USDA United States Department of Agriculture | Forest Service | Big Piney Ranger District | 12000 SR 27 Hector, AR 72843 479-284-3150 FAX 479-284-2015 | Hwy 7 North P.O. Box 427 Jasper, AR 72641 870-446-5122 FAX 870-446-2063

**File Code:** 1950
**Date:** April 24, 2013

Dear Friend of the Ozark-St. Francis NF:

The Big Piney Ranger District on the Ozark-St Francis National Forest is considering requests for 13 different linear special uses (existing roads for access or existing utility corridor) at various locations across the district. The proposed uses range from 0.74 acres to 4.8 acres is size. A special-use authorization is a legal document such as a permit, lease, or easement, which allows occupancy, use, rights, or privileges of National Forest Land. The authorization is granted for a specific use of the land for a specific period of time. Example; A person or corporation owns land within the proclamation boundary of the National Forest, unless that land has a county or state maintained road accessing it, the owner of that land is required according to 36 Code of Federal Regulations (CFR), Chapter 11, 251.50 to obtain a special use authorization. These types of authorizations usually have an annual fee associated with them.

The following is a list of applicants and locations:

1) Green Bay Packaging at two locations, Township 10 North, Range 16 West, Section 17 FS road # 93008C in Van Buren County, access to corporation land
2) Green Bay Packaging at Township 9 North Range 17 West Section 12 FS road # 93021Z or 1823B in Conway County, access to corporation land.
3) Deltic Timber Corporation, Township 10 North, Range 19 West, Sections 14, 22, & 23 FS road # 93037B & E in Pope County, temporary access to harvest timber.
4) Peggy Jarvis, Township 11 North, Range 17 West, Section 18 FS road # 93720E in Pope County, access to private property.
5) Cliff Barnes, Township 12 North, Range 18 West, Section 12 in Pope County, existing woods road for temporary access to harvest timber, the road would be close after use.
6) David Watson, Township 11 North, Range 21 West, Sections 13, 14, 22, & 23 FS road #9212A in Johnson County, for access to private property.
7) George Dwight Manes, Township 13 North, Range 21 West, Sections 29, 32, & 33, FS road # 92104 A in Newton County, for access to private property.
8) Isaiah Hamilton, Township 13 North, Range 23 West, Section 2, FS road # 92280D in Newton County, in Newton County for access to private property.
9) Bill Morgan, Township 14 North, Range 23 West, Section 35, FS road # 92243A in Newton County, for access to private property.

10) Bob Ramsey Township 14 North, Range 22 West, Section 31 and Township 14 North, Range 23 West Section 36 on existing road FS #92292B in Newton County, Cole creek in Walnut Valley; This would be a temporary authorization until an evaluation for a possible rights-of-way exchange could be completed.
11) Willis Dixon Township 10 North, Range 19 West, Section 22 requests legal access on Forest Service road 93037J and 93703F to access private property.
12) Verizon up-grade to existing lines with fiber optic and install equipment for the fiber optic at the communication site located on White Oak Mtn. in Pope County.
13) Century Link up-grade to existing lines with fiber optic cable along south side of White Oak Mountain north of Hector.

Application numbers 1-11 are existing roads to which only routine maintenance would be performed. Proposed activities would stay within previously disturbed area. The remaining two applications (12 & 13) are proposals to amend their existing authorizations to allow upgrading existing lines. No new ground disturbing activities would occur outside the existing authorization. See attached vicinity map with corresponding application numbers for general location of each proposal. For greater map detail on proposals visit online at http://www.fs.usda.gov/detail/osfnf/landmanagement/planning/?cid+stelprd521222 or contact Mike Mulford at the Big Piney Ranger District office.

The proposals are being grouped together for the scoping/comment period due to the similar nature of the proposals, to lessen the cost of legal notices, mailing out scoping letters, and to make the process more efficient. Each of the above applications if approved will receive its own Decision Memo. Before a Decision Memo could be signed a Biological Evaluation would be completed including, if necessary, formal or informal consultation with the US Fish & Wildlife Service. Also, a Heritage Resource Survey and Report would be completed with a finding from the State Historic Preservation Office that this project would cause no adverse effects to Historic Properties, or a Heritage Categorical Exclusion completed and on file at the Supervisor's Office in Russellville with the finding that this project would cause no adverse effects to Historic Properties.

This notice requests project-specific information and comments regarding the activities in these project proposals and within the project areas. General comments about all proposals are not site specific; therefore would not give the commenter appeal status. Please specify the specific proposal which is being commented on in order to assist us in addressing any concerns. I am particularly interested in identifying any extraordinary circumstances that may exist in the project area(s) and/or any activity that when implemented would negatively affect the environment and/or its inhabitants.

All of the above proposals fit the following category; *Approval, modification, or continuation of minor special uses of NFS lands that require less than 5 contiguous acres of land* 36 CFR 220.6 (e)(3). If no extraordinary circumstances are discovered during analysis of the area, this project would be categorically excluded from an Environmental Impact Statement (EIS) or Environmental Assessment (EA).

This will be the only opportunity to comment on these project proposals. These decisions may be appealable, in light of a 2012 court ruling (Sequoia Forest Keeper v. Tidwell, 11-cv-00679-LJO-DLB (E.D. Cal.)): The Forest Service will provide public notice, comment, and opportunity for administrative appeal for projects and activities documented with a "Decision Memo" (36 CFR 220.6(e)) until new instructions are issued by the Washington Office, or the Agency issues regulations addressing the Court's ruling. Only those who provide comment or express interest in these proposals during this comment period would be eligible to appeal these decision(s) pursuant to 36 CFR part 215 regulations.

To ensure your continued participation in this process, and to be eligible to appeal, be sure that your comments are project-specific and postmarked or received within 30 days beginning the day after publication of this notice in Russellville's *The Courier*. You may mail your comment(s) to Jimmie L Dixon Jr., Acting District Ranger, Big Piney Ranger District, P.O. Box 427, Jasper AR 72641. Verbal or hand-delivered written comments must be received during our normal business hours of 8:00 a.m. to 4:30 p.m., Mon-Fri. Comments may be mailed electronically to our office, in a common digital formal, at: comments-southern-ozark-stfrancis-bayou@fs.fed.us. Additional information including maps may be obtained by contacting Mike Mulford at the Big Piney Ranger District office in Jasper, AR (phone # 870-446-5122 x5136) or by visiting the Ozark-St. Francis National Forest website at the following website address; http://www.fs.usda.gov/detail/osfnf/landmanagement/planning/?cid+stelprd521222

Sincerely,

Date: 4/24/13

Jimmie L. Dixon
Acting District Ranger
District Ranger Big Piney