



**DECISION MEMO**  
**Special Use Permit Reissue to the Barton Lexa Water Association**  
**Region 8, Forest Service, U.S. Department of Agriculture**  
**St. Francis Ranger District, Ozark-St. Francis National Forests**  
**T1S, R5E, Sections 18, 19 and 30, Phillips County, AR**

**Background**

Special use permit (STF103001) allowing the Barton-Lexa Water Association to operate and maintain a water line to the Storm Creek Lake Recreation Area on the St. Francis National Forest has expired. The Barton-Lexa Water Association operated in compliance with the terms and conditions of the expired permit. A new permit for a 20 year term has been requested.

The use area consists of approximately 3.64 acres of National Forest System land within a utility corridor 10 feet wide and 3 miles long within T1S, R5E, Sections 18, 19 and 30 in Phillips County, AR as shown on the attached map.

**Decision**

I have decided to approve issue of a new special use permit to the Barton-Lexa Water Association for the purpose of operating and maintaining a water line to the Storm Creek Recreation Area. The permit term shall be 20 years. I find this action to be of an administrative nature involving no changes on the ground or resulting in an increase in the scope or intensity of authorized activities.

Before reaching my decision, I considered the resource conditions listed in FSH 1909.15, Chapter 30 Section 31.2 shown below and determined there are no associated extraordinary circumstances that would have a significant effect on the human environment or result in a significant individual or cumulative environmental effect a new term permit is issued.

- *Federally listed threatened or endangered species or designated critical habitat or Forest Service sensitive species;*
- *Flood plains, wetlands, or municipal watersheds;*
- *Congressionally designated areas such as wilderness, wilderness study areas or national recreation areas;*
- *Inventoried Roadless Areas;*
- *Research Natural Areas;*
- *Native American religious or cultural sites, and*
- *Other archaeological sites, historic properties and/or areas*

### **Categorical Exclusion from Documentation**

I find this action falls within the following category of actions listed in Chapter 30, Section 32.2 of FSH 1909.15; it is categorically excluded from documentation in an environmental assessment or environmental impact statement:

*FSH 1909.15, Chapter 30§32.2(15): Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization. [36 CFR 220.6(e)(15)]*

### **Public Involvement**

A letter proposing reissue of the expired permit and requesting comment by June 20, 2014 was posted on the Ozark-St. Francis National Forests website's project page. No comments were received.

### **Findings Required by Other Laws**

This action is consistent with the standards and guidelines of the Ozark-St. Francis National Forests Land and Resource Management Plan as required by the National Forest Management Act. This action does not violate or threaten to violate any applicable federal or state laws or regulations.

### **Appeal Opportunities**

This decision is not subject to appeal.

### **Implementation**

Implementation of the permit reissue process may begin immediately. The permit will be signed by the Forest Supervisor.

### **Contact Person**

For additional information concerning this decision please contact me, Deputy District Ranger Mary Maercklein at (870) 295-5278, [mmaercklein@fs.fed.us](mailto:mmaercklein@fs.fed.us) .

*/s/ Mary Maercklein*

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MARY MAERCKLEIN  
Deputy District Ranger  
Sylamore-St. Francis Ranger District

August 28, 2014  
Date

Attachment: 1 map

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August 2014*

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