

**DECISION MEMO**  
Oriole Trailhead and Connector Trail

USDA Forest Service, Eastern Region, Hoosier National Forest  
Tell City Ranger District  
Perry County, Indiana  
(T 4 S, R 1 W)

**I. DECISION**

A. Description of Decision

My decision is to authorize the expansion of a parking area and construction of a connector trail for the Oriole East and West multiple-use trail system. The trailhead is adjacent to the existing 25-foot by 50-foot passenger car parking area north of Oriole Pond and south of Orangeville Road. The connector trail will begin south of the Oriole Pond entrance road 140 feet west of State Road (SR) 66, continue south for 400 feet, cross SR66 at a safe sight distance, continue approximately 600 feet east of SR66, and then connect to a previous timber haul road. The location of my decision is described as SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , Section 11, R1W, T4S, west of SR 66, approximately one mile north of Oriole, Perry County, Indiana.

My decision includes expanding the existing parking area located 140 feet west of SR 66, north of the existing Oriole Pond entrance road. The completed parking area will be approximately 75-100 feet wide by 250 feet long. This is a previously disturbed area consisting of hardwoods and pines 2-8 inches in diameter. A portion of the original loop road will be obliterated to provide more clearance for vehicles to safely navigate the loop. The location of the connector trail is a previously disturbed area consisting of pine with some hardwoods 6-18 inches in diameter.

Mitigation measures include the following actions—  
place crushed gravel on the parking area, road and trail as needed to cover soil and low spots in road.

B. Purpose of Decision

The Oriole West and East Trails are multiple-use trails. Currently there is no adequate trailhead to safely accommodate horse trailers. The original access to the Oriole West Trail is from Orangeville Road, a narrow one-way road that ends at a small pull-off parking area with inadequate space to park horse trailers or turn around. The current parking area for the Oriole East Trail is a pull-off adjacent to SR66, and it is not large enough to safely accommodate multiple horse trailers and other vehicles. The Hoosier

National Forest (the Hoosier) wishes to provide a larger and safer parking area and more convenient access to the Oriole West and East Trails. In addition, the Hoosier NF wishes to provide a safe connector trail to the Oriole East Trail. Currently there is no safe place for horses to cross SR66.

The trailhead and connector trail complies with the Hoosier Land and Resource Management Plan (*Forest Plan*). The proposed trailhead parking area and connector trail are in Management Area 2.8. The *Forest Plan*, as amended, on p.2-33 states that trailhead facilities for hiking and horse trails may be constructed and that parking may also be provided at trailheads (1991c). The current parking area was previously a picnic area, and we plan to install picnic tables at the proposed trailhead for the convenience of users.

## **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.

### **A. Category of Exclusion**

The parking area and the connector trail are within the category of exclusion FSH 1909.15 section 31.2 (1) "Construction and reconstruction of trails." and 31.1b (5) "Repair and maintenance of recreation sites and facilities." These categories are listed in FSH 1909.15 Chapter 30.

B. There are resource conditions that must be considered in determining whether a proposed action warrants further analysis and documentation in an environmental assessment or environmental impact statement. The mere presence of one of these resource conditions does not preclude the use of a categorical exclusion. It is the degree of the potential effect of a proposed action on the resource conditions that determines whether extraordinary circumstances exist. Resource conditions that should be considered in determining whether extraordinary circumstances exist are:

1. Threatened and Endangered (T&E) Species or Their Critical Habitat - Botanist Kirk W. Larson and Wildlife Biologist Clark McCreedy found no T&E species or their habitat in the project area. It was determined that this decision will have 'no effect' on listed species or their critical habitats (Larson, McCreedy 2003). The USDI Fish and Wildlife Service's Bloomington Field Office also indicated this decision will have no effect on T&E species or their critical habitat (King 2004).

## 2. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains: Executive Order 11988 directs Federal agencies 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 or greater chance of flooding in any one year." The project is not located in or near floodplains. This was validated by map and site visit. This decision will not affect floodplains (Merchant 2003).

Wetlands: Executive Order 11990 directs Federal agencies 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." The project is not located in or near wetlands, as was validated by map. This decision will not affect wetlands (Merchant 2003).

Municipal watersheds are managed under multiple-use prescriptions in forest plans. There are two municipal watersheds on the Forest. One is Patoka Reservoir and the other is Monroe Reservoir. We confirmed by map that the easement area is not within either of those watersheds. This decision will not affect municipal watersheds (Merchant 2003).

## 3. Congressionally Designated Areas -

There are no Congressionally designated areas, such as wilderness, wilderness study areas, national recreation areas, or wild and scenic rivers in or near the project area. The closest wilderness, the Charles C. Deam Wilderness, is 57 miles north of the project. This decision, with impacts limited to the immediate area of activity, will not affect the wilderness, any wilderness study area, or any national recreation area. There will also be no impact on wild and scenic rivers.

## 4. Inventoried Roadless Areas -

There are no Inventoried Roadless Areas in the decision area (Forest Service Roadless Area Conservation, FEIS Volume 2 - Maps of Inventoried Roadless Areas, p.79). Mogan Ridge has an inventoried roadless area of 8,000 acres. It is not affected by this project and is located eight miles south of the project area.

## 5. Research Natural Areas -

There are no research natural areas in the decision area (Forest Plan FEIS, p. 2-26). The closest research natural area, Pioneer Mothers Research Natural Area, is 24 miles north of the project. This decision, with impacts limited to the immediate area of activity, will not affect research natural areas.

6 American Indians and Alaska Native Religious or Cultural Sites, and

7. 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. Other applicable laws include the Archaeological Resources Protection Act and the Native American Graves Protection and Repatriation Act. This decision complies with the cited Acts and will have no effect on historic properties (Roark, IDNR 2003).

No other extraordinary circumstances were identified.

### **III. PUBLIC INVOLVEMENT**

Initial public involvement for the project included direct mailings (April 2, 2003). The scoping letter was sent to 1820 individuals and ten adjacent landowners.

An adjacent landowner was uncertain about the location of the property corner. The property owner was visited by a Hoosier National Forest employee. After field verification, the landowner was satisfied with the location of the property corner.

Several commenters favored enlarging the parking area. One commenter was concerned about trash and manure in streams, a higher possibility of fire, that the topography will not support heavy use resulting in erosion, and that horse riders already have enough places to ride. The connector trail is located in a previously disturbed area, will connect into an already existing trail system, is not near any streams or ravines, and is not located in steep terrain. There is no proof of a higher possibility of fire at this location than on adjacent land. Ninety five percent of fires occur on private land (Peterson 2003). The connector trail will be constructed to Forest Service standards to mitigate erosion (USDA 1991a, 1996a, 1996b)

Another commenter believes it is good to have smaller areas where people can go for day rides close to home. One commenter cited the positive economic impact of recreational trail riding. One commenter considered the project a proactive way to reduce accidents resulting from increased use of the area. This same commenter is concerned that closing the gated road to Oriole Pond would limit the use of the pond by handicapped individuals. The road that continues south to the pond and Oriole West Trail will be left open. That segment of road may be gated in the future if there is an abundance of litter or resource damage occurring. The road will be treated with crushed gravel as needed to cover soil and low spots on the road.

#### **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 Regional Forester approved the Hoosier Forest Plan in September 1985 as required by this act. Since then, we have amended the *Forest Plan* seven times. The amended plan provides for guidance for all natural resource management activities on the Forest. The act requires consistency between projects and activities and the *Forest Plan*. We reviewed the *Forest Plan* in consideration of this proposal. This decision is responsive to direction in the *Forest Plan*, as summarized in Section I of this document.

Endangered Species Act - See Section II, Item B1 of this document.

Sensitive Species (Forest Service Manual 2670) - Manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability as a concern. There will be no impact to sensitive species (Larson, McCreedy 2003).

Clean Water Act - This act relates to restoring and maintaining the integrity of waters. The Forest Service complies with the Act through *Forest Plan* guidance (p. 2-7, *Forest Plan* Appendices J and K) and Best Management Practices. This decision incorporates Best Management Practices to ensure protection of soil and water resources. The latest (February 1998) edition of the Forestry Best Management Practices Field Guide (BMP) is on file at both Tell City and Bedford offices.

Wetlands (Executive Order 11990) - See Section II, Item B2 of this document.

Floodplains (Executive Order 11988) - See Section II, Item B2 of this document.

Federal Cave Resources Protection Act - This act provides direction 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 (Harriss 2003). Subsequently identified caves will be protected (*Forest Plan* p.2-10 to 2-11).

National Historic Preservation Act and Archaeological Resources Protection Act - See Section II, Item B7 of this document.

Native American Graves Protection and Repatriation Act - See Section II, Item B6 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 the Act.

#### **V. ADMINISTRATIVE REVIEW OR APPEAL**

This decision is not subject to appeal pursuant to 36 CFR 215.8 (4): Decisions for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement in FSH 1909.15, Section 31.1 and 31.2, except as noted in 215.7(b).

#### **VI. IMPLEMENTATION DATE**

This decision may be implemented immediately. Implementation is scheduled to begin as soon as possible weather permitting.

#### **VII. CONTACT PERSON**

Further information about this decision can be obtained from Nancy Myers at the Tell City Ranger District (Address: 248 15th Street, Tell City, IN 47586; Voice: 812-547-7051; Fax: 812-546-6144).

## VIII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment because 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 that would warrant further analysis and documentation in an EA or EIS.. My conclusion is based on information presented in this document and the planning record.

/s/ *James E. Denoncour* on January 22, 2004

JAMES E. DENONCOUR  
District Ranger

## **IX. REFERENCES CITED**

Harriss, Steve 2003 Email correspondence to Nancy Myers dated December 12, 2003. On file with: Nancy Myers, Hoosier National Forest, 248 15<sup>th</sup> Street, Tell City, IN 1p.

Indiana Department of Natural Resources. 2003. Letter dated May 12, 2003 to Angie Krieger concurring with archeological findings. On file with: Forest Supervisor, Hoosier National Forest, 811 Constitution Avenue, Bedford, IN 47421. 1 p.

King, Andy 2004. Letter dated January 14 to James Denoncour transmitting Biological Opinion. On file with: Forest Supervisor, Hoosier National Forest, 811 Constitution Avenue, Bedford, IN 47421. 4 p.

Larson, Kirk 2003. Oriole Trail-Parking Lot Project Biological Evaluation for Regional Forester's Sensitive Plant Species. USDA Forest Service, Hoosier National Forest, Bedford, IN 10pp.

Larson, Kirk 2003. Oriole Trail-Parking Lot Project Forest Species of Concern Plant Species. USDA Forest Service, Hoosier National Forest, Bedford, IN 6pp.

McCreedy, Clark 2003. Oriole Pond Parking Area Project Biological Evaluation. Federally Threatened and Endangered Species. USDA Forest Service, Bedford, IN 6pp.

McCreedy, Clark 2003. Oriole Pond Parking Area Project Biological Evaluation-Terrestrial Wildlife. Regional Forester's Sensitive Species, Forest Species of Concern, Management Indicator Species. USDA Forest Service, Bedford, IN 7pp.

Merchant, Pat. 2003. Memorandum to Nancy Myers dated September 19, 2003 (file code 2350/2550). Hoosier National Forest, Bedford, IN 4 pp.

Peterson, Chris. 2003. Personal conversation between Nancy Myers, Outdoor Recreation Planner, and Chris Peterson, Fire Management Officer on October 3, 2003. On file with: Nancy Myers, Hoosier National Forest, 248 15<sup>th</sup> Street, Tell City, IN 47586.

Roark, Ronnie, 2003. "Oriole Trailhead Parking Lot and Connector Trail"/ Filed in Hoosier National Forest files as Cultural Resource Reconnaissance Report No. 09-12-04-0221. USDA Forest Service, Bedford, IN.

U.S. Department of Agriculture, Forest Service. 1991a. Forest Service Handbook (FSH) 2309.18-Trails Management.

US. Department of Agriculture, Forest Service. 1991b. Land and Resource Management Plan, Final Environmental Impact Statement, Hoosier National Forest. 177 p.

U.S. Department of Agriculture, Forest Service. 1991c. Land and Resource Management Plan, Plan Amendment, Hoosier National Forest. 90 pp

U.S. Department of Agriculture, Forest Service. 1992. Forest Service Handbook 1909.15 NEPA Process Handbook. R9 Hoosier Supplement 1909.15-2001-1. 3 p.

U.S. Department of Agriculture, Forest Service. 1993. Forest Service Handbook (FSH) 1909.15-Environmental Policy and Procedures.

U.S. Department of Agriculture, Forest Service. 1996a. Standard Drawings for Construction and Maintenance of Trails. EM-7720-104. Washington, DC: U.S. Department of Agriculture, Forest Service, Engineering Staff 52 p.

U.S. Department of Agriculture, Forest Service. 1996b. Standard Specifications for Construction and Maintenance of Trails. EM-7720-103. Washington, DC: U.S. Department of Agriculture, Forest Service, Engineering Staff 108 p.