implementation may not occur for 15 business days following the date of appeal disposition. (36 CFR 215.9)

CONTACT PERSON

Further information about this decision can be obtained from Jobi Brown, NEPA Coordinator, Boston Mountain Ranger District, 1803 N. 18th St., Ozark, AR 72949; (479) 667-2191; fax (479)667-5807; e-mail: jobibrown@fs.fed.us



WILLIAM DUNK



Date

District Ranger
Boston Mountain Ranger District

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