

**DECISION MEMO**  
**For**  
**Rimrock Trail Project**

USDA Forest Service, Eastern Region 9  
Allegheny National Forest  
Bradford Ranger District  
Warren County and McKean County, Pennsylvania

**I. DECISION TO BE IMPLEMENTED**

**A. Description of Decision**

My decision is to implement the creation of a trail that would connect the Rimrock Overlook to Kinzua Beach with the development of a low impact, non-motorized interpretive hiking trail. The following actions will be taken to implement this project (see attached map):

1. Reconstruction of approximately 1.3 miles of an existing pathway to create a pedestrian hiking trail from Kinzua Beach Recreation Area to Rimrock Overlook and Picnic Area.
2. Placement of approximately 5 culverts with natural stone headwalls.
3. Approximately 150 linear feet of tread hardening.
4. Development of a 12' x 15' information kiosk at Kinzua Beach.
5. Development of a 15' x 20' handicapped accessible observation deck at the Kinzua Beach connection.
6. Development of a pinned stairway at the Rimrock Arch with an 18' x 25' one story Living Interpretive Tree House. The tree house will be positioned flush on the earth's surface.

**B. Purpose of Decision**

The purpose of this action is to increase tourism and visitor use in the local area by connecting two key developed recreation sites on the ANF that have been underutilized for at least the past 10 years. In addition, this project is focused on providing interpretive and educational information to visitors about the rich history of the ANF and the local area.

This project meets the goals identified in the 2007 ANF Forest Plan, such as:

1. "Emphasize the development of a mapped, marked, and maintained trail system to minimize user conflicts, impacts to natural resources, respond to changing social needs,

and increase access and linkages to communities, forest recreation sites, and special features” (ANF 2007 Forest Plan, p. 13).

2. “Forest infrastructure, including facilities and transportation systems, will provide a safe, efficient, and economical system that is responsive to public and administrative needs; having minimal adverse effects on ecological processes and ecosystem health, diversity, and productivity; and is in balance with needed management actions” (ANF 2007 Forest Plan, p. 16).
3. “Manage the trail system to support a wide variety of recreation opportunities and settings” (ANF 2007 Forest Plan, p. 13).
4. “Maintain or enhance the quality of scenic resources including view sheds, vista, overlooks, and special features (ANF 2007 Forest Plan, p. 13).

## **II. REASONS FOR CATERORICALLY 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 31.12 or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

This project implements the ANF 2007 Forest Plan. As required by the National Forest Management Act (NFMA) of 1976, Section 1604(i), I find this project to be consistent with the ANF 2007 Forest Plan. As required by 36 CFR 219.35, I have considered the best available science in making this decision. The project record demonstrates a thorough review and relevant scientific information, consideration of responsible opposing views, and where appropriate, the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk.

I have concluded there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of human environment. My conclusion is based on information presented in this document and the entirety of the record.

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

The decision is within the category of exclusion identified in FSH 1909.15, Chapter 30, 31.2 (1): “Construction and reconstruction of trails.”

### **B. Relationship of Extraordinary Circumstances**

The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. I considered the following for extraordinary circumstances:

## 1. Threatened and Endangered Species or Their Critical Habitat

The Endangered Species Act (ESA) of 1973 requires that federal activities 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. There is no critical habitat for any threatened or endangered species on the ANF.

As required by this Act, potential effects of this decision on listed species have been analyzed and documented. A "no effect" determination was reached for the Indian bat, small-whorled pogonia, northeastern bulrush, and northern riffle shell and club shell mussels. Additionally, this decision will not adversely modify or destroy critical habitat or jeopardize the continued existence of the listed species. Concurrence for these determinations were received as part of the concurrence on the 2007 ANF Forest Plan dated January 31, 2007, from the U.S. Fish and Wildlife Service. A supplemental information report (SIR) pertaining to the white-nosed syndrome affecting bats has been prepared. Findings in the SIR include no change in the listed determination for the Indiana bat.

## 2. Floodplains, Wetlands, or Municipal Watersheds

***Floodplains:*** Executive Order 11988 focuses on avoiding 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 include flood-prone 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."

This decision does not include activities within floodplains or activities that affect floodplains.

***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."

This decision does not include activities within or near wetlands or activities that affect wetlands.

***Municipal Watersheds:*** Municipal watersheds are managed under multiple use prescriptions in land and resource management plans.

This decision does not include activities in municipal watersheds or activities that affect municipal watersheds.

### **3. Congressionally Designated Areas**

#### ***Wilderness Areas***

This decision does not include activities in wilderness areas or activities that affect wilderness areas.

#### ***Wilderness Study Areas***

This decision does not include activities in wilderness study areas or activities that affect wilderness study areas.

#### ***National Recreation Areas***

The only National Recreation Area (NRA) on the ANF is the Allegheny National Recreation Area (Management Area 8.2), which is located on the Bradford Ranger District. The project is not located in or near this area. This decision will not affect the Allegheny NRA.

### **4. Inventoried Roadless Areas**

This decision does not include activities in inventoried roadless areas or activities that affect inventoried roadless areas.

### **5. Research Natural Areas**

There are no research natural areas in the decision area (MA 8.5). The Tionesta Research Natural Area is located on the Bradford Ranger District. This decision, with impacts limited to the immediate area of activity, will not affect the Tionesta Research Natural Area.

### **6. American Indian and Alaska native religious or cultural sites**

The Federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes' reserved rights are protected. Consultation with tribes helps insure that these trust responsibilities are met. The Forest Service provided information on this project to the Seneca Nation of Indians Tribal Historic Preservation Office, and no tribal concerns were expressed.

### **7. Archaeological sites, or historic properties or areas**

Section 106 of the National Historic Preservation Act (NHPA) of 1966 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 of Historic Places. Section 106 of the NHPA also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on agency undertakings.

The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered on federal 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.

No effects to heritage resources are anticipated with implementation of this project.

This decision will not affect American Indians and Alaska Natives religious or cultural sites, archaeological sites, or historic properties or areas.

### **III. PUBLIC INVOLVEMENT**

Public involvement included sending a scoping package to 116 interested parties on the NEPA #53 mailing list on January 14, 2010, and posting the scoping package on the ANF website on January 14, 2010. A news release was also sent to local media on January 14, 2010.

Several respondents submitted comments during the scoping period.

In addition to these efforts, the Pennsylvania Kinzua Pathways (PKP) organization, in submitting this as a citizen’s proposal to the Forest Service, conducted extensive public outreach and involvement via new media, meetings, and focus groups with hundreds of citizens, interest groups, and local leaders and elected officials. These efforts resulted in wide-spread community support for the project and its benefits to provide recreation, tourism, and historic and environmental education.

The Warren County Career Center partnered with PKP in supporting this project and provided designs and drawings for the trail.

### **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 (NFMA)** - This Act requires the development of long-range land and resource management plans (LRMPs). The ANF Forest Plan was approved in 2007, as required by the Act. The Act requires all projects and activities be consistent with the Forest Plan. The ANF 2007 Forest Plan has been reviewed in consideration of this project. This decision is responsive to guiding direction contained in the ANF 2007 Forest Plan, as summarized in Section I of this document. This decision is consistent with the standards and guidelines contained in the ANF 2007 Forest Plan.

**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. On November 8, 2006, the Regional Forester approved the updated Regional Forester's Sensitive Species (RFSS) list for the ANF. Potential effects of this decision on RFSS have been analyzed and documented. This decision will have "no impact" on RFSS and will not cause a trend toward federal listing of these species.

**Clean Water Act** – The intent of the Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices (BMPs). This decision incorporates BMPs to ensure protection of soil and water resources.

**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. 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.

**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.

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

This decision is not subject to administrative review or appeal pursuant to 36 CFR 215.

**VI. IMPLEMENTATION DATE**

Implementation of this decision may occur immediately.

**VII. RESPONSIBLE OFFICIAL AND CONTACT PERSON**

The Responsible Official is:

Anthony V. Scardina, Bradford District Ranger  
USDA – Forest Service, Allegheny National Forest, Bradford Ranger District  
29 Forest Service Drive  
Bradford, PA 16701

Questions regarding this decision should be directed to the Responsible Official or Tonika Goins, at (814) 363-6049. This document is also listed on the ANF website at:

[http://www.fs.fed.us/r9/forests/allegheny/projects/recreation\\_projects/](http://www.fs.fed.us/r9/forests/allegheny/projects/recreation_projects/)

**VIII. SIGNATURE AND DATE**

*/s/ Anthony V. Scardina*  
**ANTHONY V. SCARDINA**  
**Bradford District Ranger**  
**Allegheny National Forest**

**04/19/2010**  
**DATE**

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