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Department of
Agriculture

Forest Service
Southern Region

November 2019



Decision Notice

and

Finding of No Significant Impact

Union County Target Range Project

Blue Ridge Ranger District
Chattahoochee-Oconee National Forests
Union County, Georgia

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USDA Forest Service
Blue Ridge Ranger District, Chattahoochee-Oconee National Forests
Union County, Georgia

1. Introduction

The Blue Ridge Ranger District of the Chattahoochee-Oconee National Forests (CONF) evaluated a proposal to provide a safe and environmentally sound and secure public target range facility to serve the local community in Union County, Georgia and the surrounding area. The proposed action addresses the need for a facility that is designated to minimize the impacts to physical, biological and social resources from dispersed target shooting on National Forest System lands in Union County and the surrounding area.

Target ranges are consistent with Forest Service policy (USDA-Forest Service, 2018) which allows for the authorization of target ranges on the National Forest when the use is consistent with Chattahoochee-Oconee Land and Resource Management Plan (Forest Plan) standards and guidelines and when the authorization would enhance forest management (by improving public safety, providing recreational opportunities or consolidating dispersed target shooting). Policy also directs the forest to enter into agreements with state governments, local governments or private organizations to provide for cost-sharing for target range design, construction, operation and maintenance, with title to the target range improvements remaining with the government.

2. Background

This Environmental Assessment (EA) was prepared in response to a Special Use Permit application. On April 24, 2018 the U.S. Forest Service received a special use application from Union County Government requesting an authorization to construct a target range on National Forest Land, specifically the proposed site on the Blue Ridge Ranger District in Union County Georgia. The special use application passed the initial screening process on July 24, 2018.

3. Details of the Decision

Based upon my review of the Environmental Assessment (EA) for the Union County Target Range Project, I have decided to select ***The Proposed Action (Alternative 2)***, which establishes a target range on the Chattahoochee-Oconee National Forests located off Highway 180 between markers 18 and 19 on Land lot 212, District 16, Section 1 south of FSR 292 and consists of approximately 15 acres of National Forest System land.

The Selected Alternative will meet the purpose and need for action. Union County Government will be the special use permit holder and will assume the responsibility of funding, maintenance and operation of the target range. The Selected Alternative includes construction of a new access road from Highway 180, a parking lot, restroom facilities, storage facilities, a clubhouse, and a rifle and pistol range with shooting booths and earthen berms for back and side safety barriers (Figure 2 in the Appendix of the EA). If merchantable timber is to be removed, trees will be identified and designated for removal by Forest Service personnel.

3.1 Design Criteria

The Union County Target Range will provide a safe and environmentally sound public target range facility to serve the community of Union County, Georgia, and the surrounding area. Design and construction of the new facility will incorporate National Rifle Association (NRA) and National Shooting Sports Foundation (NSSF) guidelines for outdoor ranges and will include the following design criteria:

The following design criteria for noise mitigation will be implemented:

- The Target Range Operation Plan and Safety Plan will restrict the number of users as well as the type, size, and caliber of firearms that can be used to limit the amount of sound generated at the target range.
- The Target Range Environmental Stewardship Plan will define the engineering controls for sound mitigation including berms and non-porous walls, covered shooting positions, overhead baffles above the shooting positions and baffling to the rear and sides of the shooting stations to mitigate sound effects. Vegetation will also be utilized to reduce sound by preserving as much existing vegetation as feasible and by planting evergreen species that retain sound absorbing foliage year-round. If the above engineered controls do not fully address noise annoyance levels, further mitigations may be required.

As advised by National Rifle Association (NRA) and National Shooting Sports Foundation (NSSF) guidelines, the Forest Service used a qualified consultant recommended by Georgia Department of Natural Resources – Wildlife Resources Division to model anticipated sound levels at the proposed target range location. The Forest Service also consulted with County officials to determine if there were any Union County noise ordinances and none were identified. Two live fire tests were also conducted for demonstration purposes as requested by comments from the public.

A Noise Acoustical Analysis for the proposed Union County Shooting Range was conducted by Chuck Dowd, P.E., of Conway and Owen, Inc., on November 1, 2018, and was published in the project record on November 28, 2018. This analysis discloses the best available science related to potential noise impacts from the conceptual range design including attenuation that would be provided by installed range berms and the berm affect created by local terrain.

The analysis summary notes that predicted sound levels are generally <55dBA (annoyance not expected). However, the area off Highway 180 near the range will receive significant amounts of sound energy and drivers will hear the shots (>65 dBA, annoyance expected), as well as at Turkey Pen Mountain and Turkey Pen Gap due to the limited distance (2000'-2500') and the shooting direction. Levels will be reduced on the back side of Turkey Pen Mountain due to sound shadowing. Two spots along the Appalachian Trail that are closest to the range would approach the 55-65 dBA (annoyance uncertainty region). These levels will drop quickly as the intervening hills block the line of sight and as the Trail slopes down the back side of the ridge away from the target range.

The following design criteria for lead management will be implemented:

- Control and containment of lead bullets and bullet fragments. An earthen berm and backstop 15-20 feet high with a slope as steep as possible will be used to contain bullets and bullet fragments. The upper most 1 to 2 feet of the berm would be free of large rocks and other debris and the berm would be vegetated to prevent erosion of the berm/backstop. This option was selected because it effectively and safely contains the lead in the berm/backstop at minimal cost.
- Prevention of Lead Migration through the following actions:
 - Lime Addition: the pH of the soil over the entire range area will be monitored annually with the goal to keep the general soil pH between 6.5 and 8.5. Lime will be applied as needed at rates necessary to maintain the optimum pH level.
 - Reducing capillarity action within the backstop. Because most porosity in soil material is of capillary size, breaking this capillary action within the backstop would reduce the

exposure of lead to water. This will be done by adding a layer of limestone or gravel to the base of the backstop during construction. This will reduce the rate of deterioration of spent bullets, erosion of the backstop, and the amount of lead going into solution.

- Controlling runoff: controlling the velocity of the runoff is critical, and can be adequately addressed during construction and maintenance by insuring that vegetation cover is maintained on the site, preferably with fast growing turf grasses as well as proper grading and leveling of the site. Water diversion devices will be constructed where needed to keep any off-site runoff water from flowing onto the lead impact areas.
- Engineered runoff controls: a filter bed with containment trap will be constructed at the backstop/berm area. Filter beds will be established at the front base of the backstop. The filter will consist of two layers; a sand bed underlain by limestone gravel or other neutralization materials. After the water runoff passes through the filter bed it will drain into a perforated drainage pipe located within the limestone gravel. The perforated pipe will then drain into a containment trap which will cause any lead still contained in the runoff water to settle. Operation and maintenance will be minimal, involving mostly periodic removal of debris and occasional replacement of the limestone.
- Lead Removal and Recycling: to ensure that lead is not “discarded” or “abandoned” within the meaning of the Resource Conservation and Recovery Act (RCRA) statute (i.e., a hazardous waste); periodic lead removal activities will be planned for and conducted. The simplest and most cost effective is simple hand raking and sifting. Once collected the lead would be taken to a recycler or reused. Those conducting hand raking and sifting would use standard precautions to protect themselves from exposure to lead. These activities will be done as a minimum once every 5 years.
- Documenting Activities and Record Keeping: records will be kept on the type of Best Management Practices (BMPs) implemented, the date of service, and who conducted the service work and these records will be retained by the Forest Service.
- *Phosphate Addition.* The addition of phosphate could be considered to bind the lead particles on any section of the range that is not easily accessible when reclaiming spent lead. Phosphate does not adjust soil pH, but it binds the lead particles preventing them from moving in solution. This BMP would be optional based on the identified need at a later date.

The following design criteria for safety mitigation will be implemented:

- All plans for development, layout, construction, or alteration of improvements in the permit area, as well as revisions to those plans must be prepared by a professional engineer, architect, landscape architect, or other qualified professional acceptable to the authorized officer (i.e. Forest Supervisor). These plans and plan revisions must have written approval from the authorized officer before they are implemented. The authorized officer may require the holder to furnish as-built plans, maps, or surveys upon completion of the work.
- As required by FSH 2709.14 ‘Target Ranges and other Outdoor Recreation Improvements,’ an Environmental Stewardship Plan (ESP) that includes an Operating Plan and Safety Plan will be submitted by the applicant and approved by the Forest Service prior to issuance of the Special Use Permit. The Forest Service must approve the ESP prior to issuance of the permit.
- Safety guidelines outlined by National Rifle Association (NRA) and National Shooting Sports Foundation (NSSF) will be integral, required elements of the Operating Plan and Safety Plan for the range. There will be no deviation from the required guideline elements, including a required grade of shooting lanes no greater than 2%.

The following design criteria for scenery mitigation will be implemented:

- To address the impacts to scenery from the “linear” features of the backstops and berms, the engineered design must include backstops and berms with “undulating” berm edges with clustered evergreen plantings at the top of the berms.

The following design criteria for soil and water quality will be implemented:

- Prior to implementation, an Environmental Stewardship Plan and engineered site design that meets all required BMPs for target ranges must be approved by the Forest Service. If, upon review of the engineered site design, during construction, or as a result of monitoring, the effects of activities fall outside of those assessed within the EA, additional analyses could be warranted. Compliance with law, policy and regulation is assured through this process.
- A Sediment and Erosion Control Plan must be approved by the Forest Service prior to construction. This is a required element of the Environmental Stewardship Plan.

4. Decision and Rationale

The purpose and need for the proposal are disclosed in Section 1.3, Chapter 1 of the EA. The purpose is to provide a safe and environmentally sound public target range facility to serve the local community of Union County, Georgia and the surrounding area. The need for the proposal is to address the lack of a facility that is designed to minimize the impacts of unmanaged, dispersed target shooting to physical, biological and social resources in Union County, Georgia. This Environmental Assessment was prepared in response to a Special Use Permit application from Union County. A location outside of Union County would not be within the scope of this project. The County would not be able to expend County funds outside of Union County.

Target range facilities are consistent with Forest Service policy (USDA-Forest Service, 2018) which allows for the authorization of target ranges on the National Forest when the use is consistent with Forest Plan standards and guidelines and when the authorization would enhance forest management (by improving public safety, providing recreational opportunities or consolidating dispersed target shooting). Policy also directs the forest to enter into agreements with state governments, local governments or private organizations to provide for cost-sharing for target range design, construction, operation and maintenance, with title to the target range improvements remaining with the government.

In reaching my decision, I reviewed the purpose and need for the project and the alternatives considered in detail 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 Union County Target Range Interdisciplinary Team (IDT) conducted field surveys, database queries, and other localized analyses to determine effects the alternatives considered in detail could have:

- On public safety, noise, and traffic.
- On recreational resources, congressional designated areas and the use of adjacent areas of national forest land, including effects to hikers, campers, and dispersed forest uses.
- On the area’s ecology, including threatened, endangered, and sensitive species.
- On the potential for lead contamination to soil and water at and adjacent to the facility.

During their analyses, the IDT took a hard look at past, present, and reasonably foreseeable future actions that could be combined with expected effects from the Union County Target Range Project. I believe they provided me sufficient analyses and conclusions to make a reasoned decision. I believe Alternative 2 (The Proposed Action) will achieve the purpose and need for the project while considering public concerns.

5. Clarification Based on the Objection Review

The August 2019 EA and Draft Decision Notice (DN) were subject to review and objection pursuant to 36 CFR 218 regulations. Twenty-nine objections were received during the objection period (August – September 2019). The Reviewing Officer determined that most of the concerns identified in the

objections were adequately addressed in the August 2019 EA and Draft Decision Notice (DN). However, the objection review identified a need to clarify the Final DN to address objections points pertaining to:

- *Objectors allege that the project violates the Wilderness Act.*
Please refer to the DN (Section 8, point #3).
- *Objectors assert that the U.S. Forest Service failed to consider the viable alternative of amending the special use authorization for the Chatuge Range to allow greater public access.*
Please refer to the DN (Section 4; Decision and Rationale).
- *Objectors assert that the project does not comply with the Forest Land and Resource Management Plan – Scenery Objectives.*
Please refer to the DN (Section 3.1; Design Criteria – scenery mitigation).
- *Objectors assert that the U.S. Forest Service failed to take a hard look at the impacts of noise from operation of the proposed target range.*
Please refer to the DN (Section 3.1; Design Criteria – noise mitigation).
- *Objectors assert that the U.S. Forest Service failed to take a hard look at impacts to the safety of hikers on the Appalachian Trail and in other areas surrounding the proposed shooting range.*
Please refer to the DN (Section 3.1; Design Criteria – safety mitigation).
- *Objectors assert that the U.S. Forest Service has not complied with the Endangered Species Act.*
Please refer to the DN (Section 8; Finding of No Significant Impact, point #9).
- *Objectors allege that the U.S. Forest Service failed to take a hard look at impacts to soil and water quality.*
Please refer to the DN (Section 3.1; Design Criteria – soil and water quality).

As a result of this review, I updated my decision as described above to ensure that the objection issues have been addressed. The clarifications in the decision do not represent substantial changes to any alternatives or the effects predicted and described in the EA that was made available to the public for the objection process.

6. Other Alternatives Considered

In addition to the Selected Alternative, I considered one other alternative in detail: Alternative 1 – No Action. A comparison of these alternatives can be found in Section 2.3 and Table 2.3.1 of the EA.

Alternative 1: No Action: Under this alternative, none of the activities described in Alternative 2 (The Proposed Action) would occur in the project area. Under Alternative 1: No Action, the Forest Service would not establish a target range in Union County and the Forest Plan for the Chattahoochee-Oconee National Forests would continue to guide management of the project area (see Section 2.1.1, Chapter 2). Under Alternative 1, there would be no designated facility in Union County to provide the public with the opportunity for recreational shooting. I did not select this alternative because it would not have met the purpose and need to provide a safe and environmentally sound public target range facility designed to contain lead and noise as described in Sections 1.3 and 2.1.2 of the EA.

Alternatives Considered but Eliminated from Detailed Study: Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). Public comments received in response to Alternative 2 (The Proposed Action) provided suggestions for alternative actions.

Some of these alternatives may have been outside the scope of the project, duplicative of the alternatives considered in detail, or determined to not achieve the purpose and need.

Four alternatives were considered but eliminated from detailed study because they did not meet the Forest Plan Goals and Objectives and/or purpose and need of the project. A description of the alternatives considered but eliminated from detailed study can be found in Section 2.2 of the EA.

7. Public Involvement

The proposal has been listed in the CONF Quarterly Schedule of Proposed Actions (SOPA) each quarter of the calendar year since August 22, 2018. The SOPA was mailed to a forest-wide list of more than 3,375 addresses, and is posted on the Forest's web site.

Public scoping began on October 12, 2018, when District Ranger Andrew L. Baker emailed a letter to the forest-wide list of 3,375 email addresses and mailed a letter to 540 individuals within three miles of the proposed project. The letter requested comments from the public regarding a proposed target range site on Hwy 180 between mile markers 18 and 19 on Land lot 212, District 16, Section 1 south of FS Road 292. Notice of this proposal and request for comments was published in the North Georgia News on October 10, 2018. In addition, as part of the public involvement process, a public meeting was convened by the applicant (Union County Government) with the Blue Ridge Ranger District presenting on Wednesday October 24, 2018, at 6:00 pm at the Union County Fine Arts Center located at 926 Panther Overlook, Blairsville, Georgia. A total of 226 letters were submitted to the Forest Service by the members of the public and by representatives of state and federal agencies and non-governmental organizations during the scoping period. Using the comments from the public, other agencies, and internal review, the interdisciplinary team developed a list of issues that were addressed in detail in the EA (section 1.9.1, page 6-8).

On May 13, 2019, the Forest Service released an Environmental Assessment for the Union County Target Range Project and invited the public to review the document and to provide substantive comments on the proposed action during a 30-day comment period. The legal notices formally initiating the comment period were published in the North Georgia News (Blairsville, Georgia) and News Observer (Blue Ridge, Georgia) on May 15, 2019. In addition, as part of the public involvement process, a public meeting was convened by the applicant with the Blue Ridge Ranger District presenting on May 30, 2019, at 6:00 pm at the Pat Haralson Memorial Civic Center located at 165 Wellborn Street, Blairsville, Georgia. A total of 68 letters were received from interested parties during the 30-day comment period.

Comments received during the scoping and EA 30-day comment period are addressed in the EA. Forest Service response from the scoping notice comments are included in the project record and are available at <http://www.fs.usda.gov/project/?project=54559>. Forest Service responses to the EA 30-day comment period are included in the Response to Comments Reports and are available on the project website.

I have carefully considered all comments received throughout this project and these comments have informed my final decision.

8. Finding of No Significant Impact

This Finding of No Significant Impact incorporates by reference the project record, including the 'Summary and Clarification of: Biological Resources Evaluation Report' and other specialist reports for this project. After carefully considering the environmental effects described in the Union County Target Range Project EA, I have determined that my decision 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:

Context: For the Selected Alternative and other alternatives considered by the IDT, the context of the environmental effects is based on the analysis of the natural, biological, and social conditions as presented

in the EA. The natural, biological and social effects are limited to the project area and immediate adjacent areas, which are analyzed in Chapter 3 of the EA. All actions are consistent with the *Revised Land and Resource Management Plan, Chattahoochee-Oconee National Forests (Forest Plan)*. All environmental effects are within the range disclosed in the Final Environmental Impact Statement for the Forest Plan.

Intensity: Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1. Both beneficial and adverse effects have been considered (see EA, chapter 3, Environmental Consequences, pages 13-45). Design criteria include actions to prevent or lessen adverse impacts of the decision (EA, Section 2.1.4; DN, Section 3.1). The low intensity of the effects has been disclosed in Chapter 3 (Environmental Consequences) of the EA and the limited context of this project makes the adverse effects insignificant.
2. There will be no significant effects on public health and safety and implementation will be in accordance with project design features (Sections 2.1.4, Chapter 2 and Chapter 3 of the EA; Section 3.1 of the DN).
3. There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wetlands, wilderness, wilderness study areas, inventoried roadless areas, wild and scenic rivers, or ecologically critical areas within the project area, nor will it violate local law or requirements imposed for the protection of the environment (Chapter 3, Environmental Consequences, pages 13-45). Design criteria will mitigate noise impacts to wilderness character in the Mark Trail and Brasstown Wilderness Areas (Section 2.1.4 and Section 3.5.1 of the EA; Section 3.1 of the DN).
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. Chapter 3 of the EA provides the scientific and analytical basis for the determination of effects to the natural, biological and social environments. Chapter 4 of the EA lists the Forest Service interdisciplinary team and other specialists who provided input and/or were consulted during analysis. Reference information is provided on pages 46 - 48 of the EA. Other federal and state agencies also provided input information during scoping and/or the review period or concurred with determinations made in the Biological Evaluation (BE) and, where appropriate, in the review of the heritage reports. A review of the EA and the project record indicates that the best available scientific information was used to inform the environmental analysis. There is no known scientific controversy with respect to the effects of this action. The effects associated with this type of action are well understood and documented in scientific literature referenced in this EA, and the Forest Plan FEIS.
5. The potential effects of the project are well understood and documented in the EA, and literature review. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (Chapter 3, page 13 - 45). The Forest Service has considerable experience with the types of activities to be implemented.
6. The action in this decision 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 (Chapter 3, page 13 - 45).
7. The cumulative impacts are not significant (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 3.3.3, Chapter 3 of the EA). The action will also not cause loss or destruction of significant scientific, cultural, or historical

resources (Section 3.3.3, Chapter 3). Heritage reports were completed for this project which found that there were no archeological sites eligible for the National Register of Historic Places. The State Historic Preservation Office (SHPO) concurred with the reports on June 7, 2019 (SHPO concurrence letter is in the project record).

9. The effects of this action on endangered and threatened species and critical habitat were assessed in a 'Summary and Clarification of: Biological Resources Evaluation Report' for this project (October 24, 2019) which reached a determination of "no effect" for Bog Turtle, Green Pitcher-plant, swamp pink, as well as the recent determination that the Indiana Bat is extirpated from the project area. This project "May Affect, but is Not Likely to Adversely Affect" Northern Long-Eared Bat and Small Whorled Pogonia. The USWFS reviewed the 'Summary and Clarification of: Biological Resources Evaluation Report' and concurred with the above determinations on October 28, 2019 (U.S. Fish & Wildlife Service concurrence letter is in the project record and available on the project website).
10. The action will not violate Federal, State, or 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 *Revised Land and Resource Management Plan, Chattahoochee-Oconee National Forests (Forest Plan)*.

9. Best Available Science

My decision is based on a review of the project record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk pursuant to 40 CFR 1502.9(b), 1502.22, and 1502.24.

10. Findings Required by Other Laws and Regulations

My decision to implement the Selected Alternative (**Alternative 2: The Proposed Action**) is consistent with the intent of the long-term goals and objectives listed in the Forest Plan. The project was designed to meet Forest Plan standards and incorporates appropriate Forest Plan guidelines to provide for outdoor recreation opportunities.

11. Administrative Review and Contacts

This decision was subject to objection pursuant to 36 CFR 218, and a legal notice of the opportunity to object was published on August 7, 2019 in the *North Georgia News* and *News Observer* newspapers and sent to those who provided comments during the project's development. There were twenty-nine objections filed during the 45-day objection period. The objection reviewing officer extended the objection resolution period an additional 30 days in accordance with 36 CFR 218. All objectors were invited to participate in a November 7, 2019, objection resolution meeting at the Chattahoochee-Oconee Forest Supervisor's Office in Gainesville, Georgia.

For additional information concerning this decision, contact: Andrew L. Baker, District Ranger, Blue Ridge Ranger District, 2042 Highway 515 West, Blairsville, GA 30512, 706-745-6928.

12. Implementation Date

Per 36 CFR 218.11 (b), the decision may be signed when all concerns and instructions identified by the reviewing officer in the objection response letter have been addressed. Implementation may begin immediately following the date of this final decision as stipulated in a subsequent special use permit.



ANDREW L. BAKER
District Ranger
Blue Ridge Ranger District
Chattahoochee-Oconee National Forests

11-15-19

Date