

Decision Memo

Hitchiti Arboretum Pond

USDA Forest Service
Oconee Ranger District, Chattahoochee-Oconee National Forest
Jones County, Georgia

I. DECISION

A. Description of Decision

My decision is to construct a tenth acre pond located inside the administrative boundary of the Brender Demonstration Forest Office (Hitchiti Experimental Forest). The purpose of this pond is to provide mesic (moist) habitat conditions for a greater diversity of plant species within the arboretum. The arboretum is used to support the research and educational objectives of the Hitchiti Experimental Forest.

This action is expected to occur in the late summer or early fall of 2004 when the equipment and personnel are available to complete the work..

My decision includes vegetation clearing, pond excavation and construction of a earthen berm or dike suitable for retaining water in a shallow pond. Georgia Best Management Practices (BMP's) for Forestry, Planning and Water Quality will be implemented in all operations.

The location of my decision is displayed on the attached map.

B. Purpose of Decision

This project is specifically intended to respond to the emphasis of Forest Plan Management Area 3B by addressing the educational and research component of the Experimental Forest Mission. The arboretum provides an outdoor learning experience in environmental education.

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

A. Category of Exclusion

The project is within the category of exclusion FSH 31.2(7) Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices.

B. Relationship to Extraordinary Circumstances1. Steep Slopes or Highly Erosive Soils -

Rolling to flat, the terrain is conducive to the activities included in the decision. The soils present are resistant to erosion. This is supported by topographical map review and field visits (Planning Record). Past projects in this area were determined to have no significant soil-related impacts (Planning Record).

2. Threatened and Endangered Species or Their Critical Habitat –

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with Section 7(c) of this Act, a list of the listed and proposed, threatened or endangered species that may be present in the project area was requested from the U.S. Fish and Wildlife Service (Planning Record). As required by this Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Evaluation (Planning Record).

Red Cockaded Woodpeckers are not currently located within the project area. The closest active RCW cluster sites are located several miles away. Construction of a small pond within the existing arboretum boundary will not directly or indirectly affect RCW habitat. The effects of the proposed project will not adversely affect RCW habitat.

It was determined that this decision will have 'no effect' on all other listed species or their critical habitats.

3. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains: Executive Order 11988 is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, "... the lowland and relatively flat areas adjoining inland and coastal waters including floodprone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year."

The project is not located in or near floodplains. This has been validated by map and site-review (Planning Record). This decision will not affect floodplains. Lake Sinclair is a reservoir operated by Georgia Power. Historical floodplains are currently under the area occupied by the water in the reservoir.

To further ensure that floodplain-related impacts are minimized, Best Management Practices are incorporated into this decision.

Wetlands: Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, "... areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds."

The project is not located in or near wetlands. This has been validated by map and site-review (Planning Record). This decision will not affect wetlands.

Municipal Watersheds: Municipal watersheds are managed under multiple use prescriptions in forest plans. This decision will not affect municipal watersheds.

4. Congressionally Designated Areas -

Wilderness:

This decision does not affect Wilderness. The project is not in or near Wilderness (Forest Plan, 2004). The Oconee National Forest does not have any designated Wilderness Areas. This decision, with impacts limited to the immediate area of activity, will not affect any existing Wilderness Area's located on the Chattahoochee National Forest approximately 125 miles north of the project area.

Wilderness Study Areas:

There are no Wilderness Study Areas on the Oconee National Forest (Forest Plan). This decision will not affect Wilderness Study Areas located on the Chattahoochee National Forest.

National Recreation Areas:

There are no National Recreation Areas on the Oconee National Forest. This decision will not affect National Recreation Areas.

Wild and Scenic Rivers:

There are no existing Wild and Scenic Rivers on the Oconee National Forest. This decision will not affect designated or recommended Wild and Scenic Rivers.

5. Inventoried Roadless Areas -

There are no inventoried roadless areas (RARE II or Forest Plan) in the decision area (Forest Plan FEIS). This decision will not affect inventoried roadless areas.

6. Research Natural Areas -

There are no Research Natural Areas in the decision area. The closest Research Natural Area, Murder Creek Research Natural Area, is 15 miles northeast of the project. This decision, with impacts limited to the immediate area of activity, will not affect Research Natural Areas.

7. Native American Religious or Cultural Sites, Archaeological Sites, or Historic Properties or Areas

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through "in situ" preservation, but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts. Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision

- (Planning Record). A ‘no properties affected’ determination was made. Consultation on this finding occurred with the State Historic Preservation Office (Planning Record).
8. No other extraordinary circumstances related to the project were identified (Planning Record).

III. PUBLIC INVOLVEMENT

Public involvement included listing in the Forest's Schedule of Proposed Actions, direct mailings (07/06/04) to approximately 71 individuals.

No scoping letters were received on this project on or before the close of the comment period (Planning Record).

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Forest Plan Consistency (National Forest Management Act) - This Act requires the development of long-range land and resource management plans (Forest Plans). The Chattahoochee-Oconee Forest Plan was revised in 2004, as required by this Act. The revised plan provides for guidance for all natural resource management activities on the Forest. The Act requires all projects and activities are consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction contained in the Plan, as summarized in Section I of this document. This decision is consistent with the standards and guidelines contained in the Forest Plan.

Endangered Species Act - See Section II, Item B2 of this document.

Sensitive Species (Forest Service Manual 2670) - This Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. Potential effects of this decision on sensitive species have been analyzed and documented in a Biological Evaluation (Planning Record). This decision will have “no impact” on sensitive species.

Clean Water Act - This Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices. This decision incorporates Best Management Practices to ensure protection of soil and water resources. Additionally, the project design avoided mechanical treatment in potentially sensitive areas, opting instead for hand treatments.

Wetlands (Executive Order 11990) - See Section II, Item B3 of this document.

Floodplains (Executive Order 11988) - See Section II, Item B3 of this document.

Federal Cave Resources Protection Act - This Act is to secure, protect, preserve, and maintain significant caves, to the extent practical. Site features and field review substantiate that no caves are in the decision area. No known cave resources will be affected by this decision.

National Historic Preservation Act - See Section II, Item B7 of this document.

Archaeological Resources Protection Act - See Section II, Item B7 of this document.

Native American Graves Protection and Repatriation Act - See Section II, Item B7 of this document.

Wild and Scenic Rivers Act - See Section II, Item B4 of this document.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

Conditions: Mitigation Measures

Georgia's Best Management Practices (BMP's) for Forestry, Planning for Water Quality, and Streamside Management Zones (SMZ's) will be implemented.

Mechanized equipment operations will cease during wet periods where in the determination of the Forest Service the potential for soil erosion may occur.

Exposed soil/dirt will be seeded if operations cease for a period exceeding 30 days.

V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is not subject to a higher level of administrative review or appeal pursuant to 36 CFR 215.8.

VI. IMPLEMENTATION DATE

This decision may be implemented immediately.

VII. CONTACT PERSON

Further information about this decision can be obtained from Bill Nightingale at the Oconee Ranger District (Address: 1199 Madison Road, Eatonton, GA 31024; Voice: (706) 485-7110; Fax: (706) 485-7141).

VIII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. My conclusion is based on information presented in this document and the entirety of the Planning Record.

WILLIAM B. NIGHTINGALE
District Ranger

Date

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