DECISION MEMO
TEXAS DEPARTMENT OF TRANSPORTATION
ROCK CREEK AND M. WILLIAMS COUNTY ROAD
BRIDGE REPLACEMENT PROJECTS

U.S.D.A. Forest Service
National Forest & Grasslands in Texas
Sabine National Forest
Angelina/Sabine Ranger District
Sabine County, Texas

DECISION

I have decided to amend two existing authorizations with Sabine County to include an additional 0.091 acres of National Forest System (NFS) lands. The purpose of authorizing the additional acreage to Sabine County is to facilitate the replacement of two bridges, one on Rock Creek County Road (CR) and one on M. Williams CR.

The bridge at the Rock Creek crossing (Compartment 125) is a single lane bridge that will be replaced with a double lane bridge. The new bridge will be 60 ft. in length by 24 ft. in width. The total project area will involve 0.374 acres of NFS lands. The project will require an additional 0.052 acres of right of way (r.o.w.).

On the M. Williams CR project (Compartments 122 and 124), the single lane bridge at Devils Ford Creek will be replaced with a double lane bridge that will be 45 ft. in length by 27 ft. in width. The total bridge project area will be 0.414 acres. Of that, 0.154 acres will be on NFS lands of which 0.039 acres will be new r.o.w.

Both bridges will be concrete box beam bridges on drilled shafts. The M. Williams road will require the construction of a temporary crossing on the south side of the project area. Both projects will require the removal of a minimal amount of merchantable timber. Texas Department of Transportation (TXDOT), in cooperation with the Federal Highway Administration, has been tasked as lead agency in the planning, designing and implementation of the two bridge projects.

Soil exposed during the reconstruction process will be seeded, fertilized, and mulched (if needed) upon completion of approved work. To prevent the introduction and spread of Non Native Invasive Plant Species (NNIPS) to the project area, only an agency approved seeding mixture will be used, straw or hay for mulching will be certified weed free and there will be follow up monitoring of the re-vegetation work for potential NNIPS. The monitoring and the follow up treatment for NNIPS will be completed in accordance to the 1996 Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas (the Plan) and the 2008 Non Native Invasive Plant Species (NNIPS) Environmental Assessment (EA) for the National Forests and Grasslands in Texas.
CATEGORICAL EXCLUSION & EXTRAORDINARY CIRCUMSTANCES

This action is categorically excluded from documentation in an environmental assessment (EA) or an environmental impact statement (EIS) for the following reasons (36 CFR 220.6 (a)):

1) Past projects, which are similar to the proposed action, have had no significant effects, individually or cumulatively, and no extraordinary circumstances exist in this proposal that might cause the action to have significant effects upon the human environment.

2) This proposal is consistent with and similar to the categories of action which may be excluded from documentation in an EIS or an EA as described in (36 CFR 220.6 (e)(3)).

There are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. Taken into account were resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist (36 CFR 220.6 (b)):

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species - As indicated by the project specific biological evaluation (BE #07-13-02) the proposed action has a determination of “no effect” on any federally listed threatened and endangered species. The proposed action has a determination of “may impact, not cause trend toward Federal listing” for aquatic species (crustaceans, mollusks and fish) on the Regional Forester’s Sensitive Species list and “no impact” on all other species listed on the Regional Forester’s Sensitive Species list. This Biological Evaluation is based upon the best available science, including peer-reviewed scientific literature, state and federal agency reports and management input, discussions with scientists and other professionals, and ground-based observations.

- Flood plains, wetlands, or municipal watersheds – No wetlands or municipal watersheds are involved in the proposed project area. The proposed projects do lie within the floodplains of Rock Creek and Devils Ford Creek but do not present any significant impacts to bottomland resources.

- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – None are present.

- Inventoried roadless areas or potential wilderness areas – None are present.

- Research natural areas – None are present.

- American Indians and Alaska Native religious or cultural sites and Archaeological sites, or historic properties or areas – As indicated in the Heritage Resources Survey Reports, TxDOT Archeological Impact Evaluation for the Rock Creek County Road Bridge Replacement Project at Rock Creek (CSJ 0911-29-036, Jan. 29, 2013) and TxDOT M. Williams County Road Bridge Replacement Project at Devils Ford Creek (CSJ 0911-29-037, Jan 28, 2013), the proposed actions will have no effect on heritage resources (sites) that are eligible for the National Register of Historic Places (NRHP) or on any other site that has not been evaluated for NRHP eligibility. The State Historical Preservation Officer (SHPO) concurred with this report on (awaiting concurrence letter). In accordance with the requirements of the National Historic Preservation Act of 1966 (NHPA), Executive Order 13007, the American Indian Religious Freedom Act (AIRFA),
and others, consultation with the Caddo Nation of Oklahoma and The Alabama-Coushatta Tribe of Texas has been conducted and has identified no concerns. Visual resources will be minimally impacted. The effects on water quality will range from minimal to no effect during the life of this project. In relation to air quality, the proposed actions will not cause the National Ambient Air Quality Standards or Class II Areas to be violated. The effect of this project on climate change has been considered, as well as the effect of climate change on this project. Any resulting greenhouse gas emission would not be measurable on a global scale.

**PUBLIC INVOLVEMENT**

A scoping letter was mailed to the current list of potentially interested or affected parties on February 25, 2013. This project is denoted as “TXDOT Rock Creek and M. William County Road Bridge Replacement Projects” on the Schedule of Proposed Actions. There were no responses from any interested party(s).

The 30-day Notice and Comment Period began on April 21, 2013, after the publication of the legal notice in the Lufkin News. The comment period ended on May 21, 2013 with receipt of two responses. One response was received from the United Keetoowah Band of Cherokee Indians in Oklahoma stating they had no objection to the project. The second response was from Texas Parks and Wildlife Department supporting the project.

The public and internal scoping did not lead to any information that would result in a change of the project Decision. Documentation of public involvement is on file at the District Office on State Highway 21 just east of Milam, Texas.

**FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

The project was designed in conformance with the 1996 Revised Land and Resource Management Plan for the National Forests and Grasslands in Texas.

**ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES**

As no one submitted an adverse expression of interest to the implementation of this project, this project is not subject to a higher level of administrative review (appeal) pursuant to 36 CFR Part 215.12(e)1.

**IMPLEMENTATION DATE**

Implementation of this decision may begin immediately.
CONTACT

For further information on this decision, contact Acting District Ranger, Jason A. Engle, 5050 State Highway 21 East, Hemphill, TX 74948, phone 409-625-1940.

/s/ Jason A. Engle 6/14/2013

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