Decision Notice and Finding of No Significant Impact

Skibo Project

Laurentian Ranger District, Superior National Forest
St. Louis County, Minnesota
Townships 56 to 58 North, Ranges 12 to 15 West
DECISION NOTICE
AND FINDING OF NO SIGNIFICANT IMPACT

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Other appendices relating to this Decision Notice can be found in the Skibo Project EA. Please see p. i of the EA for a list of appendices.
INTRODUCTION

This document describes my decision to select Alternative 2 to implement vegetation, roads, hydrology, recreation, and fuel reduction management activities in the Skibo Project Area on the Laurentian Ranger District of the Superior National Forest. I describe my rationale for selecting this alternative in relation to the project’s purpose and need and other alternatives considered. In addition, I explain my consideration of public input throughout the environmental analysis and in my decision, and describe my finding of no significant impact along with how this project meets applicable laws, regulations, and policies. I conclude this decision notice with information on implementation of the project and the appeal process available to the public.

My decision and findings are based on: the interdisciplinary team and my expertise; knowledge of the area, the Skibo Project EA (environmental assessment), the Skibo Project BA (Biological Assessment), the Skibo Project BE (Biological Evaluations), the Skibo Project Record, the 2004 Forest Plan (Superior National Forest Land and Resource Management Plan), and involvement of the public.

Project Area

The Skibo Project Area is located approximately two miles southeast of Hoyt Lakes, MN and approximately 80 miles north of Duluth in St. Louis County. The vicinity map (Figure 1) displays the general location of the project area. Activities would be located on National Forest System (NFS) land in portions of Townships 56 to 58 North, and Ranges 12 to 15 West.

The project area boundary encompasses approximately 105,962 acres of land with mixed ownership. Approximately 55,837 acres (53 percent) are NFS lands located on the Laurentian Ranger District of the Superior National Forest, 38,455 (36 percent) acres are St. Louis County lands, 6,450 acres (6 percent) are State of Minnesota lands, and 4,500 acres (4 percent) are in private ownership.
Figure 1: Skibo Project Vicinity Map
Background Information

In the discussion of the decision for the Skibo Project, it is important to remember that the project purpose is to implement objectives in the Forest Plan. The Forest Plan is designed to promote management of the Forest for multiple benefits. This includes achieving goals in numerous resource areas such as managing for wildlife and fisheries habitat, promoting forest health through vegetation management, forest products, recreation opportunities, and managing the road and trail system on the Forest. The Forest Plan takes a strategic look at Forest landscape ecosystems and management areas. For more information on the Forest Plan, see www.fs.usda.gov/main/superior/landmanagement/planning

These land management designations outline desired resource conditions that will provide resilient ecosystems and ensure that the Forest is capable of providing a sustainable flow of beneficial goods and services to the public. The Skibo EA provides a thorough explanation of these management areas and landscape ecosystems.

<table>
<thead>
<tr>
<th>Management Areas</th>
<th>Landscape Ecosystems</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Forest</td>
<td>Mesic Red and White Pine</td>
</tr>
<tr>
<td>Eligible Wild, Scenic, and Recreational Rivers</td>
<td>Lowland Conifer</td>
</tr>
<tr>
<td>Candidate Research Natural Areas</td>
<td>Mesic Birch-Aspen-Spruce-Fir</td>
</tr>
<tr>
<td></td>
<td>Jack Pine-Black Spruce</td>
</tr>
<tr>
<td></td>
<td>Dry Mesic Red and White Pine</td>
</tr>
</tbody>
</table>

Attainment of all Forest Plan objectives at one time with one project is unreasonable; however, projects such as this one can attain some objectives and establish trends toward attainment of other objectives. Planning and analysis work, called mid-level resource reports (detailed in the project record), were used to determine which objectives to emphasize in the Skibo Project. A determination was made that the focus of this project would be vegetation management that maintains and promotes diverse, productive, healthy, and resilient native vegetation communities and includes a corresponding transportation system to manage for desired vegetation and recreation management.

The interdisciplinary team developed the Skibo Project by reviewing all stands within the project boundary. From this, stands were identified for management activity based on their condition, and how management of the stands could contribute to meeting Forest Plan desired future conditions. Many vegetation treatments were focused on increasing the number of acres in mature patches and the continuity of the patches. The proposed action alternative (Alternative 2) will provide for larger upland young patch sizes. When these patches mature in 40-60 years, they will contribute to larger upland mature patches than what currently exists in the project area. Action was deferred in various stands based on wildlife, recreation, social, soil, riparian area, or economic constraints such as low volume stands or cost of road building to remote stands.

Throughout the planning process, the interdisciplinary team discussed ways to accomplish all the non-harvest objectives in a cost effective and efficient manner; cognizant of available allocated funds and potential timber receipts. Planting, site preparation, and vegetation stand improvement activities are quite costly and are often critical parts of ensuring a future healthy, vigorous forested stand. The team also determined, after much research, review, and discussion, that
herbicides could be used to promote the growth of desirable tree species at a lower cost; thus, having funds to do additional non-harvest activities.

Past logging practices and a higher amount of intermingled ownership have fragmented the landscape in the project area. The few large patches of mature forest found in the area tend to be of lower quality wildlife habitat due to the shape of the patch, age, and condition of some aspen stands within them. The result of natural succession, influenced by past harvest practices in these areas, is an understory dominated by balsam fir and/or brush that inhibits the growth of other desired tree species, such as white pine.

Many wildlife habitat needs are met when forests are healthy and resilient. Focusing vegetation management as described above will ensure that habitat for most wildlife species is maintained and improved. Many forest and non-forest habitats that occur in the Skibo Project Area have not had a wildfire or other disturbance in many years; resulting in low quality wildlife habitat.

Many of the forested areas along lakes and streams in the project area are dominated by old aspen and other short-lived species. The Forest Plan desired condition for these areas is for long-lived tree species such as white and red pine, which benefit both lake and stream edge, and aquatic habitat conditions.

**Purpose and Need**
To begin the Skibo Project, the interdisciplinary team of natural resource specialists analyzed the existing resource conditions of the Skibo Project Area in consideration of the objectives and desired conditions of the Forest Plan. The resource specialists documented their comparisons in the mid-level assessments. Where these assessments found a difference between the existing and desired conditions, a purpose of and need for action was identified. The purpose and need for this project is described in more detail in Chapter 1 of the Skibo Project EA and includes the following:

1. Vegetation Management
2. Wildlife including Threatened, Endangered, Sensitive Species
3. Hazardous Fuel Reduction
4. Maintain or Enhance Recreation and Scenic Resources
5. Water Quality and Aquatic Habitat Enhancement
6. Recreation
7. Transportation, Special Use Administration, and Use of Gravel Pits

**DECISION**
After reviewing the alternatives, the environmental analysis, and public input, it is my decision to implement Alternative 2.

My decision will manage vegetation and other resources in the Skibo Project Area to meet the needs outlined in the purpose and need and include timber harvest, reforestation, timber stand improvement, fuel reduction, and wildlife habitat improvement consistent with the Forest Plan. Table 1 summarizes the vegetation management actions (both primary and secondary treatments) under Alternative 2. Table 2 summarizes the planned secondary treatments as well as non-
harvest treatments under Alternative 2. All acreages used in this decision notice are best estimates; however, there may be small differences in actual treatment acres.

<table>
<thead>
<tr>
<th>Primary Treatment Description*</th>
<th>Alternative 2 Acres*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create young stands with harvest (6,398 total acres)</td>
<td></td>
</tr>
<tr>
<td>Clearcut with reserves</td>
<td>5,162</td>
</tr>
<tr>
<td>Shelterwood</td>
<td>1,236</td>
</tr>
<tr>
<td>Improve Stand Condition with harvest (2,818 total acres)</td>
<td></td>
</tr>
<tr>
<td>Partial harvest</td>
<td>354</td>
</tr>
<tr>
<td>Commercial Thin</td>
<td>2,464</td>
</tr>
<tr>
<td>Restore stand condition without harvest (216 total acres)</td>
<td></td>
</tr>
<tr>
<td>Non-harvest Restoration</td>
<td>216</td>
</tr>
<tr>
<td>Reduce hazardous fuel (63 total acres)</td>
<td></td>
</tr>
<tr>
<td>Understory Fuels Reduction</td>
<td>63</td>
</tr>
<tr>
<td><strong>Total of all Treatment Types</strong></td>
<td><strong>9,495</strong></td>
</tr>
</tbody>
</table>

*All acreages are based on calculated GIS stand acreages.

<table>
<thead>
<tr>
<th>Treatment Description</th>
<th>Alternative 2 Acres*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Preparation for Planting, Seeding, or Natural Regeneration</td>
<td>7,245</td>
</tr>
<tr>
<td>Wildlife Habitat Improvement – Prescribed Burn*</td>
<td>2,327</td>
</tr>
<tr>
<td>Release regeneration from Competing Vegetation</td>
<td>804</td>
</tr>
<tr>
<td>Control Understory Vegetation (for planting; improve stand condition)</td>
<td>248</td>
</tr>
<tr>
<td>Hazardous Fuel Reduction Activities</td>
<td>617</td>
</tr>
<tr>
<td>Animal Control for TSI or Prune</td>
<td>35</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Regeneration Method</th>
<th>Alternative 2 Acres*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plant</td>
<td>5,231</td>
</tr>
<tr>
<td>Seeding</td>
<td>2,934</td>
</tr>
<tr>
<td>Fill-in Planting</td>
<td>92</td>
</tr>
<tr>
<td>Natural Regeneration (units with no planned planting activities following a harvest)</td>
<td>3,520</td>
</tr>
</tbody>
</table>

* Acreages here are stand acreages; actual acres will be less depending on actual amounts and location of oak and blueberry habitat.

My decision also includes actions to manage water resources (e.g. bridge removal) and recreation resources (e.g. snowmobile trail reroute). For more information on all actions in my decision, including site-specific treatments, mitigation measures, monitoring information,
mapped location of treatments, and analyses of environmental effects, please refer to the EA and associated appendices.

Table 2 above details a variety of reforestation actions including natural regeneration with fill-in planting (in other words, diversity planting), and reforestation planting or seeding (in other words, conversion or restoration planting of jack, white, red pine, or white spruce). While it is my desire to fully implement all of the planting identified above, implementation will occur to the extent that resources and funds are available. Given current timber markets, revenue generated through timber harvest alone may not cover all of the costs associated with these treatments. All applicable Forest Plan standards and guidelines with regard to reforestation requirements will still be met.

One way to reduce the cost of mechanical tree release and thus have more funding for planting is using herbicides in areas that would require more than one release activity. I have decided the Skibo Project Area will provide a good opportunity to use herbicide on a limited basis as a tool for enhancing the presence of birch dominated stands and for the release of long-lived conifer species. Broadcast herbicide application could help encourage and restore the regeneration of birch dominated stands by helping to control faster growing competing vegetation. Herbicide application will be most beneficial on sites that would require multiple entries to control aggressive, fast growing competing vegetation; as one application would be as effective as multiple mechanical releases.

Although there is not a current market for biomass in St. Louis County, discussions and plans are underway to utilize local biomass. With my decision, biomass removal could occur on harvest units with secondary treatments of slash disposal or site preparation, and on non-harvest units with primary treatments of understory fuel reduction or site preparation. Biomass removal could include fine woody debris, brush, and non-merchantable stems. It will not include stumps or existing coarse woody debris. Biomass removal will follow Operational Standards and Guidelines and MFRC guidelines.

My decision will also manage the road and trail system to meet the needs outlined in the purpose and need and includes adding existing roads to the National Forest road and trail system, authorizing special use road access, decommissioning roads, changing OML (Objective Maintenance Level), and approving use of temporary roads. All temporary roads will be obliterated using the Operational Standard Guideline G-TS-16 (Forest Plan, G-TS-16, p. 2-50).

**RATIONALE FOR THE DECISION**

In making my decision, I have considered how well each alternative would meet the purpose and need identified in the Skibo Project Area, the environmental effects of each alternative, and the different views expressed during the public comment periods.

In reviewing comments from the project scoping, I heard from area landowners who were concerned about maintaining roads and the St. Louis River bridge and dam removal, from environmental and tribal groups who were concerned about impacts to mature forest patches, maintaining long-lived conifer species, protecting endangered as well as important game wildlife species, and the use of herbicides. There are a broad range of opinions on how the Forest should
be managed and I recognize that this decision will probably not completely satisfy any one particular group or individual.

I am aware of the local and regional economic and environmental values of this area including wood products, the recreational and scenic opportunities offered, as well as the importance of wildlife habitat for the many species in the area. I understand that with this decision I am making a number of tradeoffs which are discussed throughout this section. I believe the benefits of my decision outweigh the short-term minimal impacts which may occur as a result of these management activities.

Of the alternatives considered, either in detail or briefly, Alternative 2 will best meet the purpose of and need for action, provide the best balance between resource use and resource protection, and respond appropriately to issues raised by the public. The following is my rationale for selecting Alternative 2 with respect to each of the affected resource elements of the purpose and need discussed in depth in the Skibo Project EA.

**Vegetation Management**

Alternative 2 (Proposed Action) was developed to meet the purpose and need for action in the Skibo Project Area (see EA Section 1.4 for the Purpose and Need). The proposed action would implement the Forest Plan; including moving the vegetation conditions toward the desired landscape ecosystem objectives for age class, spatial patterns, species composition, and management indicator habitats.

Young age class is an important component to maintain or increase throughout the landscape ecosystems. To the extent possible, these harvests will create large (greater than 100 acres) young patches. The larger young patches will create less fragmentation and in the long term, will become large mature patches. Some existing mature patches will not be treated under Alternative 2 and they will maintain forest interior habitat, connectivity, and corridors for species like Canada lynx.

Alternative 2 will increase the young upland age class by 6,398 acres, and increase the lowland conifer young age class by 626 acres. In addition, it will decrease the amount of aspen by approximately 285 acres through harvest and planting or seeding of jack pine, white pine, red pine, or white spruce. Alternative 2 will increase the within-stand diversity in mature stands on approximately 3,034 acres through harvest and non-harvest treatments. Vegetation composition and within-stand diversity will improve on nearly 1,184 acres that would be planted or seeded. Some of these stands will also have timber stand improvement (TSI) activities to ensure the survival and vigor of the regeneration. Hazardous fuel will be reduced by 63 acres through primary treatments.

With the implementation of Alternative 2, large mature upland forest patches will remain well-represented, distributed, and above current existing condition in the area; thus, negative impacts to species that need this type of spatial arrangement of habitat would be minimal. Existing red and white pine patches will remain intact under this alternative.
Herbicide Use
Alternative 2 of the Skibo Project Area has opportunities to use herbicide on a limited basis as a tool for enhancing the presence of paper birch and pine species through competition control. Competition from early-successional vegetation (herbaceous and woody) is often an obstacle land managers face in forest management in northeastern Minnesota.

Historically with disturbances such as fire, pioneer species like paper birch would easily reestablish themselves within 30 years of the event. With fire suppression and previous land management objectives, today’s remaining stands of paper birch have begun to decline due to their short lifespan. Paper birch regeneration has proven difficult and expensive in the last several years on the Superior National Forest. Successful regeneration of paper birch has been limited due to competition from other species.

Broadcast applications of herbicide in combination with some form of mechanical treatment (timber harvest, rock rake, disc trench, etc.) will increase the amount and survival of paper birch and pine regeneration by giving seedlings a few years with reduced competition for water, light, and other resources. Mechanical site preparation has been the primary method used for paper birch regeneration on the Superior National Forest in recent years. Under typical management in northeastern Minnesota, following a mechanical site prep or prescribed fire treatment without herbicide, young stands will typically need up to three releases to successfully establish themselves to a “free to grow” state. However, under Alternative 2 utilizing herbicide, we could see this reduced to a single site prep entry followed by minimal amounts of follow-up treatments. Costs associated with initial field work, along with future contract administration and follow-up field surveys would be less than mechanical or prescribed fire treatments. In turn, this financial savings could free up funds to meet Forest Plan objectives on other sites as needed.

Selection of Alternative 2 will allow for approximately 200 treatment acres on seven of the proposed units. Approximately 1 to 3 gallons/acre of herbicide will be used on this project depending on the application method, herbicide used, and species treated. Minnesota Forest Resources Council Site-Level Guidelines for herbicide application as well as label guidelines will be strictly adhered to. Herbicide will only be applied to upland units and would avoid any wetland inclusions (please refer to Appendix H in the EA for specific mitigations).

Wildlife Threatened, Endangered, Sensitive Species
Alternative 2 has a determination and concurrence by the US Fish and Wildlife Service that is not likely to adversely affect Canada lynx and are not likely to adversely modify lynx critical habitat. Canada lynx is the only threatened or endangered species present within the project area. This determination on Alternative 2 is because human disturbance factors are minimized, prey habitat is maintained and improved, and lynx habitat would be maintained or improved (EA 3.3).

For Alternative 2 the proposed activities may impact individuals of gray wolf, heather vole, little brown myotis, northern myotis, tri-colored bat, northern goshawk, boreal owl, olive-sided flycatcher, bay-breasted warbler, bald eagle, Connecticut warbler, three-toed woodpecker, great gray owl, wood turtle, northern brook lamprey, creek heelsplitter, black sandshell, Taiga alpine, Nabokov’s blue butterfly, Freija’s grizzled skipper butterfly, but are not likely to cause a trend to
federal listing or loss of viability. Selection of Alternative 2 is consistent with Forest Plan direction for these species.

**Hazardous Fuel Management**

Selection of Alternative 2 will treat many acres of high risk and medium risk hazardous fuels in the project area. Selection of Alternative 1 would not treat any of these acres of high and medium risk hazardous fuel loading areas. Approximately 237 high risk acres and 3,846 medium risk acres will be treated through timber harvesting and fuel reduction treatments (EA 3.8). Susceptibility to crown fire and threats to firefighters and public safety would be less than Alternative 1. Under Alternative 2 hand crews will have a greater chance of suppressing wildland fires because the fire intensities and spread rates are reduced substantially in surface fires.

**Water Quality**

Under Alternative 2 construction of temporary roads have the potential to increase short-term soil disturbances, soil erosion, and point source sediment inputs into local streams in the analysis area. However, by following required guidelines, project design features, and mitigation measures, effects are expected to be minimal. Under Alternative 2 newly constructed temporary roads would be decommissioned after all use is completed (Forest Plan, S-TS-3, p. 2-50).

Alternative 2 also decommissions more miles of road than are added to the system; therefore, resulting in fewer miles of road in the project than what currently exists. Thus, Alternative 2 will result in improved existing water quality and watershed conditions within the analysis area, decreased potential surface erosion and run-off, as well as decreased sediment input into local streams, lakes, and wetlands.

There may be some minor and short-term direct or indirect negative effects to water quality and watershed health in the analysis area associated with the dam removal activity such as the release of sediment from behind the dam and sediment introduction during construction. Mitigation measures such as managing the disturbance during the removal and the timing of removal will minimize the short-term impact on water quality associated with the dam removal. Removal of dam in late season will allow the sediment behind the dam to become mobilized with the spring melt flows that are naturally higher in sediment concentrations. This will reduce the impact to the biota and expedite the removal of sediment upstream of the dam.

The dam will be removed in accordance with conditions of the anticipated National Pollution Discharge Elimination System (NPDES) permit requirements to fulfill Clean Water Act standards. Positive, long-term effects associated with the removal of human-installed immobile structures, such as dams, that impede the channels ability to adjust laterally or vertically within its valley include changes and balancing of sediment supply and hydrology. The ability to adjust these ‘ever-changing’ conditions help the riparian area reconstruct itself and provide the template for biodiversity, increased ecological resilience and ecological function. For more information, see EA section 3.10-Water Quality.
Recreation and Scenery
Alternative 2 proposes similar forms of vegetation management that have occurred in this area in the past and are expected in the area by many recreational users. Operational Standards and Guidelines and site-specific mitigation measures provide reasonable assurance that there would be no substantial impacts to recreation in the project area. The effects to recreation sites from the sights and sounds of the proposed harvest activities will be of short duration and will have little effect on the recreation resources. In addition, under Alternative 2, the reroute of a section of the Pequeywan Snowmobile Trail will occur to address safety concerns.

Alternative 2 for scenery will have short-term effects of being able to see management activities and be noticeable in the spring for about one month until spring green-up, then blend in to the surrounding landscape. Temporary openings created by harvest and subsequent planting of pine will enhance high scenic integrity objectives over the long term by increasing long-lived conifer species. Forest openings created by harvest will also be similar in size, shape, and edge characteristics to natural openings in the landscape being viewed as identified in the Operational Standards and Guidelines. Natural appearing forest openings often provide interest and a sense of prospect to motorists along scenic byways where wildlife and open vistas add variety to the scenic experience. All Alternative 2 proposals will meet the Forest Plan’s desired conditions and objectives for scenic resource management in High Scenic Integrity Objective (SIO) areas.

Tribal Communities
The Superior National Forest is located on lands ceded by the Ojibwe to the United States in 1854 and 1866. Three bands - Grand Portage, Fond du Lac, and Bois Forte (Nett Lake) – live in proximity to the Forest and are directly affected by the treaties. The tribes consider many areas in the Superior National Forest important to them for cultural, historic, traditional, and spiritual reasons. The Superior National Forest has a role in maintaining tribal rights as it is an office of the federal government responsible for natural resource management on lands subject to these treaty lands.

The District Ranger and the interdisciplinary team consulted with tribal representatives while developing the objectives (purpose and need) and proposed action for the Skibo Project. The following comments were received from Bois Forte and 1854 Treaty Authority representatives during scoping:

- Concern about the use of herbicide as a timber stand improvement (TSI) tool on plants of interest.
- Concern if wild rice is present up or downstream of the old bridge that has been proposed to be removed.

The herbicide TSI treatment tool would be directed only at competition species and is planned to avoid undesired impacts to non-target vegetation such as wild rice populations and other plants identified by the Bois Forte Band.

Under Alternative 2 (Proposed Action), there will be a low risk on wild rice and plants of interest due to design criteria and mitigation measures. For example, no herbicide, even those labeled for aquatic use, would be applied in wetlands, adjacent to lakes or rivers, or on sites with high water
tables (ELTs 1-6). In addition, no herbicide will be applied within 150 feet of streams, lakes, or open water. For further discussion on herbicides, see EA Appendix H-Herbicide Proposals.

The bridge removal would not impact wild rice because the proposed action would restore peak streamflows and allow the St. Louis River to access more of its historic floodplain; thus, baseflows would be similar to what they are now which should continue to provide for habitat and flows that are beneficial to wild rice. We are not proposing to alter the rocky streambed up or downstream from the rice stand, which is responsible for causing the ponding that provides habitat for the wild rice. For these same reasons riparian vegetation should not be meaningfully affected.

Heritage Resources
Under Alternative 2, tree falling, prescribed burning, skidding, slash disposal, and the construction/rehabilitation/closure of temporary roads all present potential threats to heritage resources. Reforestation measures can also affect heritage resources through ground disturbing activities associated with site preparation and planting.

Under Alternative 2, impacts to all heritage resource sites will be avoided through standard measures of protection pursuant to the 2004 Superior National Forest Plan (2-39/S-HR-9). Recorded and newly discovered heritage resource sites would be avoided during implementation. Heritage resource sites will be excluded from the activity units, with the boundaries marked as appropriate in the field prior to project implementation. This would eliminate direct effects to the heritage resource. Post-treatment monitoring of mitigation measures (site buffers) and maintenance of confidentiality with respect to heritage resource locations will effectively eliminate post-treatment impacts; thus, heritage resources will experience no indirect effects under all alternatives.

OTHER ALTERNATIVES CONSIDERED
I considered six alternatives when determining the best course of action for the Skibo Project Area. Of the six alternatives, three were analyzed in detail and three were not. In this section I describe my rationale for not selecting Alternative 1 or Alternative 3 and also for not carrying any of the other three alternatives forward. I determined the range of alternatives developed is adequate and consistent with Council on Environmental Quality guidelines.

Alternative 1: No Action
The No-action Alternative provides a baseline for comparison of the action alternatives and was analyzed in detail in the EA. In this alternative, current management plans would continue to be implemented in the project area; however, no new projects would be implemented. Forest succession processes would transpire naturally. Existing road uses and recreational activities would also continue. There would be no change to the existing road and trail system.

I did not select Alternative 1 because it would not meet the purpose and need for the project. Alternative 1 would have eliminated some effects but several opportunities to achieve Forest Plan objectives for vegetation composition, to reduce fuel hazards, and to provide sustainable forest products would not have been realized. Without management, forest stands in the Skibo
Project Area would continue on the trajectory they currently are on. Aspen would likely continue to dominate and grow on sites not ideally suited to aspen, while balsam fir and spruce-budworm infestations would likely increase resulting in higher fuel loads and fire risk. Jack pine forest would decline in the area and continue to be replaced by balsam fir. All of these conditions are undesirable.

**Alternative 3: No Herbicide Alternative**

Alternative 3 - No Herbicide Alternative included the same project actions as Alternative 2 - Proposed Action; however, this alternative eliminated the planned use of herbicides on a limited basis as indicated in the EA. I did not select Alternative 3 because the Skibo area and selected stands are an ideal area to examine the use of herbicide application as a tool for site preparation to reestablish birch dominated stands and for conifer release. Furthermore, the mitigation measures presented in the herbicide proposal (Appendix H in the EA) are adequate assurance that any potential negative effects that could occur will be minimized. The use of herbicide as a tool for site preparation and conifer release will result in a more cost effect means to manage the vegetation in the Skibo Project Area and will allow us to treat more acres under limited budgetary constraints.

**Three Alternatives Considered but Not Carried Forward for Detailed Analysis**

I did reconsider the alternatives that were addressed in Section 2.4 of the Skibo Project EA to determine if any of these should be analyzed in detail. I decided these alternatives do not need to be considered in detail per the rationale included in the EA (Skibo EA Ch. 2.4, pp. 2-5 to 2-6).

**TRIBAL CONSULTATION**

The Superior National Forest is within the territory ceded by the Ojibwe to the United States in 1854, an area where tribal rights to hunt and gather were retained. Three bands – Grand Portage, Fond du Lac, and Bois Forte (Nett Lake) live in proximity to the Forest and are directly affected by the treaties. In acknowledgement of the sovereign states of these tribes, the following government-to-government consultation occurred.

In May 2012, the Skibo Proposed Action was sent to representatives of Fond du Lac, 1854 Treaty Authority (representing Grand Portage and Bois Forte), and Bois Forte. This was followed up by consultation with natural resources staff from each of the respective groups. In addition the herbicide proposal along with maps of potential herbicide treatment locations were sent to tribal representatives.

**PUBLIC INVOLVEMENT**

The interdisciplinary team as a whole and as individual members collaborated with Minnesota Department of Natural Resources specialists throughout the Skibo Project process. Resource specialists shared data on wildlife habitat, rare species in the area, ecology of the area, and forest management actions each agency was considering. Collaboration focused on coordinating forest management activities that would occur across ownership boundaries and on sharing resources. The team also collaborated with St. Louis County land managers about transportation and access issues as well as their vegetation management plans within the project area.
In May 2012, a scoping package requesting comments was mailed to 194 individuals, groups, and agencies who either own land within the project area or who have expressed an interest in these types of projects. The scoping package was made available online at www.fs.usda.gov/superior/projects. In addition, the project was listed in the Superior Quarterly (Schedule of Proposed Actions for the Superior National Forest) beginning in January, 2012. We received 37 written and verbal comments from individuals, groups, and agencies; I asked the interdisciplinary team to carefully consider and respond in writing to each comment. Those comments and our responses are found in Appendix F of the EA.

Throughout the course of the project, interdisciplinary team members spoke with numerous people, answering questions, and providing more specific information.

On June 20, 2013, the Skibo Project Environmental Assessment was completed and the public was notified of the start of the 30-day comment period through a legal notice published in the Mesabi Daily News newspaper and through the Superior National Forest website. In addition, a press release was published in the Brimson-Toimi Community Newsletter. Everyone who submitted comments or asked to remain on the mailing list received a copy of the EA or notification of its availability.

I asked the interdisciplinary team to review and analyze comments submitted during the official comment period and to provide a written response to each person or group who provided a comment. The comments received did not raise any new issues that the interdisciplinary team had not addressed within the Skibo Project EA. Our response to all comments received can be found in Appendix A of the DN.

**FINDINGS BY OTHER LAWS AND REGULATIONS**

My decision complies with all applicable laws and regulations. The following is a list of laws and regulations pertinent to this decision.

**Compliance with the National Forest Management Act (NFMA)**

The 2012 Planning Rule provides direction to the Forest Service on implementing NFMA. As required by Section 219.15(d) of the 2012 Planning Rule, this project is consistent with the direction found in the 2004 Forest Plan. The project record demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and where appropriate, acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

The purpose and need for the Skibo Project identified seven areas where actions could move the area towards Forest Plan desired conditions (EA, pp. 1-10 to 1-12). Of all the alternatives I considered, Alternative 2 will best meet the purpose and need and move the Forest towards Forest Plan desired conditions (Section 2.6 of the EA). In my rationale for decision I have explained why I think that is so.
A key consideration for my decision to implement Alternative 2 is its consistency with the Forest Plan’s long-term goals and objectives. This alternative incorporates appropriate Forest Plan desired conditions, objectives, standards, and guidelines; therefore, the project is in conformance with the Forest Plan. As described earlier, Alternative 2 is designed to move the project area towards meeting the vegetation composition, age class, and tree species diversity objectives for the Mesic Red and White Pine, Lowland Conifer A&B, and Mesic Birch-Aspen-Spruce-Fir Landscape Ecosystems. For more information on Landscape Ecosystem objectives, see Ch. 1, p. 1-8.

The Skibo Project Area overlaps three Forest Plan MAs (management areas): the majority is in the General Forest MA, a small portion is within the Eligible Wild Scenic and Recreational River Management Area, while a small section of the project area includes a Candidate Research Natural Area (CRNA) (EA, pp. 1-5 to 1-7). The Forest Plan includes the desired conditions, objectives, standards, and guidelines for each MA. For a description of each management area and how the interdisciplinary team used the direction for each MA to guide the development of the purpose and need and proposed action, see Chapter 1, section 1.3, p. 1-5 of the EA.

As I thoroughly reviewed the Skibo Project EA, I saw that the interdisciplinary team had adequately analyzed and disclosed relevant effects on the resources to the level commensurate with the risks concerning vegetation management and associated transportation management activities. Members of the team analyzed three alternatives in detail and developed and considered three alternatives that were not carried forward for detailed analysis. In my professional view, this range of alternatives is broad enough to provide a range of effects of different levels of vegetation management actions. This analysis provided me with sufficient information to make a sound and reasoned decision, based on providing goods and services to meet the needs of the public, and maintaining and enhancing the long-term productivity of the land.

All relevant Forest Plan standards and guidelines have been incorporated in Operational Standards and Guidelines listed in Appendix C of the EA; site-specific mitigation measures are listed in Appendix A and Appendix B of the EA. Standards and guidelines will be met with this project.

Road management in Alternative 2 is consistent with the desired condition, objectives, standards and guidelines for transportation systems in the Forest Plan (p. 2-47). These actions will result in the minimum amount of road needed to accomplish forest management objectives on the road system; temporary roads will be obliterated at the completion of the activity.

**Suitability for Timber Production**

Harvest of this timber will contribute toward an annual and sustainable timber program (FP, p. 2-37, O-SE-2), as expected in the Forest Plan. All commercial timber removal will occur on NFS land that is suitable for timber production. This conclusion is based upon on-the-ground examination of the stands proposed for harvest by resource specialists, review of maps and facts provided in the EA, and information provided in the project record. Based on my experience and the knowledge and expertise of the interdisciplinary team, I find there is reasonable assurance that harvested lands will be adequately restocked within five years. None of these lands have
been withdrawn from timber production by an Act of Congress, the Secretary of Agriculture, or the Chief of the Forest Service.

Optimality and Appropriateness of Harvest Methods
The National Forest Management Act states, “When timber is to be harvested using an even-aged management system, a determination that the system is appropriate to meet the objectives and requirements of the Forest Plan must be made and where clearcutting is to be used, it must be determined to be the optimum method.” (Section 6 (f) (i).

In choosing the optimum harvest method for regenerating a stand, we considered the objectives for the stand, silvicultural requirements of the species on the site, existing stand conditions, issues raised during the analysis, prior experiences in the area, and Forest Plan direction. Certified silviculturists prepare prescriptions based primarily on the biological requirements of the stand, while the Forest Plan landscape ecosystem and management area direction are fully considered as well. The harvest method for any given stand may differ from another stand due to the unique situation of that stand. Prescriptions were designed to mitigate, when necessary, resource concerns such as visual quality, water quality, or vegetation composition guidelines. No matter what the differences or nuances of the silvicultural prescription are, the proposed harvest method is required to sufficiently ensure regeneration of the stand. Please refer to Appendices A and B in the EA for the proposed harvest method of each stand. Also refer to Appendices A-B and C in the EA for Operational Standards and Guidelines, as well as site-specific implementation direction to protect resources and ensure successful reforestation.

Clearcutting is appropriate for each of the forest types where it has been prescribed in the Skibo Project. The Forest Plan states: “G-TM-2 – Clearcutting may be used to regenerate the following forest types: jack pine, red pine, spruce-fir, oak, aspen, aspen/spruce/fir, paper birch, and lowland conifers.” (pp. 2-20 to 2-21). This is further documented in Table G-TM-7, “Type of Timber Management Practices by Forest Type Group.” The use of clearcutting is the optimum method for regenerating aspen, aspen/spruce/fir, spruce-fir, and paper birch as prescribed in the Skibo Project because they are pioneer forest tree species and shade intolerant. The site disturbance provided by the mechanical removal of the overstory and subsequent mechanical site preparation, when necessary, will allow areas to be planted with white pine, red pine, jack pine, and white spruce; or seeded to paper birch, jack pine, and black spruce and allowed to regenerate vigorously. Use of the clearcut method reduces competition and provides needed sunlight to ensure successful regeneration. Stocking and regeneration surveys show we have been successful in regenerating clearcut units (USDA 2008b, p. 35).

The use of even-aged management is consistent with the direction provided in Table G-TM-7 of the Forest Plan (p. 2-21). There were stands where we wanted to maintain a greater residual component of trees for multiple objectives and they will be treated with either a seed tree or shelterwood method of regeneration. Most of these stands will be planted to pine, spruce, and/or paper birch. Therefore, clearcut harvest is used when it is needed to reduce fuel hazards, meet age-class and patch size objectives, create wildlife habitat, and regenerate shade intolerant species. The Skibo Project EA, Chapter 3, includes resource analyses of potential effects from clearcutting. Each of these resources will be adequately protected through Operational Standards and Guidelines (Appendix C-EA) and mitigation measures.
The National Forest Management Act of 1976 Section 6 (g)(3), (E)(iv) and (F)(i) states that vegetation management practices be chosen that meet the objectives and requirements of the Land and Resource Management Plan. In my professional assessment, the Skibo Project follows the direction in the Forest Plan for silvicultural prescriptions (p. 2-21, S-TM-5 and G-TM-7), including clearcutting where it has been appropriately prescribed.

**Landscape Ecosystem Objectives**

The landscape ecosystem objectives in the Forest Plan displays the desired age class, species composition, tree species, management indicator habitat, and management areas. These are outlined by the desired amount of young, mature, old/old growth, and multi-aged forest that are needed by all wildlife species on the Forest. Effects to LEs (landscape ecosystems), which are ecological units of forest type associations, are disclosed in the Skibo EA in Sections 1.3, 3.2 and 3.6. While this alternative does not attain all Forest Plan objectives, Alternative 2 achieves the desired objectives for vegetation to a greater extent than the other alternatives. By moving the project area towards the desired age class and species composition, we will be retaining adequate amounts of older-aged forest while creating adequate amounts of young forest and increasing the amount of pine and birch on the landscape.

**Vegetation Manipulation**

All manipulation of vegetation complies with the seven requirements of the National Forest Management Act (NFMA) Regulations. This conclusion is based upon the following:

1. The actions in Alternative 2 fit the goals stated in the Forest Plan for the landscape ecosystem objectives and management area objectives.
2. The lands being treated can be adequately restocked within five years after final harvest as discussed under Suitability for Timber Production on page 17.
3. These activities were not chosen primarily because they give the greatest dollar output or the greatest output of timber. I selected Alternative 2 because it best meets the goals and objectives in the Forest Plan.
4. These activities were chosen after considering potential effects on residual trees and adjacent stands. The effects are disclosed throughout the EA and are within the effects analyzed in the Forest Plan Final EIS. In all cases, the effects are acceptable when considering the purpose and need of the Skibo Project and the goals, objectives, and desired conditions in the Forest Plan.
5. The selected activities will avoid permanent impairment of site productivity and will ensure conservation of water resources (Sections 3.10 and 3.11 of the EA). The prescriptions and mitigations will adequately protect the natural resources.
6. The selected activities will provide the desired effects on water quality, wildlife and fish habitat, regeneration of desired tree species, recreational uses, aesthetic values, and other resource needs; the effects of the actions are fully disclosed in the EA. The vegetation management prescriptions and in particular the Operational Standards and Guidelines and mitigations, will adequately protect the other resources.
7. The selected activities are practical in terms of transportation and harvesting requirements, preparation costs, logging and administration, reforestation, and release needs. I am basing this determination on the fact that the selected activities are similar to
those which have been practiced on the Superior National Forest and the Laurentian Ranger District in areas similar to the Skibo Project Area.

In conclusion, I find Alternative 2 for the Skibo Project complies with the National Forest Management Act (1976) and the 2012 Planning Rule.

**Threatened and Endangered Species Act**
This action will not have adverse impacts on threatened or endangered species (Skibo EA Biological Assessment). Consultation with the U.S. Fish and Wildlife Service (USFWS) occurred throughout this project, through the project’s wildlife biologist. The USFWS was provided with a copy of the Skibo Project EA. The USFWS has concurred (letter dated April 5, 2013) with our determination that the project, “may affect but will not likely adversely affect” the Canada lynx and is not likely to adversely affect critical habitat for Canada lynx.

**Bald Eagle Protection Act**
There is an interagency agreement between the Forest Service and the USFWS to facilitate compliance with the Bald Eagle Protection Act that restricts management activities within 330 feet of an eagle nest site. The selected alternative does not include any activities within 660 feet of known bald eagle nests (Skibo EA Biological Evaluation). The selected alternative is not anticipated to have a significant direct, indirect, or cumulative effect on any bald eagle habitat. The selected alternative will not have an adverse impact on existing or potential nest trees. Large red and white pine trees are reserved in harvest units. If any additional nests are discovered that could be affected by any activity, the agreement and Forest Plan guidelines will be followed.

**Clean Water Act**
The design of treatment units and road corridors for the selected alternative was guided by project design features and implementation measures which are described in the EA (Appendices’ A, B, and C); Standards, Guidelines, Forest Plan direction; and applicable Forest Service manuals and handbooks. I expect that implementation of my decision with site-specific application and monitoring of the State of Minnesota’s “Sustaining Minnesota Forest Resources Voluntary Site-Level Forest Management Guidelines for Landowners, Loggers, and Resource Managers” will comply with applicable State water quality standards and the Clean Water Act.

**Clean Air Act**
In Minnesota, the Clean Air Act is addressed through the State Smoke Management Plan. Prescribed burning will be carried out in compliance not only with the State’s Plan but with the Forest’s Fire Management Plan and Forest Plan. The Forest Plan and State’s Smoke Management Plan outline how prescribed burning will be carried out so that the resulting smoke minimally affects air quality. These plans require the preparation of site-specific burn plans that include addressing smoke management. Plans include coordination with federal, State, and county fire staff to ensure that all burning in an area has the least impact. For example, burning will only be initiated on days when the atmosphere can adequately disperse the smoke.

The effect of smoke from burning activities associated with this project would be negligible to people downwind. The fire activities in the selected alternative involve a number of timber sale
site preparation burns, hazardous fuel reduction burns, brush disposal burns, and underburns. In addition, there would not be a degradation of visibility in the BWCAW as a Class I Airshed from emissions or dust generated by logging, resource management equipment, and other motorized use that will occur from implementing the selected alternative due to the very small scope of effects.

Based on the provisions set forth in the Smoke Management Plan, the Forest Plan, and the results of past projects, I determined that the selected alternative will be in compliance with the Clean Air Act.

**Regional Forester Sensitive Species (FSM 2670)**
I find that the selected alternative complies with Forest Plan (and NFMA) direction to maintain viable and well-distributed representation of all native species that occur on the Forest. The BE (Biological Evaluation) on the Superior National Forest website documents the evaluation of RFSS (Regional Forester Sensitive Species), species for which population viability is a concern. Although the selected alternative may impact individuals of some species of terrestrial and aquatic wildlife, vascular plants, lichen, and bryophytes; implementation of the selected alternative is not likely to cause a trend to federal listing or loss of viability.

**National Forest Pesticide Management Policy (FSM 2150)**
The interdisciplinary team reviewed the Forest Service Manual on pesticide use and all applicable direction has been incorporated in the project design and operational standards and guidelines (see EA Appendix H). My decision is consistent with this policy.

**Migratory Bird Treaty Act**
My decision complies with the Migratory Bird Treaty Act and the 2008 Memorandum of Understanding on migratory birds between the Forest Service and the U.S. Fish and Wildlife Service. The environmental assessment and biological evaluation disclose effects to birds, focusing on species of management concern and on habitat used by birds. As discussed in item 9 of the Finding of No Significant Impact, there will be no significant effect to birds or other wildlife from my decision.

**National Historic Preservation Act**
The Skibo Project will follow the standards set forth in the PA (Programmatic Agreement) between the Superior National Forest, MnSHPO (Minnesota State Historical Preservation Office), ACHP (Advisory Council of Historic Preservation), Bois Forte Band of Chippewa, and Grand Portage Band of Chippewa. Typically, this means that heritage resource sites that are eligible or unevaluated to the NRHP (National Register of Historic Places) will be avoided during project implementation. A project-specific inventory of all activity areas will be conducted and will be placed in the archeological files. If any unknown sites are found within an area of potential effect during project implementation, the project will be redesigned to avoid the sites. The results of inventory and protection measures are submitted to PA signatories on an annual basis.

In my professional view and that of heritage personnel on the interdisciplinary team, the selected alternative is in compliance with the provisions of 36 CFR 800. Where appropriate, additional
heritage resource surveys will be conducted and unevaluated or eligible heritage sites will be avoided. The provisions of the PA with the MnSHPO, ACHP, Bois Forte Band of Chippewa, and Grand Portage Band of Chippewa will be followed. I have determined, consistent with Forest Service direction on heritage resources, that there will be no effect on heritage resources (see EA Section 3.12 for further information).

**Alaska National Interest Lands Conservation Act, Section 1323**
Federal regulations require the Forest Service to review the intended use of nonfederal land to be accessed and determine if the proposed use constitutes “reasonable use and enjoyment” (Alaska National Interest Lands Conservation Act, ANILCA). I have determined that similarly situated land on the Laurentian Ranger District is generally managed for long-term timber production utilizing conventional equipment requiring roads. In addition, nonfederal in-holdings are generally accessed for the purpose of timber harvest or access to private land. Access is by RMVs (recreational motor vehicle), trucks, or passenger vehicles, which require low to mid-standard roads or trails. Use of the land to be accessed for these purposes is consistent with that of surrounding lands. The selected alternative and the special-use authorizations included in the decision meet the regulations in ANILCA by providing access to nonfederal landowners for their “reasonable use and enjoyment.”

**Shipstead-Newton-Nolan Act**
The focus of this Act is to conserve “the natural beauty of shorelines for recreational use.” It prohibits logging other than diseased, insect, infested, dying or dead. My decision complies with the Shipstead-Newton-Nolan Act. No logging of timber will occur within 400 feet of any lake or stream covered under the Act. This decision does authorize hazardous fuel removal and tree planting within areas protected by the Shipstead-Newton-Nolan Act. The purposes of these treatments are to reduce balsam fir in the understory of some shoreline areas and increase the amount of long-lived conifer species such as pine and spruce. Several techniques will be used to accomplish this activity including mechanical crushing, hand-piling and burning, underburning, and biomass removal. Biomass removal of small diameter, understory balsam fir is not considered logging.

**Executive Orders**

**Executive Order 11990** - requires federal agencies to avoid, to the extent possible, long- and short-term adverse impacts associated with the destruction or modification of wetlands. Winter roads constructed across the sedge-meadow grass dominated wetlands have less of a short- and long-term impact to the environment than roads constructed on upland sites. Therefore, timber harvest and road building techniques, and implementation measures included in the Skibo EA will serve to maintain the wetland attributes. I find that this project is designed so there will be no loss of wetlands.

**Executive Order 12898** - directs federal agencies to identify and address the issue of environmental justice, such as adverse human health and environmental effects of agency programs that disproportionately impact minority or low-income populations.
Forest Service activities must be conducted in a discrimination-free atmosphere. Contract work that may be generated from this project will include specific clauses to protect civil rights. The Forest Service makes a concerted effort to enforce these policies.

The minority population closest to the project area is the Bois Forte Band in Nett Lake, Minnesota and the Fond du Lac Band Tribe located near Duluth. Members of the band are known to hunt large and small game within the project area and to harvest wild rice, fish, and small game.

The local community was notified of this project through the public participation process, and the results did not identify any adversely impacted local minority or low-income populations. I have considered the potential for effects of this project on low-income and minority populations and concluded that this project is consistent with the intent of this Order. I find that implementation of the selected alternative will not cause adverse health or environmental effects that disproportionately impact minority or low-income groups.

**Executive Order 12962** - requires federal agencies to evaluate the effects of proposed activities on aquatic systems and recreational fisheries. I find that the selected alternative minimizes the effects upon aquatic systems through project design, application of Forest Plan Standards and Guidelines, the State of Minnesota’s Sustaining Minnesota Forest Resources Voluntary Site-Level Forest Management Guidelines for Landowners, Loggers, and Resource Managers, and site-specific mitigation measures. Recreational fishing opportunities will remain the same and aquatic habitats are expected to remain the same or improve in the long term due to road decommissioning and stand restoration activities proposed along shorelines.

**Executive Order 13112** – requires federal agencies to prevent the introduction of invasive species, control populations of such species in a cost-effective and environmentally sound manner, monitor invasive species populations, and to take all prudent measures to minimize risk of harm if actions may cause introduction of invasive species. In my professional view, I find that the selected alternative will have an overall low risk of spreading non-native invasive plants (NNIP). The proposed vegetation and transportation management activities could contribute to the spread of NNIP; however, the scale at which this effect would occur would be minimal because of a high percentage of winter harvest and winter access routes, Operational Standards and Guidelines, and ongoing weed treatments on the Forest.

**FINDING OF NO SIGNIFICANT IMPACT**

I have reviewed both the context and intensity of the environmental consequences of the selected alternative as disclosed in the EA and project record. Based on my experience with similar projects and practices, I conclude that the selection of Alternative 2 does not constitute a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment.

The level of analysis conducted for the Skibo Project EA is adequate and documents no significant effects. Therefore, an EIS (environmental impact statement) is not needed. This determination is based on the following factors:
Context
Council of Environmental Quality (CEQ) 40 CFR 1508.27 states, “The significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting. In the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.”

The Skibo Project EA is tiered to the 2004 Forest Plan Final EIS which analyzed effects of these types of actions at the Forest and regional scale. Where appropriate, the EA has referenced analysis and conclusions from the Forest Plan Final EIS.

The Skibo Project is a site-specific action that does not have international, national, regional, or State-wide importance. The physical and biological effects of the selected actions were analyzed at appropriate scales, such as within the project area, adjacent to the project area, or across a larger landscape. The analysis area differs for each resource, and a rationale for each analysis area is provided in Chapter 3 of the Skibo Project EA.

The context of this proposal is limited to the locale of the Skibo Project Area, and the factors of significance are discussed in more detail below. Even in a local context, this proposal would not pose significant short- or long-term effects. The proposal’s relatively small scale limits its effects to a minor level for natural resource values and uses. Mitigations included in this project minimize and avoid adverse impacts to the extent that such impacts for some resources are not measurable, even at the local level.

Intensity (severity of impact)
CEQ 40 CFR 1508.27b lists ten factors to consider in evaluating intensity. I have considered them as follows:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if on balance, effects are believed to be beneficial.

Both adverse and beneficial impacts of harvesting, fuel reduction, reforestation, wildlife habitat management, road/trail management, and other related actions are analyzed and disclosed in the EA in Chapter 3, Biological Assessment, and Biological Evaluations. I have described some of these differing impacts earlier in this decision notice. In determining whether this project would have significant effects, I did not use the beneficial effects to compensate for, or offset adverse effects. I have given careful consideration to both the beneficial and adverse impacts and believe that neither is significant.

2. The degree of effect on public health or safety.

The safety of Forest users (visitors and residents) would be protected under Alternative 2 by Operational Standards, Guidelines, and mitigation measures. Specific mitigations for treatments have been identified. For example, for prescribed burning, mitigation measures for safety have been identified, such as posting prescribed fire warning signs at appropriate recreational areas including roadways, and contacting nearby residents and businesses. In addition, I expect the prescribed burns in the selected alternative will not exceed air quality standards. The National Ambient Air Quality Standards have not been exceeded to date during large-scale prescribed
burning on the Forest, and the Skibo Project will use similar smoke management techniques to minimize effects to public health. There are also specific mitigations for the use of herbicide designed to prevent any unsafe exposure to herbicide such as posting all areas that receive herbicide application. Additionally, no herbicides will be used on sites with high water tables (ELTs 1, 2, 3, 4, 5, or 6), nor will herbicides be applied within 150 feet of streams, lakes, or open water. Herbicide mitigations can be found in Appendix H of the EA as well as the final report for each herbicide; Human Health and Ecological Risk Assessment located in the project record.

Treatment of hazardous fuel in Alternative 2 will improve public health and safety by reducing fuel loads across the landscape, creating areas of defensible space, and improving the wildland urban interface. Fuel treatments are to be located on the landscape in an orientation that will provide buffers for wildfires moving towards values at risk. In addition, stands that are to be treated along existing roads and along lake shorelines will create a wider break in the continuity of fuels (buffer) that can hinder wildfire growth and decrease fire intensities for a safer, more efficient, and more effective suppression effort. Fuel treatments are also proposed to create more defensible space around private ownership. Fire intensities will decrease as a result of treatments and facilitate safer, more effective suppression efforts, such as structure protection. This will maximize the benefits of the fuel reduction work being completed by cooperators such as private landowners, the State, and local agencies.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

I have considered and determined there will be no significant effects on unique characteristics of the area. There are no prime farmlands within or adjacent to the project area. The project area does not include any Unique Biological Areas as designated in the Forest Plan. The project area does include one Candidate Research Natural Area (CRNA). These unique areas are not suitable for timber management; thus, no management activities will take place at that location. For more information on CRNAs, see section 3.14.6 and Figure 1-1 in the EA.

The project area does not contain any Roadless Areas designated by the Roadless Conservation Rule or Forest Plan inventoried roadless areas. Potential effects to historic or cultural resources are described under item 8 below.

The Skibo Project Area includes a portion of the St. Louis River which is in an Eligible Wild, Scenic, and Recreation River Management Area. The Forest Plan explains that within the Scenic and Recreational segments of this management area, “silvicultural practices are allowed provided methods used would have not substantial adverse effect within the river corridor to the river’s free flow, water quality, and outstanding remarkable values” (FP p. 3-18, G-WSR-4). The Forest Plan also encourages vegetation management to promote long-lived tree species, leading toward the development of big-tree characteristics (FP p. 3-15, G-WSR-6).

The selected alternative would include treatments of even-aged harvests, intermediate harvests, stand improvement activities, and release within the St. Louis River one-mile corridor. The effects to visual quality, water resources, and other characteristics of the river corridor are disclosed in the Skibo EA, Section 3.9, 3.10, and 3.11. There will be no effect to the free
flowing character of the river and only minimal effect to the visual character. Even-aged harvests will not be visible from the river. Though stand improvement activities would be visible, the selected alternative will retain all overstory trees and decrease competition from balsam fir and brush species, moving the corridor toward Forest Plan desired conditions by enhancing the big-tree characteristic. Corridor treatments will not have significant effects and will not affect the river’s eligibility for designation as a Wild, Scenic, and Recreation River.

This project will not have significant impacts to wetlands (EA, Section 3.10). Operational Standards and Guidelines listed in Appendix C of the EA require that all mechanical operation on wetlands occur during frozen conditions (G-WS-12). All Forest Plan direction regarding wetlands was incorporated into my decision.

4. **The degree of controversy over environmental effects.**

I reviewed all comments and determined there were no controversies or scientific debates about environmental effects of this project. Comments I received were divergent on how NFS (National Forest System) lands should be managed and what values are most important. For example, there were comments in the form of requests to upgrade and increase maintenance of existing project roads along with a comment that roads are affecting overall forest health and contribute to the decline of certain species. The differences in comments reflect a range of opinions and do not of and by themselves constitute controversy. No scientific evidence was presented that displayed controversy about effects or that contradicted the conclusions presented in the EA. In addition, the effects of the selected alternative on the various resources are not considered highly controversial by resource specialists from associated fields of recreation, hydrology, wildlife biology, and forestry. Although I anticipate this decision will not be acceptable to all, I have determined that the effects as displayed in the EA and supporting documentation in the project record file are not likely to be highly controversial.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

The selected activities including timber harvest, reforestation, fuel reduction, prescribed burning, brush cutting, bridge removal, and road/trail management including decommissioning, are similar to those that have occurred in the past in this area and similar areas across the Superior National Forest. The effects of the Skibo Project are expected to be similar to the effects of these past actions. All actions included in the Skibo Project are consistent with the Forest Plan, and all environmental effects are within the range disclosed in the Forest Plan FEIS. These types of actions and effects are monitored and monitoring conclusions, evaluations, or recommendations have been considered in the Skibo Project.

While broadcast application of herbicide for vegetation management as a treatment to help convert stands to desired forest types by reducing competing vegetation has recently been included on the Superior National Forest in the Pelican Project, my decision to use broadcast application of herbicide on about 200 acres does not involve highly uncertain, unique, or unknown risks. The herbicides to be used in my decision have been thoroughly researched and the effects are known and disclosed (see EA, Appendix H-Herbicide Proposal). Also, herbicides have been used to control invasive plants on the Superior National Forest since 2006 and monitoring has indicated no significant impacts (Jack Greenlee, Forest Botanist).
Based on my knowledge of the effects of similar past actions and the effects analysis disclosed in the EA, I do not believe there will be any highly uncertain effects or effects that involve unique or unknown risks.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** Implementing the selected activities within this project area would not commit the Forest Service to actions on other lands either within or outside the project area. This action does not establish a precedent for future actions. All connected future actions have been included in this project and the effects are disclosed in Chapter 3 of the EA. The reasonably foreseeable future projects disclosed under cumulative effects are those that are in the development phase and are not connected to the Skibo Project actions. Environmental analyses will be completed on these projects and site-specific decisions will be made on whether or not to implement these other projects. None of the selected actions are a major departure from types of activities now common to the Superior National Forest. While the use of herbicide for vegetation management has recently been included in the Pelican Project on the Superior National Forest, it is also being used as a tool to reduce the occurrence of non-native invasive plants. The use of herbicide in this project is not setting a precedent for future projects, but the effectiveness, safety, and cost monitoring would help inform an independent decision on future projects.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

A cumulative effects analysis for each resource was conducted and documented in Chapter 3 of the EA. For each resource, the cumulative effects analysis boundary was determined by the resource specialist using professional knowledge of the resource affected and how effects accumulate. Past, on-going, and reasonably foreseeable future actions relevant to the effect being analyzed and within the analysis boundary, were considered. Appendix E of the EA describes potential cumulative actions. There are no known significant cumulative effects between this project and other projects that have occurred in the past, or are currently being implemented or planned for the future.

8. **The degree to which the action may adversely affect districts, archaeological sites, highways, structures, or objects listed in, eligible, or unevaluated for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.**

The selected actions will not result in direct or indirect effects to properties listed on, considered eligible, or unevaluated for listing in the National Register of Historic Places (EA Section 3.12), nor will they cause any loss or destruction of any scientific, cultural, or historic places. A No Effect Recommendation has been made for the Skibo EA undertaking in accordance with 36 CRF 800 of the National Historic Preservation Act (as amended). Heritage staff will complete project specific inventory and document previous survey coverage in a Cultural Resource Management Report #1301013, located in the project record. Any identified sites that are discovered or have been identified in previous heritage resource surveys will be avoided.
following the standards set forth under guidelines of the Programmatic of Agreement between the USDA Forest Service, Minnesota State Historic Preservation Office, Bois Forte Band of Chippewa, and Grand Portage Band of Chippewa. My decision complies with the National Historic Preservation Act.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (ESA).

The effects to threatened and endangered species are briefly summarized in the EA in Section 3.3. The Skibo Project BA (Biological Assessment) contains the complete effects analysis and considered the existing condition information, including populations, trends, and information on project area surveys; habitat needs and limiting factors; habitat trends; direct and indirect effects; cumulative effects; the determination; and mitigations (BA can be found here: http://www.fs.usda.gov/projects/superior/landmanagement/projects under the Skibo Project webpage). The determination made based on the Biological Assessment is that the Skibo Project “may affect but is not likely to adversely affect Canada lynx and their critical habitat.” The Forest Service consulted with the U.S. Fish and Wildlife Service in accordance with requirements, who concurred with this determination. A copy of the concurrence letter from the U.S. Fish and Wildlife Service is included in the project record.

Effects to all of the Regional Forester Sensitive Species are briefly summarized in the EA in Section 3.4. The Skibo BE (Biological Evaluation) contains the complete effects analysis and considered the existing condition information, including populations, trends, and information on project area surveys; habitat needs and limiting factors; habitat trends; direct, indirect, and cumulative effects; the determination; and mitigations (BE located on website: http://www.fs.usda.gov/projects/superior/landmanagement/projects under the Skibo Project webpage). See Section 3.4 of the EA for a listing of species where this project may impact individuals but is not likely to cause a trend toward federal listing or a loss of viability.

Based on the Environmental Assessment, the Biological Assessment, and the Biological Evaluations, I have concluded there will be no significant direct, indirect, or cumulative effects to any federally threatened, endangered, or sensitive species or their habitats from the selected actions.

10. Whether the action threatens a violation of federal, State, or local law or requirements imposed for the protection of the environment.

These actions will not violate any federal, State, or local law or requirement for the protection of the environment. The Skibo Project will protect the environment to the extent practical and would enhance ecological conditions through vegetation management activities to meet Forest Plan desired conditions and objectives.
PROJECT IMPLEMENTATION

If no appeals are filed, implementation of this project may begin fifty days after the date of publication of this decision in the Mesabi Daily News newspaper, of Virginia, Minnesota. If an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Full implementation of the selected alternative is expected to occur over a period of five to ten years after the decision. Timing and scope of treatments implemented will depend on funding and local market conditions. Implementation of all activities authorized by this Decision Notice will be monitored to ensure that they are carried out as described in this decision and the Skibo Project EA.

Implementation occurs when a contract is awarded, in the case of a timber sale for example, or when silvicultural prescriptions are carried out. Activities undertaken in the preparation of the approved projects is not implementation, nor an irretrievable or irreversible commitment of resources. Activities undertaken in preparation of timber sale contracts include, but are not limited to, marking or designating timber, cruising, signing of the sale area or unit boundaries, posting boundaries of areas needing protection, surveying, appraisal, advertisement, bid opening, and other pre-award timber sale activities are not “implementation” but simply activities undertaken in preparation.

Process for Change during Implementation

Should new information relevant to this decision become available that differs from what is described in the environmental assessment or this decision, I will determine if additional analysis is required prior to implementing a change in a prescription or mitigation. Any changes to the authorized project will be subject to the requirements of the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), and other laws concerning such changes.

Typically, proposed management activities do not change during implementation. Sometimes, however, the prescription may be modified during implementation due to additional site-specific information collected after the signing of the decision. One example of this would be changing a clearcut with reserves treatment to a shelterwood cut if field reviews indicate the stand has numerous young pines that could be left standing to increase conifer regeneration.

In determining whether and what kind of NEPA action is required, I will consider the criteria for whether to supplement an existing environmental assessment in 40 CFR 1502.9(c), and FSH 1909.15, sec. 18, and in particular, whether the proposed change is a substantial change to the selected alternative as planned and already approved, and whether the change is relevant to environmental concerns. Connected or interrelated proposed changes regarding particular areas of specific activities will be considered together in making this determination. The cumulative impacts of these changes will also be considered.

Minor changes are expected during implementation to better meet on-site resource management and protection objectives. Adjustments to unit boundaries are also likely during treatment unit layout for improved efficiency and addressing specific on-the-ground features. Many of these
minor changes will not present sufficient potential impacts to require any specific documentation or other actions to comply with applicable laws.

As stated and analyzed in the Skibo Project EA, the acreages of units are estimates and the acreages may vary during implementation. Many of these minor changes will not present sufficient potential impacts to require any specific documentation or other action to comply with applicable laws. Some minor changes may still require appropriate analysis and documentation to comply with FSH 1909.15.

ADMINISTRATIVE APPEAL OPPORTUNITY

This decision is subject to appeal in accordance with the provisions of 36 CFR 215.11. The period for filing an appeal begins the first day after the publication of the legal notice for this decision in the Mesabi Daily News newspaper, of Virginia, Minnesota. An appeal must be filed, and postmarked or received by the Appeal Deciding Officer (listed below) by the close of business on the 45th day following publication of the legal notice. The appeal must be sent to:

Brenda Halter, Appeal Deciding Officer
Attn: Appeals & Litigation
USDA Forest Service, Eastern Region
626 E. Wisconsin Avenue
Milwaukee, WI  53202

Fax appeals to Brenda Halter, Appeal Deciding Officer / Skibo Project EA / Superior National Forest, Attn: Appeals & Litigation at: (414) 944-3963. Business hours for hand delivered appeals are: 7:30 a.m. to 4:00 p.m. Central Standard Time, Monday through Friday.

Electronic appeals should be directed to: appeals-eastern-regional-office@fs.fed.us  Subject: Notice of Appeal: Skibo Project EA / Superior National Forest. Acceptable formats for electronic appeals are: text or html e-mail, Adobe portable document format, and formats viewable in Microsoft Office applications. For submission by e-mail, appeals greater than 10 lines (no more than 80 characters per line) should be electronically attached. If electronic appeals are 10 lines or less, they may be submitted as an e-mail message using standard messaging software. All e-mail submissions should contain “Notice of Appeal: Skibo Project EA / Superior National Forest” as the first words on the subject line.

The Notice of Appeal must:

- State that the document is a Notice of Appeal filed pursuant to 36 CFR part 215;
- List the name, address, and if possible, a telephone number of appellant;
- Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official;
- Identify the specific changes in the decision that the appellant seeks or portion of the decision to which the appellant objects;
- State how the Responsible Official’s decision fails to consider comments previously provided, either before or during the comment period specified in 36 CFR 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.
For additional information concerning this decision, please contact Dan Ryan at the Laurentian Ranger Station, 318 Forestry Rd. Aurora MN 55813 or (218) 229-8809.

DECIDING OFFICER:

Scott I. Snelson
Laurentian District Ranger

8/27/13 Date

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