



U.S. Department of Agriculture  
Forest Service  
Southern Region

*Record of Decision*

# **Final Environmental Impact Statement**

## **Uwharrie National Forest Land and Resource Management Plan**

*National Forests in North Carolina*

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# **Record of Decision**

## **Final Environmental Impact Statement Uwharrie National Forest Land and Resource Management Plan**

### **National Forests in North Carolina**

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## **Introduction**

This Record of Decision (ROD) documents my decision and rationale for approving the Revised Land and Resource Management Plan (Revised Forest Plan) for the Uwharrie National Forest (NF). Previously, there was one Land and Resource Management Plan for both the Croatan and the Uwharrie National Forests, which was approved in 1986. In 2002, the Croatan NF Revised Forest Plan was published. In 2005 the National Forests in North Carolina initiated revision for the Uwharrie NF Forest Plan. This Revised Forest Plan will guide all resource management activities on the Uwharrie NF for the next 10 to 15 years.

The Uwharrie NF is located in the North Carolina Piedmont and includes portions of the Uwharrie Mountains. The rolling topography, with well-rounded hills and long ridges, ranges in elevation from 400 to 1000 feet above sea level. The town of Troy and a number of small communities are within the proclamation boundary and several towns are just outside the boundary. The national forest is also within a two hour drive from North Carolina's largest population centers, including Charlotte, Raleigh, Durham, Greensboro, and Winston-Salem.

In 1931, during the Great Depression, the federal government began purchasing the land that is now the Uwharrie NF. In 1961, President John F. Kennedy proclaimed federal lands in Montgomery, Randolph, and Davidson Counties, North Carolina, as the Uwharrie National Forest, making it one of the newest and smallest forests in the National Forest System. Today the Uwharrie NF includes approximately 50,814 acres, lands that in many cases were once private industrial forest land or private agricultural lands.

The Uwharrie NF is made up of approximately 60 separate parcels interspersed within privately owned, mostly forested landscapes; a situation that often makes forest management challenging. The vegetation is approximately half hardwoods and half pines, with associated understory vegetation. Forests on the Uwharrie NF include a higher percentage of loblolly pines than occurred historically due to an emphasis during the latter half of the 20<sup>th</sup> century on planting loblolly pine for timber production.

The Uwharrie NF is rich in historical and archeological resources (a.k.a. "cultural" resources) dating back to prehistoric times. These include everything from prehistoric quarry sites, to historic mines and settlements. Old gold mines dot the landscape and recreational gold panning still occurs.

Many outdoor recreation activities are popular on the Uwharrie NF such as hunting, horseback riding, hiking, camping, picnicking, bird watching, off-highway vehicle (OHV) riding, and mountain biking. Lakeside developments and trail systems are particularly popular.

## **Land and Resource Management Planning**

This Revised Forest Plan is part of the long-range resource planning framework established by the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA), the Government Performance and Results Act of 1993 (GPRA), and the 2007

Revision of the USDA Forest Service Strategic Plan. The National Forest Management Act of 1976 (NFMA) requires all units of the National Forest System to develop plans that direct resource management activities on the forests. These plans are to be revised when conditions have changed significantly, or on a 10 to 15-year cycle.

The Final Environmental Impact Statement (FEIS) and Revised Forest Plan were developed according to the NFMA, its implementing regulations at 36 Code of Federal Regulations (CFR) 219, the National Environmental Policy Act of 1969 (NEPA), and the Council on Environmental Quality (CEQ) regulations at 40 CFR 1500-1508. (The 36 CFR 219 regulations currently in effect are the regulations of November 9, 2000 and reinstated on December 18, 2009. According to 36 CFR 219.35 and Appendix B to 219.35, the responsible official may elect to use the provisions of the 1982 planning regulations to prepare plan amendments and revisions. For this revision of the Uwharrie NF's Land and Resource Management Plan, I have elected to follow the provisions of the 1982 rule as published on September 30, 1982 and subsequently amended.)

The FEIS discloses the environmental consequences of the alternative management strategies and how they respond to issues and concerns.

This decision applies only to National Forest System lands of the Uwharrie National Forest, located in Davidson, Montgomery, and Randolph Counties of North Carolina. It does not apply to any other Federal, State, or private lands, although the effects of these lands and the effects of my decision on lands surrounding the national forest are also considered.

## **My Decision**

I select Alternative B from the FEIS for the Revised Land and Resource Management Plan for the Uwharrie NF. By selecting Alternative B, I am approving the Revised Forest Plan that describes the goals, desired conditions, objectives, standards, guidelines, management prescriptions, and lands suitable for timber production for Alternative B.

By implementing the Revised Forest Plan we intend to:

- Restore the forest to a more natural ecological condition
- Better manage cultural resources
- Provide outstanding and environmentally friendly outdoor recreation opportunities, with excellent trails and facilities.

This alternative will:

- Allow for a continuous output of timber products as restoration of native longleaf pine and oak/hickory forests proceeds
- Allow for increases in prescribed burning to maintain and restore fire-dependent and fire-compatible landscapes
- Focus efforts on eliminating non-native invasive species
- Manage unique and rare habitats, conditions, and cultural resource sites as special interest areas

- Focus efforts on designing and implementing a more sustainable system of trails throughout the national forest; providing users a high quality experience
- Ensure resource protections are in place in the event of applications or permits for mineral resource developments.
- Increase the national forest's ability to adapt and respond to climate change.

### **Components of the Decision**

Components of forest plan decisions are outlined in the National Forest Management Act (1976). A forest plan establishes a framework for future decision-making by outlining a broad, interdisciplinary program for achieving the desired goals, objectives, and future conditions of the Forest. A forest plan does not make a commitment to the selection of any specific project and does not dictate day-to-day administrative activities needed to carry on the Forest Service's internal operations. However, by applying forestwide management direction, the forest plan is implemented through the design, execution, and monitoring of site-specific activities.

The decisions I am making in this Record of Decision for the Revised Forest Plan are:

#### **Establishment of forestwide multiple-use goals and objectives (36 CFR 219.11 (b)).**

These are found in Chapter 2 of the Revised Forest Plan. The goals and desired conditions for the Uwharrie NF are focused around three main themes: restoring the forest to a more natural ecological condition, better managing cultural resources, and, providing outstanding and environmentally friendly outdoor recreation opportunities, with excellent trails and facilities. The objectives provide ways of achieving the desired conditions through specific outcomes.

#### **Establishment of forestwide management requirements (standards) (36 CFR 219.27).**

Forestwide standards and guidelines are found in Chapter 2 of the Revised Forest Plan. Standards are limitations on actions or thresholds not to be exceeded. Guidelines are requirements that must be followed unless a different management action demonstrably achieves the same intent as the guideline. I believe that the standards and guidelines provide adequate requirements for management, provide for resource protection, and serve to illustrate the intent of the Revised Forest Plan. To simplify the planning document, direction that would duplicate laws, policies, Forest Service Manual, and Forest Service Handbook direction or other regional directives is not included.

#### **Establishment of management prescriptions and where they should be applied (36 CFR 219.11 (c)).**

Ten management prescriptions, called *management areas*, will guide the design and implementation of future actions. The management areas are described in Chapter 3 of

the Revised Forest Plan and delineated on the Revised Forest Plan Map. In some management areas, such as wilderness, legal boundaries are specified by congressional acts. In others, boundaries are identified using ecological units, administrative boundaries, or other physical, biological and social features. The management areas are:

- General Forest
- Longleaf Restoration
- Special Interest Areas
- Streamside Forest
- Eligible Wild and Scenic River Corridors
- Developed Recreation Sites
- Wilderness
- Potential Wilderness Additions
- Schweinitz's Sunflower Habitat Management Areas
- Badin Lake Recreation Area.

Land within the Uwharrie NF may be assigned to more than one management area. For example, some Streamside Forest is also part of the Eligible Wild and Scenic River Corridor, and may also be within a Special Interest Management Area. In such cases, the most restrictive plan direction would apply to the area of overlap.

**Determination of land that is suitable for timber production (36 CFR 219.14) and establishment of the allowable sale quantity (ASQ) of timber (36 CFR 219.16).**

The designation of lands suitable for timber production is found in Chapter 3 of the Revised Forest Plan. Approximately 33,490 acres or 66 percent of the Uwharrie NF is designated suitable for timber production.

The Revised Forest Plan establishes an ASQ of 11.647 MMCF (million cubic feet) for the next 10 years (see also Appendix B of the Revised Forest Plan). The present budget levels, along with a projected slight increase in operational costs should provide sufficient funds to meet this ASQ.

**Recommendations for non-wilderness allocations and recommendations for wilderness status (36 CFR 219.17).**

Four parcels adjacent to the Birkhead Mountains Wilderness are identified as potential additions to this wilderness. All four parcels are included in the Potential Wilderness Additions Management Area and would be managed to maintain or enhance their current wilderness attributes. Two of the these parcels, identified as Tracts U-1630 and U-1631 in the FEIS (totaling 7.1 acres) are recommended to be additions to the Birkhead Mountains Wilderness area. There are no other parcels of land on the Uwharrie NF that qualify for evaluation as potential wilderness.

**Recommendations for wild and scenic rivers or other special use designations as appropriate (36 CFR 219.17).**

Uwharrie River and Barnes Creek are eligible for designation as wild and scenic rivers, however, no additional wild and scenic rivers are being recommended at this time. The outstandingly remarkable values of the Uwharrie River and Barnes Creek on the Uwharrie NF land will be protected. The Revised Forest Plan established a management area for the eligible wild and scenic river corridor. Appendix D of the FEIS documents the values within these river corridors.

The Revised Forest Plan identifies approximately 34 separate areas as Special Interest Management Areas. These include areas with unique or rare botanical, zoological, geological, historical, scenic and/or recreational values. These areas are described in Chapter 3 of the Revised Forest Plan and identified on the Revised Forest Plan Map.

**Designation of lands suitable for grazing and browsing (36 CFR 219.20).**

No grazing permits are planned for the Uwharrie NF. There is no demand for this use on this national forest.

**Establishment of monitoring and evaluation requirements (36 CFR 219.11 (d)).**

Monitoring and evaluation requirements are found in Chapter 4 of the Revised Forest Plan. Specific monitoring questions are identified and directly linked to the Revised Forest Plan goals, desired conditions, objectives, standards, and specific regulatory requirements. These requirements ensure that my approach is adaptive and that sustainability is being achieved or adjustments will be made.

**Determination of lands administratively available for oil and gas leasing (36 CFR 228.102 (d))**

This determination was not made as a part of this planning effort.

**Regionwide Plans and Direction**

The management requirements found in the following documents are incorporated by reference and shall apply to the management of the Uwharrie NF:

Record of Decision, Final Environmental Impact Statement for Gypsy Moth Management in the United States: A Cooperative Approach (USDA, Forest Service and APHIS, Washington DC, January 1996).

Record of Decision, Final Environmental Impact Statement for the Suppression of the Southern Pine Beetle (USDA Forest Service, Southern Region, February 1987).

## **Rationale for Decision**

My decision to select Alternative B for implementation is based on a careful and reasoned comparison of the environmental consequences of and responses to issues and concerns for each alternative. I selected Alternative B because it represents the best mix and balance of management strategies that: 1) are responsive to the issues, concerns, and opportunities expressed by the public and other agencies; 2) establish ambitious but achievable objectives for ecosystem management and restoration, recreation opportunities and management, and the management of cultural resources; and 3) makes appropriate recommendations for additions to wilderness.

Two other alternatives were considered in detail. Alternative A represents continuation of the 1986 plan. Alternative C is very similar to Alternative B with one exception, as described in the following paragraph.

Both Alternatives B and C would provide the same amount of ecosystem restoration through vegetation management with tools such as timber harvest and prescribed burning. Both would provide similar emphasis on cultural resources management and recreation management. Both take into account the potential for mineral resource developments and provide standards for these potential uses to conserve all the resources of the national forest. Both alternatives assign the same acres to the same management areas and have the same suitable uses. The only difference between the two is that Alternative B has the goal/desired condition to have equestrian uses limited to a designated system of trails, roads, and areas. Let me elaborate on my reasoning for choosing this particular goal/desired condition.

First, let me acknowledge that the Uwharrie NF currently provides unique equestrian opportunities unmatched in the Piedmont of North Carolina. Thus, it has attracted not only many equestrians from the surrounding area but also from farther afield. Local users and adjacent landowners have made their own pathways from their property into the national forest. Some equestrians use the national forest every week, have been doing so for years, and have special places they ride to that are not on any trail maps. This is a way of life that they wish to pass on to the next generation.

Over time what was a little use on a few trails has become tremendous use on many trails, by many types of users: mountain bikers, equestrians, OHV users (legally restricted to a specific set of trails), and hikers. In many cases these trails were created through use, opportunity, and convenience, rather than by any planned design. Trails became concentrated in the Badin area. Trails became established in sometimes inappropriate locations that would impact cultural resource sites, or that would become subject to excessive erosion leading to sediment entering streams. A trail condition survey conducted in the winter of 2010/2011 established the factual basis for these observations. Sometimes the edges of roads have broken down as ad hoc trails are made down to rivers and streams. Sometimes multiple parallel trails lead to the same destination. The overall result is a landscape in the Badin area crisscrossed by trails, with one type of use crossing paths with another type of use, producing conflicts between users, and causing obvious resource damage.

In regard to trails, in Alternative A only OHV use is restricted to a designated system. In Alternative C the intent is to have mountain bike and OHV use limited to a designated system once a forest-wide trail strategy is developed. Alternative B keeps the intent to have mountain bikes and OHVs on a designated system, and adds the intention to have equestrian use limited to a designated system following the development of the trail strategy. Alternative B will therefore offer the greatest likelihood of managing overall resource impacts from recreational trail use, especially in the Badin area.

Recreational trail uses are projected to increase over time, and the resulting resource impacts could increase without clear management direction. Developing equestrian and mountain bike systems is an objective in the selected alternative. The Forest Supervisor will develop these systems as a collaborative effort including all types of national forest users and local community representatives. A trail system that meets the need of the various user groups to the extent possible while conserving national forest resources would contribute to the local economy by potentially providing an exceptional trail experience for many types of visitors. The potential for connections to local community trails would allow greater access for community wellness opportunities, Kids in the Woods opportunities, and broader destination marketing campaigns.

I did not select Alternative C because it would not address the need to manage recreational trails as well as will Alternative B. Alternative C would continue unlimited cross-country travel by equestrians. This would make it difficult to reduce impacts to streams or to lessen the potential for future impacts to cultural resources and rare plant communities that can be inadvertently damaged from this use.

I did not select Alternative A because it does not address the needs for change identified in the Analysis of the Management Situation: it does not restore native ecosystems, it does not provide sufficient management for cultural resources, and it does not focus attention on the recreation uses of the national forest to the extent warranted by today's use levels.

The Selected Alternative is responsive to the Forest Service's National Strategic Plan (2007), and it meets our legal obligations to the people and environment that surrounds them. The optimal implementation rate for the Selected Alternative could require higher funding levels in some areas than those currently allocated; however, I believe the management direction changes envisioned in the Selected Alternative can be implemented under current budget levels. The attainment of desired conditions and outputs in some areas, however, may be delayed or reduced if future budgets decrease.

In summary, I believe Alternative B sets the framework for future decisions better than the other alternatives because it:

- Includes reasonable strategies to implement endangered species recovery plans, particularly for Schweinitz's sunflower
- Restores native ecosystems at a reasonable pace
- When restoring longleaf pine, considers the development of the understory as well as the overstory system by using prescribed fire

- Assures habitats are adequate to support positive trends for MIS species
- Develops strategies for sustaining rare communities and species by providing special interest areas as a refuge
- Includes reasonable strategies for treating non-native invasive species and addressing forest health concerns
- Provides appropriate management and protection for cultural resources
- Assures exceptional recreation opportunities by better management of trail systems
- Calls for the closure of unauthorized roads
- Provides a reasonable recommendation for additions to wilderness
- Protects outstandingly remarkable values of river corridors eligible for wild and scenic river status
- Reduces risks to life property and other resources from wildland fire
- Reduces risks of losing short interval fire adapted ecosystems
- Emphasizes the collaboration with local communities and governments, other federal and state agencies to create a shared vision about the cultural and environmental attributes that make this area special
- Responsibly addresses the need for resilient and adaptable ecosystems in the face of climate change
- Adequately responds to comments on the Draft EIS and Proposed Plan.

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. For example, the record indicates a thorough examination of the potential for minerals and hydrocarbon developments; acknowledges uncertainty and risk in this regard, and provides an appropriate response to the level or risk in the form of direction in the alternatives.

## **Public and Other Agency Involvement**

In the summer of 2005, a publication summarizing the management situation and need for changing the 1986 Plan was sent to a broad mailing list. Local government officials were invited to meet prior to starting the collaborative public involvement process to develop plan components. A meeting also occurred between USDA Forest Service officials and representatives of the local Hmong community, and the Catawba Indian Nation was contacted.

The public collaborative planning process to develop plan components consisting of 10 subsequent meetings and two field trips, took place during 2005 and 2006 with up to 100 participants per meeting. Other federal and state agency representatives, local officials, adjacent landowners, non-governmental organization and user group representatives,

members of the academic community, and other interested individuals participated. At each meeting participants had the opportunity to learn something about the forest resources, give suggestions for plan components, review and refine work from the previous meeting. The three major themes and almost all the plan components came out of this collaborative planning process with stakeholders. Many different ideas were brought to the table and worked through the collaborative process to get to the content of the Revised Plan.

An initial Proposed Plan was issued for comment in 2007. Shortly after this the federal regulations regarding forest planning were successfully challenged in court, which put the Uwharrie NF planning process on hold. New regulations came out in 2008 and a Proposed Plan was issued for comment a second time in early 2009. The 2008 planning regulations were also successfully challenged in court and the Uwharrie NF planning process was stopped a second time. In 2010, using the 1982 planning regulations (as allowed by the 2000 planning rule), a Notice of Intent to revise the 1986 Plan was published, with a proposed plan published concurrently under the title *Preliminary Draft Land and Resource Management Plan*. In response to comments, preliminary issues and alternatives were identified and the collaborative participants were once again invited to offer input. This opportunity essentially validated that the issues and alternatives were appropriate for consideration in a Draft EIS.

The draft documents were released for comment in June of 2011. Two public meetings were held during the comment period, with one focused on the equestrian community. Fifty-four comment letters were received by the end of the comment period. These comments and our responses are documented in Appendix A of the Final EIS. Appendix A further documents the public involvement process, and complete details are in the process record.

## **Response to the Issues**

Due to early and extensive collaboration with the public, many concerns were addressed early in the planning process through the development of the proposed plan. Three themes emerged from this early planning which ultimately framed the proposed management for the Uwharrie NF. These themes are: 1) The desire to restore the national forest to a more natural ecological condition; 2) The desire to better manage cultural resources; and 3) The desire to provide outstanding and environmentally friendly outdoor recreation opportunities with excellent trails and facilities.

In response to the Notice of Intent published in March 2010, a concern was raised by the public or other agencies that warranted the development of an additional alternative. Another concern was raised that was addressed through the addition of a management area.

### **Concern regarding restricting equestrians to a designated trail system.**

To respond to this issue, an alternative was considered and analyzed that is the same as the Proposed Action (Alternative B) except equestrian use would remain as it is in

the 1986 Plan (Alternative A) with no restrictions on cross-country travel. This issue was addressed in Alternative C.

**Concern over the protection of rare Piedmont longleaf pine plant communities.**

To respond to this issue the Proposed Action (Alternative B) includes a Longleaf Pine Restoration management area where emphasis would be to restore potential and maintain existing examples of this plant community. The Longleaf Pine Restoration management area is included in both Alternatives B and C.

Concerns raised during the comment period for the draft documents that took place during the summer of 2011 led to several modifications of Alternatives B and C and additional information being added to the Environmental Impact Statement. These modifications did not change management areas or management area boundaries.

**Concern over a statement in Alternative B and C regarding weed-free hay.**

While no requirement was proposed that hay brought onto the national forest be weed-free, the statement of concern has been modified to remove reference to weed-free hay.

**Concern that the proposed action and DEIS did not sufficiently address mineral resources, specifically the potential for gold mining and gas hydraulic fracturing.**

To address these concerns, additional information is provided in the Final EIS and additional direction is included in Alternatives B and C.

## **Management Concerns**

In addition to the planning issues and public comments, the following factors were considered in making my decision:

- Consistency with applicable laws, policies, manual, and handbook direction that govern the development of a Forest Plan and management of national forest lands.
- Promotion of rural economic development and a quality rural environment.
- The effects on the people who use and depend on forest resources.
- Consistency with plans and policies of local, State, and other national government agencies.
- Operational and budget needs to fully implement the Plan decision.

## **Alternatives**

Three alternatives were analyzed in detail in the EIS.

### **Alternative A**

This alternative would continue implementation of the original 1986 Forest Plan, as amended. It serves as a basis for comparison with the other alternatives. Under this alternative, the national forest would be intensively managed to provide goods and services that satisfy short-term public demands while improving program efficiency and long-term healthy condition of the forest environment. This alternative also includes

goals to provide a forest environment for the public to enjoy and to provide the quality of habitat for wildlife and fish that is unique to federal lands.

### **Alternative B**

This alternative was developed through a collaborative process during 2005 and 2006, and modified based on public comments received in 2010 and 2011. The proposed action:

- Emphasizes restoring native ecosystems and historic fire regimes. Active management to replace loblolly pine plantations with native longleaf pine and oak-hickory forests will be complemented by thinning younger pine stands to enhance forest growth and health until time for them to be restored.
- Emphasizes restoring the endangered Schweinitz's sunflower and rare native mussels.
- Increases prescribed burning with an emphasis on growing season burning, which has greater potential for both fuels reduction and control of undesirable species.
- Decreases the amount of land available for timber production. However, the harvest volume is expected to remain similar to recent years due to significant increases in volume from the loblolly pine plantations slated for conversion to longleaf pine after harvest. Additional thinning will also add to the harvest volume.
- Provides added protection and management for cultural resources.
- Changes recreation management with goals to have mountain bike and equestrian use limited to designated systems (as is off-highway vehicle use)
- Includes standards for minerals management.

### **Alternative C**

Alternative C is the same as Alternative B with the exception that there is no goal to restrict equestrian use to a designated system; however it maintains this goal for mountain bike use. Equestrians would be permitted to ride throughout the forest without limitations.

## **Alternatives Considered but Eliminated From Detailed Study**

A broad range of alternative plan contents were considered in the process of developing a Proposed Plan. Many of the alternatives that were considered were then eliminated from detailed study. Among the alternatives considered were: 1) maximizing timber production; 2) designating all lands as "not suitable for timber production"; 3) removing longleaf pine communities from the timber base; 4) maximizing the number of Special Interest Areas; 5) inclusion of a Badin Lake Recreation Area visitor center; 6) increasing

the rate of restoration activities; and 7) making additional management areas unsuitable for minerals and energy development.

These alternative management approaches were considered during the planning process but eliminated from detailed study because they were either not responsive to the purpose and need of the plan, were inconsistent with the requirements for providing for multiple uses, were incorporated to some extent in an alternative considered in detail, or were not economically feasible for meeting the objectives of ecosystem restoration which was identified early in the collaborative process.

## **Changes from Draft to Final**

For Alternatives B and C, wording changes were made in some Goal/Desired Condition statements. One Goal/Desired Condition statement in particular that was not well received during the comment period referred to the use of weed-free hay. This was removed and replaced with a more appropriate statement regarding the need for visitors to be aware of how to minimize the introduction of non-native invasive species.

Alternatives B and C now include a small number of additional Standards, Guidelines, and Monitoring Requirements. Several of these changes were made to better take into account the potential for minerals or hydrocarbon permitting or leasing. Several other wording changes were made to better take into account the need for compliance with state water quality regulations.

The Final EIS includes additional information on Minerals and Energy in Chapter 3. An alternative that would minimize management prescriptions suitable for minerals and energy development was added as an Alternative Considered but Not Analyzed in Detail.

Wording changes were made to numerous other plan components for the purposes of clarification or to correct errors.

These changes were made in response to comments received from interested parties during the 90-day comment period.

## **Environmentally Preferable Alternative**

The Council on Environmental Quality has defined the “environmentally preferable” alternative as: “...the alternative that will promote the national environmental policy as expressed in NEPA’s section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources.”

Alternative B is the environmentally preferable alternative. It is more protective of the environment than Alternative A, as is Alternative C, with the exception that Alternative B would provide more protection to cultural resources, water quality, and rare plants by better management of recreational uses than Alternatives A or C.

## Net Public Benefits

The 1982 National Forest Management Act (NFMA) implementing regulations (36 CFR 219.1) state that forest plans must “...provide for multiple-use and sustained yield of goods and services from the National Forest System in a way that maximizes long-term net public benefits in an environmentally sound manner.” Net public benefits can be defined as the overall value to the Nation of all outputs (benefits) and positive effects, less all associated inputs (costs) and negative effects, whether they can be quantitatively valued or not. Therefore, public net benefits have two components: priced and non-priced benefits and costs.

*Priced benefits and costs:* Prices for outputs and uses were estimated in the FEIS for each alternative and displayed in Appendix B. The Present Net Value (PNV) was used to measure the economic efficiency of each alternative. All alternatives fall within two percent of the highest PNV, which is Alternative A. Therefore, in terms of priced benefits and costs, the range is fairly narrow among alternatives.

*Non-priced benefits and costs:* The range among alternatives becomes much wider when non-priced benefits and costs are considered. Some of the important non-priced benefits include native ecosystem restoration; restoring habitat for threatened, endangered, or sensitive species; water quality; and conservation of special interest areas. For example, the rate of restoration of longleaf pine and oak/hickory ecosystems shows that Alternative A does not provide high public benefits, due to the lack of restoration emphasis. Alternatives B and C provide similarly high net public benefits in this regard.

I believe that Alternative B provides direction to manage the national forest to produce goods, services, and use opportunities in a way that maximizes net public benefits. Based on the preceding discussions it is clear that Alternative B has the most positive impact on the environment and generates nearly as many market valued commodities as the other alternatives considered in the FEIS. I believe Alternative B, the Selected Alternative, achieves a balance between the economic benefits and environmental issues and concerns voiced by the public. I believe the Selected Alternative will increase public benefits by moving the Uwharrie NF towards improved forest health through its emphasis on restoring native ecosystems and through its special attention to unique plant and animal habitats. I believe the Selected Alternative will contribute to the local economies through outputs of forest products and outstanding recreation opportunities. I am also confident that the management direction in the Revised Forest Plan is within the physical and biological capability of the land and can be accomplished without reducing that capability.

## Use of Best Available Science

The concept of ecological restoration requires a vision of what the forest will be like once it is restored. An environmental variable-based model developed specifically for this planning process was used to create a map of potential plant communities. This model provides insight on the “capability” of land for vegetation communities. Sites were characterized by geologic formation, landform, aspect and other physical variables that combine to form environments of varying temperature, moisture, and fertility, which are

suitable to support characteristic species and forests. Details of this model may be found in the Terrestrial Species Viability Evaluation in the process record. Extensive field-collected data was used to develop and validate the model. Results of the model were presented to the collaborative planning group as an aide in establishing desired conditions and objectives for vegetation. This best available science was also used to help determine the areas most likely to support restoration of particular species such as Schweinitz's sunflower and longleaf pine.

A trail condition survey was completed in 2011 using an empirical scientific methodology and serves as the best available science regarding the condition of trails and existing resource impacts from non-motorized trails in the Badin Lake area. This survey used geo-referenced data points, an established protocol and data dictionary, and photo documentation.

For aquatic ecosystems, extensive field data as well as peer-reviewed literature was used to develop the Aquatic Species Viability Evaluation. This scientific information was used to evaluate the condition of the aquatic resources and identify where and to what extent restoration or maintenance needs exist, as well as the potential for reintroduction of rare species. This information, combined with trail condition survey information, informed the need to change trail management approaches in the Badin Lake area to reduce the potential for future impacts to aquatic resources.

The best available geological information was used to clarify the potential for mineral or hydrocarbon development and thereby inform the analysis and the establishment of standards for this potential use. Sources include North Carolina Geological Survey data, North Carolina Energy Institute reports, and peer reviewed articles from professional paleogeography and geology journals. Refer to the Reference section of the EIS for details.

The best available science regarding cultural resources was used to identify locations of high cultural site density or likely high cultural site density for consideration in identifying potential areas for special interest management. Sources include published results of archeological and geological surveys, historical archives, up-to-date cultural resource survey data, and the Cultural Resources Overview for the Uwharrie National Forest (USDA Forest Service 1986). This information, combined with trail condition survey information, informed the need to change trail management approaches in the Badin Lake area to reduce the potential for future impacts to these resources. A complete list of cultural resource references is available in the planning record.

These and other scientific information were also used:

- To inform the collaborative planning group of the need to change various other management approaches such as the need to increase prescribed burning and to treat non-native invasive species. This in turn served to inform the development of plan components to address these needs.
- As source material for descriptions of the affected environment and environmental consequences evaluations in all relevant sections of the

Environmental Impact Statement (EIS); and to inform the Terrestrial Species Viability Evaluation, the Aquatic Species Viability Evaluation, and the Biological Assessment.

## **Compatibility with Goals of Other Public Agencies and Indian Tribes**

The Revised Forest Plan has been developed with public participation that involved coordination and comments from Federal, State, and local agencies including the USDI Fish and Wildlife Service, State of North Carolina Department of Natural Resources, the North Carolina Wildlife Resources Commission, and local community leaders. Contact with the Catawba Indian Nation clarified that their interests are largely addressed through project-level analysis as the plan is implemented in the years to come.

## **Environmental Justice**

Executive Order 12898 (59 Federal Register 7629, 1994) directs federal agencies to identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects on minority populations and low-income populations in the local communities. I have determined, from the analysis disclosed in the FEIS, that the Revised Forest Plan is in compliance with Executive Order 12898. Forest products outputs such as timber volumes will be similar to output amounts from recent years. The three themes that form the foundation for the Selected Alternative – restoring ecological communities, providing excellent recreation opportunities, and focusing more attention of managing the wealth of cultural resources found within the national forest – should make the Uwharrie NF an even more enjoyable place for all visitors. Therefore I find no disproportional effects to minority or low-income populations will occur.

## **Implementation Schedules and Budgets**

The Revised Forest Plan will be implemented through a series of project-level decisions based on site-specific environmental analysis and public involvement. The Revised Forest Plan seeks to guide management activities and projects by establishing a clear desired condition for the Uwharrie NF and for each management area, rather than by establishing schedules for actions. This approach should leave more flexibility for managers to adapt program and project selection as changes take place in budgets, resource capabilities, and management priorities.

Outputs in the FEIS are projections of probable outcomes. They were used to approximate activities and practices, in order to estimate the likely environmental effects of following the direction provided by the Revised Forest Plan.

During implementation, specific projects and activities will be proposed and analyzed. These analyses will be documented in the appropriate NEPA documents, i.e., Environmental Assessments, Environmental Impact Statements, or Categorical Exclusions. Projects, practices, and activities will be designed to achieve the goals, desired conditions, objectives, and applicable standards and guidelines as described in Chapter 2 of the Revised Forest Plan.

## **Transition to the Revised Forest Plan**

Revised Forest Plan direction will apply to all projects that have decisions made on or after the implementation date of this Record of Decision.

The National Forest Management Act (NFMA) requires that “permits, contracts, and other instruments for the use and occupancy” of National Forest System lands be “consistent” with the current Land and Resource Management Plan [16 U.S.C. 1604(i)]. In the context of a Revised Forest Plan, NFMA specifically qualifies this requirement in three ways: 1) these documents must be revised only “when necessary”, 2) these documents must be revised “as soon as practicable”, and 3) any revisions are “subject to valid existing rights.”

There are many management actions that have decisions made before the implementation date of this ROD. These “pre-existing actions” were considered part of the baseline in developing each alternative and were further included in analyzing effects in this FEIS and also as baseline for the Biological Assessment. All of these actions are consistent with one or more of the themes that drove the development of Alternatives B and C; ecosystem restoration, better managing cultural resources, and providing high-quality recreation experiences. Each is also consistent with one or more of the desired conditions in Alternatives B and C.

The continued implementation of these previously decided actions will not foreclose the ability to meet the desired conditions, goals and objectives of this Revised Forest Plan. With this information and exercising my discretion under NFMA, I have determined that it is not necessary to apply the Revised Plan’s direction retroactively.

Specifically, I have decided not to modify any agency actions involving timber sale contracts. These actions will be implemented according to the terms of the timber sale contract and their effects were disclosed in the FEIS to the Revised Forest Plan. Existing timber sale contracts will, in most cases, be completed within five years. However, should the need arise, the Forest Supervisor has the discretion to modify timber sale contracts to bring them into compliance with the Revised Forest Plan.

Likewise, I have decided not to modify any agency actions involving permits, non-timber sale contracts, or other instruments for the use and occupancy of National Forest System lands. These actions will be implemented according to the terms of the applicable instrument and their effects were disclosed in the FEIS to the Revised Forest Plan. However, should the need arise, the Forest Supervisor has the discretion to modify these permits, non-timber sale contracts, or other instruments for the use and occupancy of National Forest System lands to bring them into compliance with the Revised Forest Plan.

After approval of the Revised Plan, the Forest Supervisor shall ensure that future permits, contracts, and other instruments for the use and occupancy of the affected National Forest System lands will be consistent with the Revised Plan.

## **Monitoring and Evaluation**

Monitoring and evaluation is used to assess the degree to which on-the-ground management is maintaining or making progress toward the goals, desired conditions, and objectives in the plan. The monitoring program is described in Chapter 4, “Monitoring and Evaluation Requirements”, of the Revised Forest Plan. This monitoring program was developed with public participation and focuses on key plan components where management projects and activities are likely to cause a change over time.

Specific monitoring questions are identified and directly linked to Revised Forest Plan goals, desired conditions, objectives, standards, and specific regulatory requirements. Only selected goals, objectives, and standards are monitored. Relevancy to issues, compliance with legal and agency policy, scientific credibility, administrative feasibility, long- and short-term budget considerations, and impact on work force all influence monitoring priorities.

Monitoring information will be evaluated and used to update inventory data, improve current and future mitigation measures, and assess the need to change the Revised Forest Plan. Evaluation of monitoring results is directly linked to the decision maker’s ability to respond to changing conditions, emerging trends, public concerns, and new information and technology. No single monitoring item or parameter automatically triggers a change in Revised Forest Plan direction. An interdisciplinary approach is used to evaluate information and decide what changes are needed.

## **Plan Amendments**

The Revised Forest Plan is a dynamic instrument that can be changed with appropriate public involvement and environmental analysis. Through the life of the Revised Forest Plan, amendments may be needed to incorporate new information, new policy and direction, or changing values and resource conditions. Amendments will keep the Revised Forest Plan current, relevant, and responsive to agency and public concerns. Amendments are needed whenever any of the Revised Forest Plan decisions should be changed due to any of the above conditions. The Revised Forest Plan also can be amended for specific projects if during project design it is determined that the best method of meeting goals and objectives conflicts with existing plan direction.

## **Findings Related to Other Laws and Authorities**

I have considered the statutes governing management of the Uwharrie NF, and I believe that this decision represents the best possible approach to both harmonizing and reconciling the current statutory duties of the USDA Forest Service. Following are summaries of how the Revised Forest Plan addresses the Clean Air Act, Clean Water Act, National Historic Preservation Act, and Endangered Species Act.

### **Clean Air Act**

As discussed in the FEIS, Chapter 3, Air Resources section, all lands managed by the Uwharrie NF are currently in attainment with National Ambient Air Quality Standards.

According to the Clean Air Act of 1990 and the Organic Administration Act of 1897, the USDA Forest Service has the responsibility to protect the air, land, and water resources from the impacts of air pollutants produced within the national forest boundaries and to work with states to protect those same resources from degradation associated with the impacts of air pollution emitted outside of the national forest.

### **Clean Water Act**

The Revised Forest Plan contains direction to ensure all projects meet or exceed State Best Management Practices prepared under guidance of the Clean Water Act. Direction for the protection of water resources is located in the Standards and Guidelines section of the Revised Forest Plan. Implementation of the Revised Forest Plan is expected to contribute to protecting or restoring the physical, chemical, and biological integrity of waters of the United States in accordance with the Clean Water Act.

### **National Historic Preservation Laws**

The Revised Forest Plan is a programmatic action and does not authorize any site-specific projects. The Plan does designate Special Interest Areas which include areas that will be managed with an emphasis on historic and cultural preservation and protection. Projects undertaken in response to direction in the Forest Plan will fully comply with the Plan Standards and Guidelines as well as the laws and regulations that require consideration of cultural resources. The Forest Plan contains direction for cultural resource management, including direction to integrate cultural resource management with other resource management activities. Since the Forest Plan does not authorize specific ground-disturbing or other potentially impacting activities, project level Section 106 (National Historic Preservation Act) consultation with the SHPO is not presently required. The Forest Plan tiers to the Programmatic Agreement among the USDA Forest Service, The North Carolina State Historic Preservation Officer, and the Advisory Council on Historic Preservation regarding the process for compliance with Section 106 of the National Historic Preservation Act. It is my determination that the Revised Forest Plan complies with the National Historic Preservation Act, the Archaeological Resources Protection Act and other statutes that pertain to the protection of cultural resources.

### **Endangered Species Act Section 7: Consultation**

A biological assessment (BA) was prepared for the Revised Forest Plan (FEIS, Appendix E). The federally endangered Schweinitz's sunflower (*Helianthus schweinitzii*) is the only endangered species listed as occurring on the Uwharrie NF. The determination in the BA is that the Selected Alternative **may affect - likely to adversely affect** Schweinitz's sunflower. Plants in vulnerable locations may be transplanted to more secure locations. Short-term effects may be negative if any of the transplanted individuals die; however, the long-term effects of successfully implementing the management activities are expected to be beneficial to *Helianthus schweinitzii* on the national forest by increasing suitable habitat, protecting existing populations, and establishing new populations.

The Selected Alternative will have **no effect** on: *Acipenser brevirostrum*, *Notropis mekistocholas*, *Alasmidonta heterodon*, *Elliptio steinstansana*, *Lasmigona decorate*, *Pleurobema collina*, *Picoides borealis* because none of these species occur on the

Uwharrie NF. The Selected Alternative is *not likely to adversely affect Echinacea laevigata*, or *Rhus michauxii*, if they are located on the Uwharrie NF.

The USDI Fish and Wildlife Service were formally consulted and have issued a non-jeopardy opinion regarding Schweinitz's sunflower to cover the potential for impacts to individuals that may have seeds collected or may be transplanted from vulnerable locations into the Schweinitz's Habitat Management Areas.

The complete Biological Opinion (February 15, 2012) is available in the project record.

## **Effective Date**

The Revised Forest Plan will become effective 30 days from the date that the Environmental Protection Agency's Notice of Availability of the FEIS appears in the *Federal Register*.

## **Appeal Information**

For plan revisions conducted under the "1982 planning regulations", the responsible official can elect to use either the "Optional Procedures Available during the Planning Rule Transition Period" (the former 36 CFR 217 appeal procedures that were in effect prior to November 9, 2000) or the Objection procedures of 36 CFR 219.32 from the 2000 planning rule (see Appendix A to 36 CFR 219.35 [*Federal Register*, December 18, 2009]). For this decision, I have decided to use the "Optional Appeal Procedures".

A written notice of appeal must be filed in duplicate and postmarked or received within 90 days after the date the legal notice of this decision is published in the newspaper of record (*Montgomery Herald*). The appeal must clearly state that it is a Notice of Appeal being filed pursuant to the Optional Appeal Procedures. Appeals must meet the content requirements of Section 9 of the Optional Appeal Procedures, which are available for review at:

<http://www.fs.fed.us/emc/applit/includes/PlanAppealProceduresDuringTransition.pdf>

Appeals must be filed with the Chief of the Forest Service at: Express Mail:

USDA - Forest Service  
Attn: EMC, Appeals  
Yates Bldg., 3CEN  
201 14th Street, SW  
Washington, DC 20250

(Note: If a phone number is needed for carrier delivery, use 202-205-0895)

Regular Mail:

USDA - Forest Service  
Attn: EMC, Appeals  
Mail Stop 1104  
1400 Independence Avenue, SW  
Washington, DC 20250-1104

Appeals may also be mailed electronically in a common digital format to:  
*appeals-chief@fs.fed.us*.

Requests to stay the approval of this Revised Forest Plan shall not be granted (Section 10 of the Optional Appeal Procedures).

Final decisions on proposed projects implementing the Revised Forest Plan will be made on a site-specific basis using appropriate analysis and documentation in compliance with NEPA. Project decisions may be subject to appeal or an objection process at that time.

Recommendations for designations such as additions to the National Wilderness or National Wild and Scenic River System are preliminary administrative recommendations that will receive further review and possible modification by the Chief of the Forest Service, the Secretary of Agriculture, and/or the President of the United States. The Congress has reserved the authority to make final decisions on wilderness and wild and scenic river designations on federal lands; therefore, wilderness and wild and scenic river recommendations in the Revised Forest Plan are not appealable under the agency's administrative appeal procedures (Section 4 of the Optional Appeal Procedures).

For additional information concerning this decision or the Forest Service appeal process, contact:

Forest Supervisor  
National Forests in North Carolina  
160 Zillicoa St., Suite A  
Asheville, NC 28802  
828-257-4200

## Approval

I am pleased to announce my decision to select Alternative B for the Revised Land and Resource Management Plan (Forest Plan) for the Uwharrie NF. This Revised Forest Plan has been built on a strong foundation of citizen collaboration, the best available science, and engagement with other conservation agencies and organizations.



LIZ AGPAOA  
Regional Forester  
Southern Region, USDA Forest Service

*May 4, 2012*  
Date