

Decision Memo

Swamp Creek Road Repair Project

**USDA Forest Service
Chattahoochee National Forests
Conasauga Ranger District
Whitfield County, Georgia**

Decision

The Swamp Creek Road is an old travel way which begins on private land and continues upstream onto National Forest, crossing Swamp Creek multiple times with low-water crossings. The crossings are sources of sediment. During high water events, the stream leaves the channel and flows down segments of the road, eventually returning to the streambed at the next ford. The road has no drainage structures so water is not diverted off the road at normal intervals; it is directed into the stream. This situation is causing sedimentation to the stream.

The Swamp Creek area was formerly a popular recreation destination with the public, and many user-made side roads, trails, and campsites exist in the riparian corridor and adjacent uplands. Vehicular access has been virtually eliminated by a gate on private land on lower Swamp Creek road and by earthen barriers constructed by the Forest Service at the National Forest boundary. Illegal ATV use is occurring in the area.

I have decided to repair stream crossings, restore proper drainage, close and restore illegal ATV trails, and rip and seed old campsites along the Swamp Creek Road.

Proposed Action

An approximately 3.5 mile segment of Swamp Creek Road and adjacent land will be repaired and restored:

- A small excavator and bulldozer will be used to rebuild breached sections of streambank eliminated by the construction of the fords. On-site rock and soil would be placed in the breaches in the streambank in order to restore natural structure. An estimated 10 sections of streambank, each approximately 25 feet long, would be restored.
- The roadbed will be reshaped in order to allow drainage and ripped to a depth of 6 inches to improve seed catch. Drainage structures such as cross drains and dips will be constructed in the roadbed to facilitate drainage. Erosion control devices such as hay bales will be used at drainage outlets.

- The bulldozer and excavator will be used to construct earthen barriers to close user-made side roads, trails, and campsites, including access to the Pinhoti Trail. Tank traps at the National Forest boundary would be rebuilt. Steep sections of user-made trails or “hill climbs” will be ripped to a depth of 6 inches, seeded, fertilized, and mulched. Trees will be felled in order to block access. User-made campsites will be ripped to a depth of 6 inches, seeded, fertilized, and mulched.
- All disturbed soils would be seeded with native or desirable non-native, non-persistent seed, and then fertilized and mulched.

Purpose and Need

The purpose and need for action for the road repair is to rehabilitate disturbed soils and streambanks, restore natural stream channel function, and to reduce or eliminate runoff, soil transport, and sedimentation to the stream. This need for action is consistent with the following Forest Plan Goals and Objectives (p.2-20 and 2-21):

- Provide resilient and stable conditions to support the quality of water necessary to protect ecological functions and support intended beneficial water uses;
- Maintain or restore soil productivity and quality; and
- Restore and/or maintain aquatic ecosystems in amounts, arrangements, and conditions capable of supporting viable populations of all native and desired nonnative species of aquatic flora and fauna within the planning area.

Category

This action falls within Category 4, “Repair and maintenance of roads, trails, and landline boundaries” as identified in Forest Service Handbook 1909.15, Chapter 30, Section 31.12. The work is also consistent with the context of Category 7, “Modification or maintenance of stream...habitat structures using native materials and normal practices”.

Forest Plan Consistency

The project area is located in Management Prescription 11 – Riparian Corridors and Management Prescription 4.I – Natural Areas as designated by the Chattahoochee-Oconee National Forests Land and Resource Management Plan (Forest Plan). I have reviewed the direction provided under these management prescriptions and have determined that this project is consistent with the direction found for these Management Prescriptions (Forest Plan, pages 3-95 through 3-98 and 3-171 through 3-182).

Public Involvement

Scoping for this project consisted of discussions with district and forest staff specialists and requesting public input by mailing a scoping letter on May 6, 2008, to the district

mailing list of interested groups and individuals. Five responses were received and each response was supportive of the project.

Review of Extraordinary Circumstances

I have considered the resources found in the project area and have determined that there are no extraordinary circumstances existing that may cause the project to have significant effects. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. I have considered:

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

The Biological Evaluation indicates that there are no known threatened or endangered species in the vicinity of the project area(s).

Forest Service Manual 2670 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 Regional Forester sensitive species have been analyzed and documented in a Biological Evaluation. This activity will have no impact on sensitive species population viability.

2. Floodplains, Wetlands, or Municipal Watersheds

These projects will not result in the occupancy or modification of a floodplain. This decision will not affect floodplains or wetlands. There are no source water/municipal watersheds in this project area.

3. Congressionally Designated Areas

There is no designated wilderness, wilderness study areas, National Recreation Areas, or Wild and Scenic Rivers within the decision area. There are no inventoried Roadless Areas (RARE II or Forest Plan) in the decision area (Forest Plan FEIS and ROD 2004). This decision will not affect inventoried Roadless Areas. There are no Research Natural Areas in the decision area. This decision will not affect Research Natural Areas.

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

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 and no potential significant impacts were identified.

Findings Required By Other Laws and Regulations

This decision complies with all applicable laws and regulations. For example, I have considered the following:

1. 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 and Forest Plan standards. This decision complies with the requirements of Section 404 of the Clean Water Act, including the fifteen (15) mandatory BMPs (40 CFR 232.22) to ensure protection of soil and water resources.

2. Clean Air Act

Under this Act areas of the country were designated as Class I, II, or III airsheds for Prevention of Significant Deterioration purposes. Class I areas generally include national parks and wilderness areas. The area covered by this decision is a Class II airshed. This project will not affect the airshed.

3. Federal Cave Resources Protection Act

This Act is to secure, protect, preserve, and maintain significant caves, to the extent practical. There are no known cave resources in the project area.

4. 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. This decision is not expected to adversely impact minority or low-income populations.

5. National Forest Management Act

This project complies with the seven requirements of the National Forest Management Act related to vegetation management (36 CFR 219.27(b)).

- 1.** It is best suited to the multiple-use goals established for the area based on Forest-wide direction. This suitability is based on the potential environmental, biological, cultural resource, aesthetic, engineering, and economic impacts.

- 2.** The areas will remain adequately stocked after treatment.

3. This action has not been chosen primarily due to cost considerations, although this was taken into consideration.
4. This action has been chosen after considering potential effects on residual trees and adjacent stands.
5. The action will avoid permanent impairment of site productivity and ensure conservation of soil and water resources.
6. The action will provide the desired effects on water quality and quantity, wildlife and fish habitat, woody regeneration, forage production, recreation uses, aesthetic values, and resource needs.
7. The project area has adequate roads and no new permanent roads are necessary to implement this decision. This proposal is practical in terms of transportation requirements, and the total costs of preparation and administration. This project does not require a project-level roads analysis because there are no permanent changes in access into the area and road standards will not change.

APPEAL RIGHTS

This decision is not subject to appeal pursuant to 36 CFR 215.11.

IMPLEMENTATION

Implementation of this decision may occur immediately.

CONTACT INFORMATION

For further information about this project, contact Ruth Stokes, Conasauga Ranger District, 3941 Hwy 76, Chatsworth, GA. 30705, or by telephone at (706) 695-6736, between the hours of 8:00 am and 4:30 pm, Monday through Friday.

RESPONSIBLE OFFICIAL SIGNATURE AND DATE

<u>/s/ Michele H. Jones</u>	<u>June 26, 2008</u>
MICHELE H. JONES	DATE
District Ranger	