



United States  
Department of  
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Forest Service

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# **Decision Notice; Finding Of No Significant Impact; and Project- Specific, Non-Significant Forest Plan Amendment #21**

## **Appalachian Ranger District New Office Construction**

**Appalachian Ranger District, Pisgah National Forest  
Madison County, North Carolina**

Decision Notice;  
Finding of No Significant Impact; &  
Project Specific, Non-Significant Forest Plan Amendment #21

## Appalachian Ranger District New Office Construction

USDA Forest Service  
Appalachian Ranger District, Pisgah National Forest  
Madison County, North Carolina

### Decision and Rationale for the Decision

#### Decision

Based upon my review of the alternatives, I have decided to select **Alternative B** (Selected Alternative) of the Appalachian Ranger District New Office Construction Environmental Assessment (EA – Section 1.3, Chapter 1 and Section 2.2.2, Chapter 2) on the Appalachian Ranger District, Pisgah National Forest and the Project Design Feature listed in Section 2.4, Chapter 2. The Selected Alternative will:

- Construct a new office building for the Appalachian Ranger District which will also include: improving the existing access route (that will become an open classified Forest Service road); developing paved parking areas; installing utility lines and wastewater treatment facilities; constructing a work center; placing security fencing around the property; and landscaping around the facilities. The activities will require minor site grading and removal of some side slope soil to accommodate the work center—less than an acre will be newly impacted.
- Amend the Forest Plan (see Forest Plan Consistency below). The Selected Alternative will designate the newly acquired NFS lands as Management Area 16 which: *[p]rovides support facilities for the Forests and the public. It includes District offices and workcenters, Job Corps Centers, the Beech Creek Seed Orchard and other facilities.* (Forest Plan, page III-173).

#### Rationale

As stated in Section 1.4 of the EA, the purpose and need (objectives) for the proposal is to:

- Provide Appalachian Ranger District employees with a single, more centrally located office in relation to the Appalachian Ranger District and to

continue to provide services to members of the public. The proposed site would roughly split in half the current driving distance and time between the two offices and would also split in half the driving time and distance between the two existing offices and the headquarters for the National Forests in North Carolina in Asheville, North Carolina. Over time, consolidating the current two offices into a single office is expected to increase financial, planning, and logistical efficiency of the Appalachian Ranger District.

I believe the Selected Alternative will achieve the purpose and need for the project while addressing concerns raised by members of the public (see also Appendix C for public comment highlights and the Agency's response).

In reaching my decision, I began by once again reviewing the purpose and need for the project and all of the alternatives presented in the EA. I then carefully weighed the effects analyses of the alternatives analyzed in detail and the public comments received on the EA. The Appalachian Ranger District New Office Construction Interdisciplinary Team (IDT) conducted field surveys, database queries, and other localized research in order to determine the effects each alternative analyzed in detail could have on the area's ecology, including threatened and endangered species. During their analysis, they took a hard look at past, present, and reasonably foreseeable future actions that could be combined with expected effects from the proposal. I believe they provided me sufficient analyses and conclusions to make a reasoned decision.

#### Other Alternatives Considered

In addition to the Selected Alternative, I considered one alternative in detail: Alternative A – No Action. A comparison of these alternatives can be found in Section 2.5, Chapter 2 of the EA.

### Alternative A – No Action

Under this alternative the actions described in the proposed action (Chapter 1, Section 1.3) would not be accomplished. District employees would continue to provide services out of both office locations. I did not select this alternative because I believe one office capable of providing work-space to all district employees will enhance productivity and efficiency amongst the employees. I believe the Selected Alternative will also maintain the Agency's ability to initially provide many of the current services to the Burnsville and Hot Springs communities.

### Public Involvement

The proposal was listed in the July and October 2005, and January, April, July, and October 2006 editions of the Schedule of Proposed Actions (SOPA)—no comments on the proposal have been received from members of the public through this scoping effort. Beginning in 2002, local governments in each community and county were briefed on the proposal, leading to the project design feature listed in Section 2.4, Chapter 2.

A 30-day Notice and Comment period of the Appalachian Ranger District New Office Construction EA was initiated on November 10, 2006, and was completed on December 11, 2006. Three comments were submitted by members of the public during this period. A summary of the comments is attached to this decision notice in Appendix C.

### Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action (Sections 3.1, 3.2, and 3.3, Chapter 3).
2. There will be no significant effects on public health and safety and implementation will be in accordance with project design features (Section 2.4 Chapter 2; Section 3.3.2, Chapter 3; and Appendix F).
3. There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the project area, nor are there local law or requirements imposed for the protection of the environment (Section 3.3.3, Chapter 3).
4. The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy over the impacts of the project (Sections 3.1, 3.2, and 3.3, Chapter 3).
5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (Sections 3.1, 3.2, and 3.3 Chapter 3).
6. The action is not likely to establish a precedent for future actions with significant effects, because the project is site specific and effects are expected to remain localized and short-term (Sections 3.1, 3.2, and 3.3 Chapter 3).
7. The cumulative impacts are not significant (Sections 3.1.1.2, 3.1.2.2, 3.1.3.2, 3.2.1.2, 3.2.2.2, 3.2.3.2, 3.2.4.2, 3.3.2.2, and 3.3.3.1, Chapter 3).
8. The action will have no effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (Section 3.2.4, Chapter 3). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (Section 3.2.4, Chapter 3). A heritage review was completed for this project on July 26, 2005. The State Historic Preservation Office (SHPO) concluded in a letter dated December 1, 2006; *We have conducted a review of the proposed undertaking and are aware of no historic resources that would be affected by the project* (see also Letter 2, Appendix C below).
9. The action [i]s not likely to adversely affect any Federally listed species. No further consultation with USDI Fish & Wildlife Service is required (Appendix A, EA). In a letter dated November 30, 2006, the US Fish and Wildlife Service stated: *Based on the information provided in your letter and a review of our records, we concur with your determination that the subject project is not likely to adversely affect federally listed endangered or threatened species or critical habitat* (see also Letter 1, Appendix C below).
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Nantahala and Pisgah National Forests Land and Resource Management Plan Amendment 5 (Section 1.1.1, Chapter 1).

## Forest Plan Consistency

### Project-Specific Forest Plan Amendment #21

My decision to implement the Selected Alternative includes a Project-Specific Forest Plan amendment. The Forest Plan states: Use plan amendments to designate management areas to new land acquisitions. Assure management area designations are compatible with the purposes of acquisitions. (Forest Plan, page III-45). I am authorizing a project-specific Forest Plan amendment that will: *Designate the new land acquisition for the Appalachian Ranger District's new office as Management Area 16.*

### Determination That Project-Specific, Forest Plan Amendment #21 Is Not Significant Under NFMA

I have determined this amendment is not a significant amendment under the National Forest Management Act (NFMA) implementing regulations [36 CFR 219.10(f)]. In reaching this conclusion, I considered the following factors from Forest Service Handbook 1909.12, section 5.32, Process to Amend a Forest Plan.

#### Timing

A change is less likely to result in a significant plan amendment if the change is likely to take place after the plan period (first decade). This plan amendment is taking place immediately (during the planning period for the current Forest Plan) and will be a permanent change; however, timing in and of itself is not enough to warrant a significant amendment.

#### Location and Size

The smaller the area affected, the less likely the change is to be a significant change to the Forest Plan. The Selected Alternative will require an amendment for designating approximately nine acres of acquired land as MA 16; less than 0.7% of the total 1,260 acres of MA 16 on the Nantahala and Pisgah National Forests (Forest Plan, page III-56).

#### Goals, Objectives, and Outputs

An action is more likely to be a significant Forest Plan amendment if it alters the long-term relationship between levels of goods and services projected by the Forest Plan and particularly if it will forego the opportunity to achieve an output in later years. The amendment is part of my decision [to provide *Appalachian Ranger District employees with a single, more centrally located office in relation to the Appalachian Ranger District and to continue to provide services to members of the*

*public.* (Section 1.4, Chapter 1). As stated above, my decision will: [i]initially provide "storefront" access in *Burnsville and Hot Springs to issue permits and other services* (Section 2.5, Chapter 2). I believe my decision will initially continue to provide many of the services residents of Hot Springs and Burnsville have come to expect.

#### Management Prescription

A change is more likely to require a significant amendment if it will apply to future decisions throughout the planning area. The amendment is for just this project. The changes should not affect future actions. Thus, the lack of change of prescription beyond this project indicates non-significance for the amendment.

#### Findings Required by Other Laws and Regulations

My decision to implement the Selected Alternative is consistent with the intent of the long-term goals listed on pages III-1 and III-2 of Forest Plan Amendment 5. The project was designed to meet land and resource management plan standards and incorporates appropriate land and resource management plan guidelines (Section 1.2, Chapter 1).

#### Administrative Review and Contacts

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to:

National Forests in North Carolina  
ATTN: Appeals Deciding Officer  
160 Zillicoa Street, Suite A  
Asheville, North Carolina 28801-1082

Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may be faxed to (828) 257-4263 or mailed electronically in a common digital format to:

[appeals-southern-north-carolina@fs.fed.us](mailto:appeals-southern-north-carolina@fs.fed.us).

Those who provided comments or otherwise expressed interest in a particular proposed action by the close of the comment period may have eligibility to appeal this decision (as per the recent *The Wilderness Society v. Rey* ruling). Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Michael

Hutchins, Pisgah National Forest NEPA Coordinator  
at 828-682-6146.

**Implementation Date**

As per 36 CFR 215.9, if no appeal is received,  
implementation of this decision may occur on, but not  
before, the 5<sup>th</sup> business day following the close of the

appeal-filing period (215.15). If an appeal is filed,  
implementation may occur on, but not before the 15<sup>th</sup>  
business day following the date of appeal disposition.

*Marisue Hilliard*

*12/15/06*

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**MARISUE HILLIARD**  
Forest Supervisor  
National Forests in North Carolina

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**Date**