

DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT NON-NATIVE INVASIVE PLANT PROJECT 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 in 2005 and amending in 2007 and 2009, additional infestations have been discovered. 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 species (NNIS) 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 807 new infestation sites (about 400 acres).

When compared to other alternatives this alternative best meets the purpose and need because there would be no unacceptable effects to forest resources (SEA page 8). All protocols designed into the original project are to reduce the effect of action on non-target organisms. It would prevent further spread of invasive plants and will eliminate many populations on the Forest. This alternative meets requirements under State Weed rules NR-40 (2009), Executive Order 13112, and Forest Plan goals (EA3.2).

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 a Soils/Hydrology/Aquatics Specialist Report were conducted to analyze potential effects.

Project sites are listed in the Supplemental Environmental Analysis (SEA Appendix A) and have been mapped (SEA Appendix B).

Other Alternatives Considered: In the 2005 EA we considered two alternatives and the No Action. For this supplement we considered only the proposed and the no action since public involvement for this amendment revealed no additional issues related to the changed condition (adding sites).

Public Involvement:

The five public comments received for this amendment were fully supportive. A notice was placed in the paper of record (Milwaukee Journal/Sentinel) on April 28, 2011, a summary was posted on the Forest website, and letters were sent to parties whom expressed interest in this project in order to solicit comments. Four letters and one phone call were received during the 30-day comment period supporting invasive plant control work on the Forest.

Finding of No Significant Impact

After considering the environmental effects described in the SEA and the 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 (0.1%) of lands on the Forest, and are widely distributed so that effects are not overlapping and cumulative. 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 state or regional 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.
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, organic farms, and potable water sources (EA 3.4.1 & 4.1.2). Safety requirements and the identification of a spill plan minimize adverse exposure and risks to public health and safety (2005 EA 4.1.2).
3. There will be no significant negative effects on unique characteristics or ecologically critical areas of the area such as historic or cultural resources, park lands, prime farmlands, wetlands, or wild and scenic rivers. Heritage resources have been analyzed (EA 1.6) and no adverse effects would occur as a result of my action. All wetlands that have weed sites have been analyzed by a botanist and hydrologist (SEA pg8) and following design criteria will reduce effects 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)
5. The CNNF has considerable experience with the types of activities to be implemented. The effects of the actions are well known and do not involve unique or unknown risk (SEA Pg8-10).
6. The action is not likely to establish a precedent for future actions with significant effects. It is not a new or unique action. I make this finding because none of the actions are a departure from the commonly used methods for controlling invasive plants 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. Cumulative impacts were not significant (See SEA pg 6-8).
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. A professional archeologist has reviewed the treatment sites and methods. There are no factors present that would disturb or destroy potentially significant historic properties or resources (SEA pg 3, 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 6).
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 National Forest Resource Management Plan (See EA 3.2).

Findings Required by Other Laws and Regulations

This decision to add 807 sites 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 of NNIS listed on page 1-3 and 2-25.

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

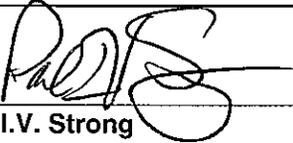
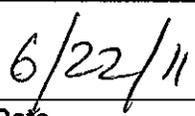
- Executive order 13112 (1999) – directs all federal agencies to address invasive species and refrain from actions likely to increase invasive species problems.
- Forest Service Manual 2150 – Pesticide use management and coordination with the objective of ensuring the proper use of pesticides including 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 Marjory Brzeskiewicz, botanist, 1170 4th Ave. South, Park Falls, WI 54552; 715-762-5199.

 _____ Paul I.V. Strong Forest Supervisor	 _____ Date
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