

Decision Notice
& Finding of No Significant Impact
Revised Land and Resource Management Plan Amendment for
the Red-cockaded Woodpecker (LRMP Amendment #3)

USDA Forest Service
National Forests in Florida
Baker, Columbia, Franklin, Lake, Leon, Liberty, Marion, Putnam,
Okaloosa, Santa Rosa, Wakulla, and Walton Counties, Florida

Decision and Reasons for the Decision

Background

The first RCW Recovery Plan was completed in 1979. A first revision of the Recovery Plan was accomplished in 1985, which updated the original guidance. That first revision, supplemented by the USFWS “Guideline for preparation of biological assessments and evaluations for the Red-cockaded Woodpecker (Henry 1989), provided most RCW management direction on all ownerships through the ‘80’s and early ‘90’s. Increasing legal challenges of management activities led the Forest Service to develop comprehensive RCW management direction which was published as the Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region (USFS 1995). This guidance was in effect and being followed by the National Forests in Florida during 1996 – 1999 when the Revised Land and Resource Management Plan (LRMP) was being prepared, and was incorporated into the LRMP. Since that time, the USFWS identified that the increasing body of literature on population and habitat management of the RCW would improve management of the species and initiated a second revision of the RCW Recovery Plan. This task was accomplished in January 2003, and represents the most up to date science on managing the species.

Forest Service Regional guidance is to continue to follow the 1995 RCW EIS for the use of Habitat Management Areas (HMAs) and Management Intensity Levels (MILs), while following the 2003 RCW Recovery Plan for foraging guidance.

Purpose and Need for Action

Existing Condition

The 1999 LRMP references the 1995 RCW EIS for site-specific project direction in the management of the Red cockaded Woodpecker. Some of this direction was updated by the US Fish and Wildlife Service and published in the Red-cockaded Woodpecker (Picoides borealis) Recovery Plan Second Revision in January 2003.

Desired Condition

The desired condition is that all references to RCW management be based on the most current information for the successful recovery of the species.

Need for Change

The purpose and need of this amendment is to update the Forest Plan to reference the latest US Fish and Wildlife Service Revised Recovery Plan for the RCW. This action responds to the goals and objectives outlined in the 1999 Revised Forest Plan, and the desired conditions for the recovery of the RCW. This action directly relates to Forest Goal #8, Conserve and protect important elements of diversity – such as endangered and threatened species habitat, declining natural communities, and uncommon biological, ecological or geological sites, and Forest Goal #9, Manage for habitat conditions to recover and sustain viable populations of all native species, with special emphasis on rare species.

The revised RCW Recovery Plan describes the primary actions needed to accomplish delisting and downlisting recovery goals: (1) application of frequent fire to both clusters and foraging habitat; (2) protection and development of large, mature pines throughout the landscape; (3) protection of existing cavities and judicious provisioning of artificial cavities; (4) provision of sufficient recruitment clusters in locations chosen to enhance the spatial arrangement of groups, and (5) restoration of sufficient habitat quality and quantity to support the large populations necessary for recovery.

The following table summarizes the existing references to guidance for the successful recovery and management of RCW populations and the changes needed to meet the desired condition.

Table 1-1. RCW guidance needing change to meet the desired condition.

#	Existing RCW Direction	Description	Needed change to meet Desired Condition
1	1999 Revised LRMP, pages 3-26 to 3-27	General reference for source of RCW recovery guidance.	Reference most current RCW Recovery Plan
2	1999 Revised LRMP, pages 4-40, 4-41 and 4-53	General identification of Habitat Management Areas for Management Areas 7.1, 7.2 and 9.2	Reference most current RCW Recovery Plan
3	1999 Revised LRMP, page 3-27	Forest-wide standards WL-1, WL- and WL-3. Exceptions to 1995 RCW EIS.	<p>Standard WL-1 was created because RCW populations on the Apalachicola were stable yet the existing number of pine stems per acre needed for foraging habitat was generally less than required by the 1995 RCW EIS. Under the Revised Recovery Plan, emphasis is on acres that contain a minimum number of large trees rather than number of stems making this standard unnecessary.</p> <p>Standard WL-2 was created to reduce the required basal area to more accurately match existing conditions on the forest. Under the Revised Recovery Plan, emphasis for foraging</p>

#	Existing RCW Direction	Description	Needed change to meet Desired Condition
			<p>habitat is on number of large trees/acre rather than number of stems and the minimum basal area in the Revised Recovery Plan has been changed to 40 square feet per acre making this standard unnecessary.</p> <p>Standard WL-3 was created to allow for a possible exception to the 0-10 age class distribution guide in the RCW EIS during the early years of Forest Plan implementation. It was intended to test the irregular shelterwood method in slash pine, and to allow for all harvest methods to be considered at the project level specific to local conditions.</p> <p>No irregular shelterwood harvests in slash pine have been completed in the first five years of Forest Plan implementation. The percentage of slash pine in the 0-10 age class on suitable lands within RCW HMAs is currently less than 1%. It is not expected that irregular shelterwood harvests of slash pine at this time would exceed the 10% guideline for acres in the 0-10 age class. Based on this information this exception to the 1995 RCW EIS is no longer needed. However, Forest-wide Objective #18 (1999 Revised LRMP 2-6) to “Initiate irregular shelterwood harvests on between 1,800 and 2,000 acres of slash pine forests” will remain in place so that this silvicultural system may still be tested as originally intended.</p>
4	1999 Revised LRMP, page 3-19	Forest-wide standard VG-10 describing process for calculating size class distribution.	Minimum number of large trees needs to be updated to match Recovery Plan direction.
5	1999 Revised LRMP, page 3-19	Forest-wide standard VG-11 describing process for calculating size class distribution for longleaf and slash pine.	Remove because the current Recovery Plan includes more specific direction. (Recovery Plan pages 198-201)
6	1999 Revised LRMP, page 3-3	Forest-wide standard FI-5 describing protection of RCW cavity trees during prescribed burning.	Remove because the current recovery plan includes more specific direction for protection of RCW cavity trees.

#	Existing RCW Direction	Description	Needed change to meet Desired Condition
7	1999 Revised LRMP, page 5-7	Monitoring question to determine effects of Forest-wide standards WL-1, WL-2 and WL-3	If WL-1, WL-2 and WL-3 are removed from the 1999 Revised LRMP, this monitoring question will be unnecessary.
8	2003 RCW Recovery Plan, page 63	Guideline number 3 defining decline in populations.	Portions of the RCW population on the Apalachicola NF have been in decline. Modify direction in the RCW Recovery Plan to define population decline on the Apalachicola National Forest as 5% instead of 10% and add as a new Forest-wide standard in the Revised LRMP.
9	Revised LRMP, page 2-5	Forestwide Goal #8 listing short-term (10 year) population objectives and long-term (Delisting) objectives.	The long-term delisting objectives need to be modified to correspond with the current RCW Recovery Plan.

Decision

Based upon my review of all alternatives, I have decided to implement Alternative 2.

This alternative will best meet the purpose and need identified in this amendment. Although very similar to the management guidance described in the 1995 EIS, the current RCW Recovery Plan and statements in the 1999 LRMP include several items, which have created confusion during site-specific project development and implementation. This alternative meets requirements under the National Forest Management Act (NFMA), the National Environmental Policy Act (NEPA), and the Endangered Species Act (ESA).

The specific changes to the 1999 LRMP as described in Alternative 2 include:

1. Modify the references to the 1995 RCW EIS on pages 3-26 and 3-27 of the 1999 Revised LRMP as follows:

Current LRMP language:

Red-cockaded Woodpecker. The standards and guidelines the Forest Service follows to protect the Red-cockaded Woodpecker and its habitat are found in the *Record of Decision, Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region (RCW EIS)*. RCW Management Strategy Implementation Guide described the process for implementing these standards, and any less-restrictive deviations from these standards require concurrence with USFWS. The basic strategy is to provide old pine trees that are suitable for nesting cavities, mature pine forest suitable for foraging with little midstory, and enough of each to maintain a healthy population. RCW habitat management area (HMA) maps are found in Appendix F.

Amended language:

Red-cockaded Woodpecker. The standards and guidelines the National Forests in Florida

follow to protect the Red-cockaded Woodpecker and its habitat are established by the US Fish and Wildlife Service in the most recently published Red-cockaded Woodpecker Recovery Plan and any associated procedures. Delineation of Habitat Management Areas (HMAs) as described in the *Record of Decision, Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region (RCW EIS)* are maintained. The primary strategy is to create a Habitat Management Area (HMA) that contains enough pine habitat to meet the population objectives in the current RCW Recovery Plan. RCW Habitat Management Area (HMAs) maps are found in Appendix F, and population goals are contained in the most recently published RCW Recovery Plan.

2. Modify references to the 1995 RCW EIS under Management Area 7.1, 7.2 and 9.2 on pages 4-40, 4-41 and 4-53 of the 1999 Revised LRMP as follows:

Current LRMP language:

7.1-3—The area is an RCW HMA, follow standards established in the *Record of Decision, Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region*, except for deviations noted in Chapter 3.

7.2-7 – The area is an RCW HMA; follow the standards established in the *Record of Decision, Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region*, except for deviations noted in Chapter 3.

9.2-5 – Follow standards established in the *Record of Decision, Final Environmental Impact Statement for the Management of the Red-cockaded Woodpecker and its Habitat on National Forests in the Southern Region*. Deviation can be approved only by the U.S. Fish and Wildlife Service.

Amended language:

7.1-7 - The area is an RCW HMA; follow the standards and guidelines established by the USDI Fish and Wildlife Service in the most recently published Red-cockaded Woodpecker Recovery Plan and any associated procedures.

7.2-7 – The area is an RCW HMA; follow the standards and guidelines established by the USDI Fish and Wildlife Service in the most recently published Red-cockaded Woodpecker Recovery Plan and any associated procedures.

9.2-5 – Follow standards established by the USDI Fish and Wildlife Service in the most recently published Red-cockaded Woodpecker Recovery Plan and any associated procedures.

3. Remove Forest-wide wildlife standards WL-1, WL-2 and WL-3 on pages 3-27 of the 1999 Revised LRMP.

Current LRMP language:

WL-1—In the Apalachicola HMA, the Forest Service will provide at least 4,100 pine stems 10 inches diameter at breast height (DBH) and a minimum of 5,500 sq. ft. of pine basal area of foraging habitat. These values are for each cluster and will be provided within ½ mile of clusters. If this is not available within ½ mile, foraging radius will be extended until foraging requirements are met, but no further than ¾ mile from the cluster center. The Forest Service will cease timber harvesting under this standard and initiate Section 7 consultation with the

U.S. Fish and Wildlife Service if monitoring indicates a difference, as described in the monitoring section, in RCW variables when comparing RCW groups associated with timber harvest utilizing the reduced foraging guidelines and RCW groups that are unaffected by the new harvest standards.

WL-2—Stands within foraging habitat that average greater than or are equal to 10 inches DBH and not considered uneven-aged should be maintained with an average pine basal area of 60-110 square feet. When thinning mixed longleaf/slash pine stands, the priority is to remove slash pine and retain as much longleaf pine as possible.

WL-3—Even-aged harvesting restrictions in the next 10 years within RCW HMAs are modified as follows: Allow irregular shelterwood harvest in slash pine of up to 1,000 acres on the Apalachicola Ranger District (RD), 500 acres on the Wakulla RD, and 300 acres on the Osceola NF.

Amended language:

Standards removed; no amended language.

- 4. Amend Forest-wide vegetation standard VG-10 on page 3-19 of the 1999 Revised LRMP to make it consistent with the *Recovery Plan for the Red-cockaded Woodpecker (Picoides borealis): Second Revision* requirements for the size and number of trees remaining after a timber harvest.**

Current LRMP language:

VG-10: In uneven-aged management, determine size-specific harvest rates based on the current and future desired tree density, standing biomass, and diameter distribution. D(max) should be set to provide at least six trees per acre that are larger than 18 inches in diameter. **Note:** In the model that determines harvest rates, setting q in the range of 1.2 to 1.4 and D(max) to 22 inches is appropriate, though site-specific analysis may indicate better choices.

Amended language:

VG-10: In uneven-aged management, determine size-specific harvest rates based on the current and future desired tree density, standing biomass, and diameter distribution. When calculating tree distribution based on basal area, maximum tree diameter, and the ratio of the number of trees in a diameter class to the number of trees in the next smaller diameter class, a ratio of 1.1 or less with a maximum diameter of 24 inches, and target basal area between 50 and 60, will approximate the desired stand structure described in the *Recovery Plan for the Red-cockaded Woodpecker (Picoides borealis): Second Revision*.

- 5. Remove Forest-wide vegetation standard VG-11 on page 3-19 of the 1999 Revised LRMP to eliminate conflicts caused by the incorporation of more specific guidance in the *Recovery Plan for the Red-cockaded Woodpecker (Picoides borealis): Second Revision*.**

Current LRMP language:

VG-11: In longleaf and slash pine, group selection and irregular shelterwood harvest areas, retain, if available, at least six pine trees per acre that are larger than 18 inches in diameter. This may be averaged over the cutting unit instead of leaving six trees on each acre.

Amended language:

Standard removed; no amended language.

- 6. Remove Forest-wide fire standard FI-5 to eliminate conflicts caused by the incorporation of more specific guidance in the *Recovery Plan for the Red-cockaded Woodpecker (Picoides borealis)*: Second Revision.**

Current LRMP language:

FI-5: Protect active Red-cockaded Woodpecker (RCW) cavity trees during prescribed burning. This may include cutting, raking, wetting, and/or back burning fuels adjacent to active cavity trees. Do not construct plowlines within RCW clusters, unless they are needed to protect active RCW cavity trees from damage or to protect life or private property.

Amended Language:

Standard removed; no amended language.

- 7. Remove the Monitoring Question “What are the effects of the reduced foraging standards on the Apalachicola NF?” on page 5-8 of the 1999 LRMP and move the associated “items to measure” (cluster activity status, group size, nesting success, eggs laid per active group, chicks reaching banding age, and number fledged per active group) to the monitoring question on RCW population (“Are we maintaining RCW populations on the National Forests in Florida?”) on page 5-7 of the 1999 LRMP.**

Current LRMP Language:

What are the effects of the reduced foraging standards on the Apalachicola NF?

Amended Language:

No new language; question removed. Items to measure moved to page 5-7.

- 8. Add Wildlife standard WL-1a to define an RCW population decline based on a 5% decline in active clusters from one year to the next and/or the number of active clusters decreases by 5% within five years on the Apalachicola National Forest. This new standard would be an exception to the *Recovery Plan for the Red-cockaded Woodpecker (Picoides borealis)*: Second Revision. which defines decline as a 10% decline in active clusters from one year to the next, and/or the number of active clusters decreases by 10% within five years.**

Current LRMP Language:

None.

Amended Language:

WL-1a: On the Apalachicola National Forest, a population is considered declining if either of the following criteria is met: 1) Number of active clusters decreases by 5% from one year to the next. 2) Number of active clusters decreases by 5% within five years.

- 9. Modify the long-term RCW population objectives of Forestwide Objective #8 on page 2-5 of the 1999 LRMP to correspond with the most recent RCW Recovery Plan.**

Current LRMP Language:

Provide habitat capability to support an increasing population of RCWs. The 10-year population objectives are 500 active clusters on the Apalachicola habitat management area (HMA), 250 active clusters on the Wakulla HMA, 151 active clusters on the Osceola HMA, 32 active clusters on the Island HMA, and 12 active clusters on the Paisley HMA. The long-term objectives are 500 active clusters on the Apalachicola HMA, 506 active clusters on the Wakulla HMA, 457 active clusters on the Osceola HMA, 67 active clusters on the Island HMA, and 81 active clusters on the Paisley HMA. The objective for the designated recovery populations (Apalachicola Ranger District and Osceola NF) is to have at least 250 breeding pairs fledging young annually. In unrecovered populations, recruitment clusters should equal approximately 10 percent of active clusters, depending on population demographics.

Amended Language:**RCW Population Goals**

Habitat Management Area (See Map Appendix F)	Population (2005)	Short-term (10 Year) LRMP Population Objective	Delisting Population Goal	Management Intensity Level (2005)
Apalachicola	473	500	500	1
Ocala	53	44	179	3
Osceola	88	151	462	3
Wakulla	104	250	506	3

RCW Cluster Goals

Habitat Management Area (See Map Appendix F)	RCW Recruitment Cluster Goals					New RCW Cluster Goals				
Planning Year	2006	2007	2008	2009	2010	2006	2007	2008	2009	2010
Apalachicola	47	52	57	63	69	24	25	26	27	29
Ocala	5	6	6	7	8	3	3	53	3	3
Osceola	9	10	11	12	13	4	5	65	5	5
Wakulla	10	11	13	14	15	5	5	6	6	6

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative but deleted it from detailed analysis (EA, page 10). A comparison of the two analyzed alternatives can be found in the EA on page 11-18.

Alternative 1

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area.

Public Involvement

As described in the background, the need for this action arose as a result of discussions during site-specific project analyses. A proposal to amend the Forest Plan was listed in the Schedule of Proposed Actions on December 2005. The proposal was provided to the public and other agencies for comment during scoping February 2, 2005.

Using the comments from the public and other agencies, the interdisciplinary team considered several concerns regarding the effects of the proposed action. These concerns were addressed as part of the project design. No significant issues were identified.

Finding of No Significant Impact

After considering the environmental effects described in the 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:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effects on public health and safety, because this is a programmatic decision and will not result in any direct impacts (see EA page 19).
3. There will be no significant effects on unique characteristics of the area, because this is a programmatic decision and will not result in any direct impacts (see EA page 19).
4. The effects on the quality of the human environment are not likely to be highly controversial. Because there is no known scientific controversy over the impacts of this proposal and this is a programmatic decision and will not result in any direct impacts (see EA page 19).

5. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk because this is a programmatic decision and will not result in any direct impacts (see EA page 19).
6. The action is not likely to establish a precedent for future actions with significant effects, because this is a programmatic decision and will not result in any direct impacts (see EA page 19).
7. The cumulative impacts are not significant (see EA pages 19, 30, and 31).
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, because this is a programmatic decision and will not result in any direct impacts (see EA page 19). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because this is a programmatic decision and will not result in any direct impacts (see EA page 19).
9. The action will not adversely affect any endangered or threatened species or habitat that has been determined to be critical under the Endangered Species Act of 1973, because this is a programmatic decision and will not result in any direct impacts (see EA page 19, 28-31). Consultation with the USDI Fish and Wildlife Service was completed. The associated Biological Assessment and correspondence is on file in the project record.
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 pages 29).

Findings Required by Other Laws and Regulations

This decision to amend the 1999 Land and Resource Management Plan is consistent with the intent of the forest plan's long term goals and objectives.

Implementation Date

Implementation of this decision may occur after seven calendar days following publication of the legal notice of the decision.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 217. Any appeal of this decision must be fully consistent with 36 CFR 217.9, and be filed in duplicate with the Regional Forester within 45 days after the date of the published legal notice. Appeals should be sent to the following address:

USDA Forest Service
ATTN: Regional Forester
1720 Peachtree Rd., N.W., Suite 811N
Atlanta, Georgia 30309-9102

The Appeal Deciding Officer is Charles L. Myers, Regional Forester. The appeal may also be faxed to (404) 347-5401. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m., closed on federal holidays. Any notice of appeal must include at a minimum:

- A statement identifying the document as a Notice of Appeal pursuant to 36 CFR Part 217.
- The name, address, and telephone number of the applicant.
- Identification of the document in which the decision is contained, by title and subject, date of the decision, and name and title of the Deciding Officer.
- Identification of the specific portion of the decision to which the appeal is being made.
- The reason(s) for appeal, including issues of fact, law, regulation, or policy.
- Identification of the specific change(s) in the decision that the appellant seeks.

The Forest Plan Amendment Project Record is available for public review at the National Forests in Florida Forest Supervisors Office, 325 John Knox Road, Suite F-100, Tallahassee FL 32303. To review the Project Record, contact David Harris at Supervisors Office. Copies of the Environmental Assessment and questions concerning this document can be directed to David Harris, 325 John Knox Road, Suite F-100, Tallahassee, FL 32303 or (850) 523-8582.

<u>/s/ Marsha Kearney</u>	<u>12/15/2005</u>
Marsha Kearney	Date
Forest Supervisor	

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