

Decision Memo

Lake Sinclair Hazard Tree Removal

USDA Forest Service
Oconee Ranger District, Chattahoochee-Oconee National Forest
Putnam County, Georgia
Latitude 83 23 00; Longitude 33 12 00

I. DECISION

A. Description of Decision

My decision is to eliminate identified hazard trees within the Lake Sinclair Recreation Area including the Twin Bridges Hunt Camp and the Twin Bridges Hiking Trail which connects the two areas. The purpose of this project is to remove trees with severe rot, deformities that weaken the tops and stems, abnormally leaning trees, broken trees, insect and/or disease damaged trees that pose a direct threat to the public safety of users of the Lake Sinclair Recreation Area, hunt camp and hiking trail.

These actions are expected to occur in the fall and winter of FY 2004 when the campgrounds are typically closed to public use.

My decision includes hazard trees within 150 feet from the edges of campsites, developed facilities (showers, restrooms, etc.), picnic areas, roads, and trails. Hazard trees will be removed through the use of a commercial timber sale or stewardship contract. Trees that are a hazard to the recreation area and hunt camp would be felled and removed on approximately 89 acres (see map). Georgia Best Management Practices (BMP's) for Forestry, Planning and Water Quality, and Streamside Management Zones (SMZ's) will be implemented in all hazard tree removal operations. Additional mitigation measures for equipment operations, protection of developments, slash disposal, etc. have been included in this document and are a part of this decision.

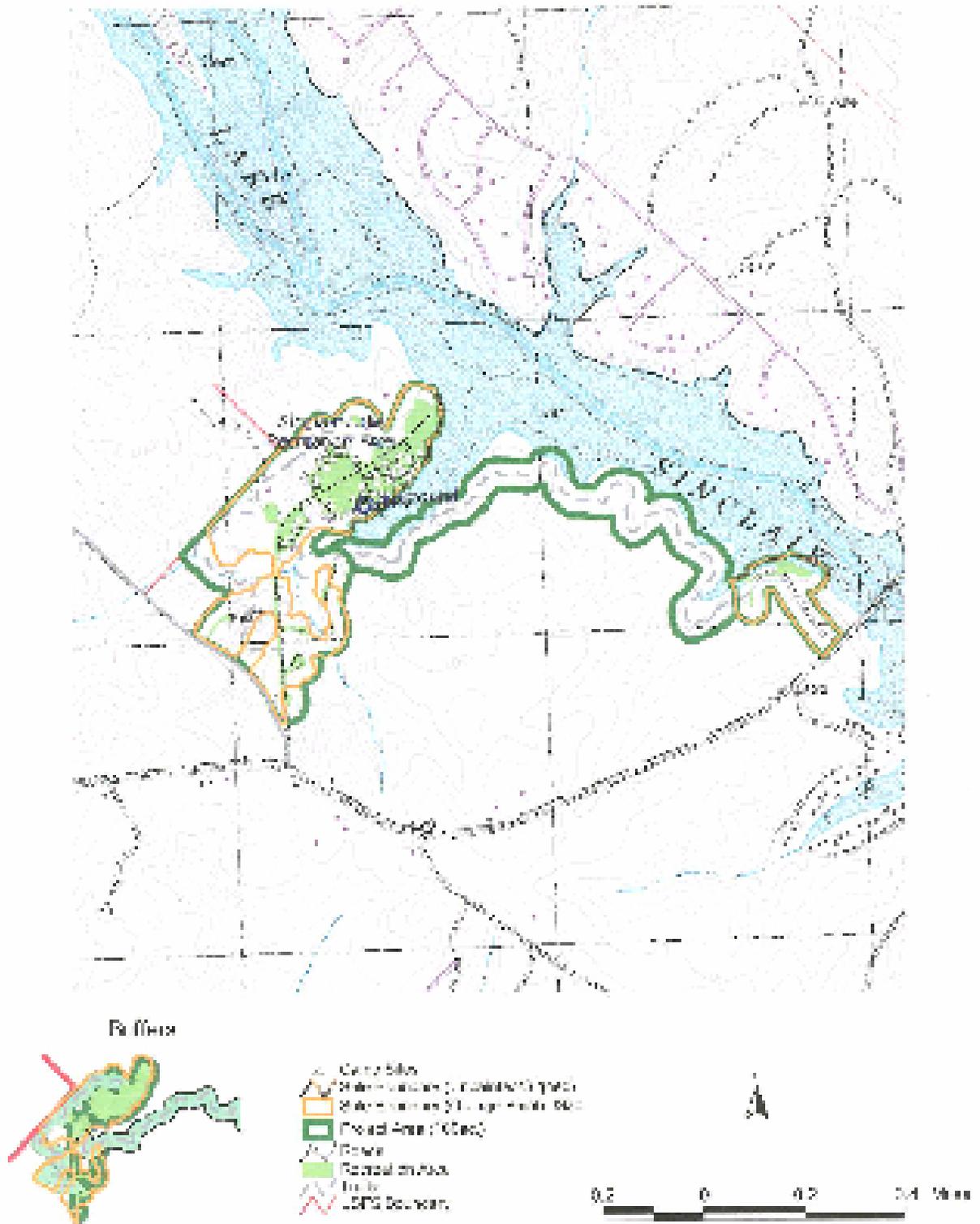
Some hazard trees that overhang existing developments cannot be safely felled through the use of traditional harvesting equipment (i.e. chainsaws or feller-buncher) and a professional tree surgeon will need to be hired to remove those trees.

Hazardous trees not included in the commercial removal (approximately 71 acres), will be cut, but not removed, except for firewood use in the campsites.

Additional stewardship or sale area improvement's identified through scoping include placing gravel on portions of the hiking trails, existing roads, or existing campsites where erosion or compaction from recreation use could potentially occur. Secondary slash cleanup treatments (chipping) will be employed to protect visual quality within campsites and other visually sensitive areas. Slash piles will be burned by Forest Service crews during the recreation non-use season.

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

Lake Sinclair Hazard Tree Removal



B. Purpose of Decision

This project is specifically intended to respond to the emphasis of Forest Plan Management Area 9 by addressing public health and safety within a developed recreation area.

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 31.1(b) (5) Repair and maintenance of recreation sites and facilities.

B. Relationship to Extraordinary Circumstances**1. 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). Similar 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 20 miles away. There is an old relict RCW tree that has been abandoned for 20 years, that is a hazard to an existing campsite. Removal of this hazard tree is consistent with the Red-cockaded Woodpecker Recovery Plan (see pg 88 and pg 180). 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 Management Area 1). 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 Management Area 2). 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 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 (Forest Plan FEIS, Management Area 10). The closest Research Natural Area, Murder Creek Research Natural Area, is 8 miles northwest 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 (02/13/03), newspaper legal notice (Greensboro Herald-Journal, 2/20/03); Morgan County Citizen, 2/13/03; and the Eatonton Messenger, 2/21/03, and an open house (04/15/03).

Three scoping letters were received on this project on or before the close of the comment period (Planning Record).

Received comments were used to refine the project and analysis. Received comments were also used to explore the possibility of extraordinary circumstances and potential effects to those resources.

Tracking included identifying those comments: beyond the scope of this decision; addressed by Forest Plan direction; addressed through project refinement; addressed through consideration of environmental effects of the project, refinement of the project, and/or alternatives to the project. Comments identified as beyond the scope of this decision were dismissed from further consideration. Comments identified as addressed by Forest Plan direction have been noted as part of the decision. Comments identified as addressed through project refinement have been noted as part of the decision. Comments identified as addressed through consideration of environmental effects of the project, refinement of the project, and/or alternatives to the project have been noted in making the determination that there are no extraordinary circumstances related to the decision that may result in a significant environmental effect.

Scoping Comments

Comment: *Minimize damage and provide continuous oversight of the project.*

Forest Service Response: Project design and mitigation measures will help ensure minimal damage occurs to the Lake Sinclair Recreation Area. Contract specifications and inspection by a certified Sale Administrator and/or Contracting Officers Representative will insure compliance.

Comment: *Southern Pine Beetle spots used for landings should be allowed to regenerate. Do not manage these areas as permanent wildlife openings.*

Forest Service Response: Landings will be seeded with native grasses to provide a temporary ground cover to minimize any potential erosion. Experience has shown (regeneration surveys – District silviculture files) that natural regeneration by native tree species will quickly re-occupy the sites within several years time.

Comment: *Take care not to remove too many trees and create a sparse condition.. Winds near the lake can be high and if you open the area up too much, you could create a more hazardous situation for campers.*

Forest Service Response: The only trees scheduled for removal are those already dead or dying, or those which exhibit severe rot, broken tops or other structural weaknesses that pose an existing threat to campground visitors. Trees scheduled for removal tend to be widely scattered about the recreation area. The average forest user will probably be unable to tell that any trees were even removed.

Comment: *Timing of removal should be during the non-use season.*

Forest Service Response: Project mitigation includes operating season restrictions. Timber sale activities will only occur during the recreation non-use season when the recreation area is normally closed each year. Post sale activities such as placing spot gravel on wet sections of the hiking trail may occur at any time of year. Occasional, scattered hazard tree removal by Forest Service personnel that occurs on a yearly basis may occur at any time of year – this would primarily be generated by SPB mortality.

Comment: *Cutting trees except those that are dangerously hanging across the trail has never seemed practical or useful. Thinning the entire stand makes more sense. I believe unless you plan to do a lot of cleanup after the sale you will have a much less attractive trail afterwards.*

Forest Service Response: BMP's and equipment limitations makes thinning along the trail impractical in this particular circumstance. Only those trees that pose a direct threat to trail users will be felled in order to minimize the slash buildup.

Comment: *Within the past ten years, Dr. Mark Williams and his summer Archaeology Field School from the University of Georgia surveyed the Lake Sinclair Recreation Area for cultural resources. As I recall, they found only four tiny prehistoric lithic scatter sites. All of which were ineligible for the National Register. You should have a copy of that report in your Cultural Resources (2360) files for that timber compartment. If not, there will be one in the Forest Archaeologist's files in Gainesville. There may also be reports on other surveys by Forest Service archaeologists or contractors, so the entire project area may be covered by cultural resources surveys. Some of these may also cover the Twin Bridges areas. I have no specific information on those areas, but see no reason why the hazard trees should not be removed there to protect the visiting public as well.*

Forest Service Response: Comment noted. Only a portion of Lake Sinclair and Twin Bridges had been surveyed previously. New cultural resource surveys were undertaken in FY 2003 to achieve full coverage of the project area.

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 approved in 1985, as required by this Act. It has since been amended 20 times. The amended 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.

Vegetation Manipulation (National Forest Management Act) - This Act and its implementing regulations require that vegetation manipulation of tree cover for any purpose must comply with the following seven requirements found at 36 CFR 219.27(b).

- Be best suited to the goals in the Forest Plan. *The applicable goals are stated in the Section I of this document. This decision is responsive to those goals and is best suited to meet those goals.*

- Assure that technology and knowledge exists to adequately restock lands within five years after final harvest. Restocking is not applicable; the area treated will remain fully stocked after treatment.

- Not to be chosen primarily because they give the greatest dollar return or the greatest output of timber (although these factors shall be considered). This decision was based on a variety of reasons. It was not primarily chosen for its expected dollar return. Economics was only one of the many factors considered).

- Be chosen after considering potential effects on residual trees and adjacent stands. The effects on residual trees and adjacent stands have been considered. The overall direction and Standards and Guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on the resource values. This decision is consistent with the Forest Plan and provides the desired effect on residual trees and adjacent stands.

- Be selected to avoid permanent impairment of site productivity and to ensure conservation of soil and water resources. This decision avoids impairment of site productivity. The nature of the project and use of Best Management Practices will protect soil and water resources.

- Be selected to provide the desired effects on water quality and quantity, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation users, aesthetic values, and other resource yields. *This decision provides the desired effect on the above resources. The overall direction and Standards and Guidelines contained in the Forest Plan are designed to provide the desired effects of management practices on the resource values. This decision is consistent with the Forest Plan and provides the desired effect on the above resources.*

- *Be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration.* The project area is adequately roaded, no new permanent or temporary roads are necessary to implement this decision. The treatment in this decision is appropriate to accomplish project objectives, and is economically practical.

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

Commercial Harvest Operations will occur during the period when the recreation site is normally closed and or use is extremely low. This period Occurs from October 15 to April 15 each year.

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

Skid trails and landings will be reseeded using native grass seed mixtures.

Secondary slash clean up (chipping and removal of limbs and other debris) within high developed use areas will occur. Tree length skidding will be utilized where practicable. Outside of highly developed areas, if tree length skidding is not practicable for resource or property protection reasons, slash depth shall not exceed 12 inches. Slash piles will be burned by Forest Service crews during the recreation non-use season.

All landings, skid trails and deck locations will be approved in advance by the Forest Service.

Maximum stump height is 6 inches within the highly developed areas. Along the Twin Bridges Trail area crews may use a 12 inch stump height.

Harvest operations will cease during wet periods where in the determination of the Forest Service rutting from skidders would occur or hauling would damage the paved road system.

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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