

**DECISION MEMO**  
Nebo Ridge Trail Parking Project

USDA Forest Service, Eastern Region, Hoosier National Forest  
Brownstown Ranger District  
Jackson County, Indiana  
(T7N, R3E)

**I. DECISION**

**A. Description of Decision**

My decision is to construct a parking lot and minor trail reroute at the southern terminus of the Nebo Ridge Trail on the Hoosier National Forest (the Forest).

The project will occur in Jackson County, Indiana, on County Road 1000 North, approximately 3 miles west of Houston, IN. The legal description is T7N, R3E, NW ¼, NW ¼ Section 30. The project is located in Management Area (MA) 6.2. The Nebo Ridge Trail is an existing trail of approximately 8.6 miles and is open to use by hikers, mountain bikers, and horse riders.

The parking lot will be approximately 40' X 60' composed of a graveled surface. It is anticipated that approximately a dozen trees, most of a diameter of 5 to 8 inches, will be removed. Approximately 600' of trail will be rerouted from its present location to connect to the new parking lot. The closed portion of trail will be rehabilitated. No snags greater than 5" dbh will be cut within the proposed area during the Indiana bat summer reproductive period (April 15 to September 15) without further consultation with the U.S. Department of the Interior, Fish and Wildlife Service Bloomington Office.

This parking lot will supplement the existing lot eight miles north at the northern terminus of the trail and will be designed to accommodate approximately eight vehicles. The size of the lot is constrained by nearby steep slopes and private property; therefore, it will not be large enough to accommodate trailers.

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

**B. Purpose of Decision**

The purpose of this action is to provide safe off-road parking and a safe intersection with the county road. Currently, there is no designated parking, and the trail exits at the county road on a curve with inadequate site distance for oncoming traffic. This action will meet a need for safe off-road parking and provide more adequate site distance for users exiting the trail at the county road.

The Hoosier National Forest Land and Resource Management Plan (Forest Plan), Forest Service Handbook (FSH) 2309.18, and the 2002 Trail Program document provide guidance

regarding trails. *Forest Plan* guidance states: "Hiking, mountain bicycle, and horse trails with associated trailheads may be provided." (*Forest Plan* p. 2-41). The 2002 Forest Trail Program document and FSH 2309.18 provide the standards and guidelines that will be adhered to for this project (USDA Forest Service 1991a and 2002b).

The *Forest Plan* allows the existence of trails in Management Area 6.2 and states that the maximum cumulative trail density shall be no more than 2 miles of trail per square mile of land. The amount of new trail to be constructed is approximately equal to the amount of old trail to be rehabilitated; therefore, this action will result in no net change to the trail density. The current density is 1.48 miles of trail per square mile of land.

## **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 USDA Forest Service in USDA Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the proposed action.

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

The project is within the category of exclusion found in FSH 1909.15, Section 31.2(1) that includes, "construction and reconstruction of trails" (USDA Forest Service 1992).

There are resource conditions that must be considered in determining whether a proposed action warrants further analysis and documentation in EA or EIS. Per FSH 1909.15, Interim Directive 1909.15-2002-2, the mere presence of one of these resource conditions does not preclude the use of a categorical exclusion (USDA Forest Service 2002a). It is the degree of the potential effect of a proposed action on the resources conditions that determines whether extraordinary circumstances exist. Several resource conditions should be considered in determining whether extraordinary circumstances exist and are addressed below.

### **B. Relationship to Extraordinary Circumstances**

#### **a. Threatened and Endangered Species or Their Critical Habitat, Proposed Species or Critical Habitat, Forest Service Sensitive Species -**

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. Potential effects of this decision on listed species have been analyzed and documented in a biological evaluation (Larson 2003a and b, Basile 2003a, b, and c, US Department of the Interior Fish and Wildlife Service 2004). It was determined that this decision will have 'no effect' on listed species or their critical habitats.

b. Floodplains, Wetlands, or Municipal Watersheds -

Floodplains: Executive Order 11988 directs agencies to avoid adverse impacts associated with the occupancy and modification of floodplains. As defined by this order, floodplains are, “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 and has been validated by map and site-review (Merchant 2003). It will not affect floodplains.

Wetlands: Executive Order 11990 directs 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. 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 and has been validated by reviewing the site (Merchant 2003). This decision will not affect wetlands.

Municipal Watersheds: USDA Forest Service manages municipal watersheds under multiple-use prescriptions in forest plans. This project will occur in the Lake Monroe watershed, which is a municipal water supply. The implementation of standard engineering design and techniques will mitigate soil and water impacts, will result in minimal impacts to the municipal watershed, and will result in no adverse cumulative effects to soil and water resources (Merchant 2003). This decision will not affect municipal watersheds.

c. Congressionally Designated Areas -

Wilderness:

This decision does not affect wilderness. The project is not in wilderness. Wilderness is identified on the Hoosier NF as Management Area 5.1 (*Forest Plan*, p. 2-36). The project is located in Management Area 6.2 (*Forest Plan*, p. 2-40). The closest wilderness, the Charles Deam Wilderness, is approximately 3 miles northwest of the project, separated from the project by county roads and private land. This decision, with impacts limited to the immediate area of activity, will not affect wilderness areas.

Wilderness Study Areas:

No wilderness study areas are on the Forest. This decision will affect no wilderness study area.

National Recreation Areas:

There are no national recreation areas on the Hoosier NF. This decision will not affect national recreation areas.

d. Inventoried Roadless Areas -

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

e. Research Natural Areas -

There are no research natural areas in the decision area. This decision will not affect research natural areas.

f. American Indian and Alaska Native Religious or Cultural Sites,

g. Archaeological Sites, or Historic Properties or Areas -

Section 106 of the National Historic Preservation Act (NHPA) 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 NHPA 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 (Krieger 2003). A ‘no properties affected’ determination was made. The Forest consulted on this finding with the State Historic Preservation Office (Indiana Department of Natural Resources 2003).

We have identified no other extraordinary circumstances related to the project.

### **III. PUBLIC INVOLVEMENT**

To involve the public with this planning, we mailed a scoping letter to 433 individuals on July 7, 2003. The letter was sent to the Hoosier National Forest interested party mailing list, the Jackson County Highway Department, and individuals and groups who have indicated an interest in trails, and adjacent landowners. The project was also announced in the August 2003 issue of the *Hoosier Quarterly* and was posted on the Hoosier National Forest website.

Eight responses were received. Many were supportive and cited the need for a safe and convenient parking area.

One respondent was happy that trailer parking would not be available because of a concern about proliferation of horse use, while another wanted trailer parking for horse use. The size

of the parking lot is constrained by the topography of the land and private property to the east, and will therefore be too small for trailers. There was also concern that Recreation Fee Demonstration Program revenue would be used and that horse riders would not get their fair share since they couldn't park trailers there. The source of funding for this project is planned to come from Recreation Fee Demonstration Program revenue. Most Recreation Fee Demonstration Program projects to date have benefited the horse riding community. This project will benefit both groups by providing safe sight distance where the trail intersects the county road.

There was a concern about proliferation of invasive plant species from pH changes caused by the use of gravel and from the parking lot attracting additional users that might bring more seeds. Both of these issues have been analyzed under very similar circumstances on other projects. The gravel and pH issue was addressed in an Environmental Analysis for the Springs Valley Trail, and found to have insignificant effect (USDA Forest Service 2001b). In addition, the relationship of an additional parking lot and use level was addressed in an Environmental Analysis for the Charles C. Deam Wilderness Trail Project, and found to have little effect (USDA Forest Service 2001a).

There was a concern about the design of the rest of the Nebo Trail and a suggestion was made to expand the project to include design changes on the existing portion of the trail. Comments regarding features outside of the project area are beyond the scope of this analysis. The reroute addressed in this analysis will adhere to Forest Service trail standards. While we appreciate the suggestion, monitoring by Forest Service staff indicates the trail is in good condition and is properly designed (Morris 2003).

There was a suggestion to provide signs on the county roads so users could make a loop out the route. While this too is beyond the scope of this analysis, it may be considered for a future project.

#### **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 Hoosier National Forest Land and Resource Management Plan (*Forest Plan*) was approved in 1985, as required by this act. It has since been amended six times. The amended plan provides for guidance for all natural resource management activities on the Forest. The act requires all projects and activities be 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 *Forest Plan*, as summarized in Section I of this document.

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 seven requirements found at 36 CFR 219.27(b):

- Be best suited to the goals in the Forest Plan. This document presents the applicable goals in Section I B. This decision is responsive to those goals (*Forest Plan* p. 2-41) 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 because the area is very small and only about a dozen trees will be removed; this is not a harvesting project and area will become a parking lot.
- 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 not based on monetary return since the few trees removed are not marketable.
- Be chosen after considering potential effects on residual trees and adjacent stands. The effects on residual trees and adjacent stands will be non-existent because the project area is very small and involves the removal of only about a dozen trees. The project was analyzed for effects on vegetative resources and found to have no effect (Larson 2003a and b).
- 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 because the affected area is very small and involves the removal of only about a dozen trees. The project was analyzed for effects on soil and water resources and found to have no effect (Merchant 2003).
- 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 recreation resources by providing safe parking.
- Be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration. No logging is proposed. There is a highly developed county road immediately adjacent to the project area, and no new permanent or temporary roads are necessary to implement this decision. The treatment in this decision is appropriate to accomplish project objectives, and it is economically practical.

Endangered Species Act - See Section II, Item B(a) of this document.

Sensitive Species (USDA 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 as a concern. On February 29, 2000, the Regional Forester approved the sensitive species list available online at [http://fsweb/r9.fs.fed.us/tes\\_lists.htm](http://fsweb/r9.fs.fed.us/tes_lists.htm). Potential effects of this decision on sensitive species have been analyzed and documented in a biological evaluation (Larson 2003a, Basile 2003b). This decision will have “no impact” on sensitive species.

Federal Cave Resources Protection Act - This act directs agencies to secure, protect, preserve, and maintain significant caves, to the extent practical. A review of the caves data base indicates that no caves are in the decision area. (Harriss, 2003). No known cave resources will be affected by this decision.

National Historic Preservation Act - See Section II, Item B(g) of this document.

Archaeological Resources Protection Act - See Section II, Item B(g) of this document.

Native American Graves Protection and Repatriation Act - See Section II, Item B(f) of this document.

Wild and Scenic Rivers Act –There are no wild or scenic rivers in the general area, and none will be affected by implementing this decision.

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 making this decision. 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.

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

This decision is not subject to administrative appeal. It is not subject to appeal pursuant to 36 CFR 215.12 (f): Decisions for actions that have been categorically excluded from documentation in an environmental assessment or environmental impact statement in FSH 1909.15, Chapter 30, Section 31.

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

This decision may be implemented immediately. Work is expected to start by March 30, 2004.

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

Further information about this decision can be obtained from

Les Wadzinski, Recreation Program Manager  
Hoosier National Forest Supervisor's Office  
811 Constitution Avenue  
Bedford, IN 47421  
Office 812 275-5987  
FAX 812 279-3423

## **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 the proposal has not changed since scoping, 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 USDA Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no indications of effects on extraordinary circumstances that would warrant further analysis and documentation in an environmental assessment. My conclusion is based on information presented in this document and the entirety of the planning record.

/s/ James E. Denoncour  
JAMES E. DENONCOUR  
District Ranger

March 16, 2004  
Date

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## **REFERENCES CITED**

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Basile, Cynthia M. 2003c. Nebo Ridge trail-parking lot project, biological evaluation for Federally threatened and endangered species. USDA Forest Service, Hoosier National Forest, Bedford, IN 5p.

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Larson, Kirk W. 2003a. Nebo Ridge Trail-Parking Lot Project biological evaluation Regional Forester's sensitive plant species. USDA Forest Service, Hoosier National Forest, Bedford, IN 6p.

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Morris, David. 2003. Nebo Ridge Trail inspection checklist, dated October 1, 2003. USDA Forest Service, Hoosier National Forest, Bedford, IN 1p.

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