

## **Decision Notice and Finding of No Significant Impact**

**1.0 Name of Action:** Oak Wilt Management 2021-2031 Programmatic Environmental Assessment (EA)

### **2.0 Description of the Proposed Action and Alternatives:**

An EA was prepared to evaluate the potential environmental effects of the Oak Wilt Management Programmatic EA across Menominee Indian Tribe of Wisconsin's forest lands.

**Proposed Action:** Menominee Tribal Enterprises is proposing to treat up to 50 acres of suspected oak wilt infestations per year across the Menominee Indian Tribe of Wisconsin's forest lands. The purpose of the proposed oak wilt management is to slow the spread of oak wilt across the Menominee Reservation. The need for this proposed action is to maintain health of the forest resource and prevent spread of oak wilt to new areas.

**No-Action Alternative:** The no-action alternative in the EA would not occur. However, other forms of forest management will continue, under other NEPA documentation.

### **3.0 Decision and Rationale**

After reviewing the EA, and considering public and agency comments, I have decided to implement the Proposed Action as the Selected Alternative. I have chosen this alternative because it best meets the purpose and need of the project, and the Tribal goals and objectives for the trust lands.

### **4.0 Mitigation**

In order to meet the Tribal goals and objectives, and minimize the impacts to the land, I am including in my decision the following mitigation measures:

The design measures for the treatment included in Appendix A will be adopted.

### **5.0 Public and Agency Involvement**

The issues, concerns, and opportunities were developed through a combination of methods, including scoping of the tribal staff and of key staff at the BIA Midwest Regional Office.

- Prescription review.
- Review and incorporation of current tribal and BIA documents and data.

### **6.0 Conclusion**

The Finding of No Significant Impact (FONSI) is prepared based off of the analysis provided in the EA. This FONSI presents the information that the actions will not have a significant effect on the human environment. The significance of environmental impacts must be considered in

terms of context and intensity. Context refers to the affected environment where the actions occur, and intensity considers the severity of the actions, based off of ten factors and their expected impacts (40 CFR 1508.27).

***Impacts may be both beneficial and adverse***

No significant beneficial or adverse effects would result from the Selected Alternative; see the "Effects to the human environment" section of the Environmental Assessment.

***The degree to which the proposed action affects public health or safety***

Implementation of the Selected Alternative would have no significant effects to public health and safety.

***The 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***

This project is not expected to affect historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas, due to and Section 106 consultation requirements with THPO/SHPO for this project.

***The degree to which the effects on the quality of the human environment are likely to be highly controversial***

There have been no highly controversial comments expressed with the actions and activities as proposed. None of the actions included in the Selected Alternative are outside the normal scope of forestry-related activities currently being implemented.

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

Implementation of the Selected Alternative would not have highly uncertain or unique environmental effects. The treatments proposed are small and the effects expected to be negligible, such that no highly uncertain or unique environmental effects are anticipated.

***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***

Implementation of the Selected Alternative is not expected to set a precedent for future actions with significant effects.

***Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts***

No significant cumulative effects are anticipated through the analysis for this project. The Selected Alternative represents no, negligible, or minor direct, indirect, and cumulative effects for each resource. No other past, present or reasonably foreseeable actions or possible connected actions are anticipated to have significant effects.

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

There are no significant effects to listed, eligible for listing, or significant scientific, cultural, or historic Districts, sites, highways, objects or structures expected as a result of this action. The Section 106 consultation process has been completed, and cultural resource sites will be avoided during the project. If any cultural resources sites are found during treatment preparation or harvest they will be protected under Menominee Indian Tribe of Wisconsin E-code: Chapter 340-20 Limitations on tribal logging practices and the National Historic Preservation Act and Archaeological Resources Protection Act. Please see appendix C for Section 106 documents.

*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*

The Selected Alternative is not expected to have no effect to any Threatened or Endangered species.

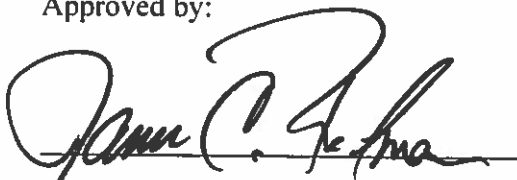
*Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment*

The actions associated with the Selected Alternative will not violate Federal, State, or local laws, or requirements for the protection of the environment. Applicable laws have been considered in the development of the Forest Management Plan, and in the Environmental Assessment.

Based on the findings of the Oak Wilt Management Programmatic EA, it has been determined that the proposed action will not have a significant impact on the quality of the human environment; therefore, an environmental impact statement is not required.

Approved by:

**James C. Redman**



Tammie Poitra  
Regional Director  
Bureau of Indian Affairs  
Midwest Regional Office

Date: 6-7-21

**ACTING**