



United States  
Department of  
Agriculture

Forest  
Service

Chattahoochee-Oconee National Forest  
Supervisor's Office

1755 Cleveland Highway  
Gainesville, GA 30501  
770-297-3000  
Fax: 770-297-3011

**File Code:** 2720  
**Date:** March 3, 2020

Lamar Paris  
Union County Sole Commissioner  
65 Courthouse Street, Suite 1  
Blairsville, GA 30512

Dear Mr. Paris:

Enclosed is a copy of your recently issued Special Use Permit #111001. It authorizes the use of National Forest System lands located on the Chattahoochee-Oconee National Forests for operation and maintenance of the Union County Target Range.

As a reminder, target range construction shall proceed only after construction design, prepared by a professional engineer, has been approved in writing by the authorized officer. We request that Union County continue to coordinate and communicate with our office and the public during the design phase and construction of the target range.

A bond shall be secured prior to implementation of any construction as required by the permit terms and conditions. You are also required to furnish proof of liability insurance to the authorized officer prior to operation and maintenance of the target range. Please coordinate with your permit administrator to ensure that the policy contains acceptable language to indemnify the United States.

If you have any questions regarding the permit or billing, please contact Jerome Bennett, Special Uses Program Manager, at (770) 297-2936 or email at [jeromebennett@usda.gov](mailto:jeromebennett@usda.gov).

We appreciate your cooperation with the Forest Service.

Sincerely,

EDWARD HUNTER, JR  
Acting Forest Supervisor

Enclosure

cc: Andy Baker, Derek Fusco, Jerome Bennett



Authorization ID: 111001  
Contact Name: UNION COUNTY COMMISSION, GEORGIA  
Expiration Date: 12/31/2039  
Use Code: 171

FS-2700-4 (VER. 03/17)  
OMB 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE**

**SPECIAL USE PERMIT**

**Authority: ORGANIC ADMINISTRATION ACT June 4, 1897**

**UNION COUNTY COMMISSION, GEORGIA, 65 COURTHOUSE STREET, BOX 1  
BLAIRSVILLE GA, USA 30512** (hereinafter "the holder") is authorized to use or occupy National Forest System lands located on the **CHATTAHOOCHEE-OCONEE NATIONAL FOREST, Blue Ridge Ranger District** or unit of the National Forest System, subject to the terms and conditions of this special use permit (the permit).

This permit covers 15 acres, ("the permit area"), as shown on the map attached as Appendix A. This and any other appendices to this permit are hereby incorporated into this permit.

This permit issued for the purpose of: construction, operation and maintenance of the Union County Target Range in Land lot 212, District 16, Section 1, in Union County, Georgia. Daily management and operation of the target range will be managed by the Union County Gun Club (UCGC). Target range construction shall proceed only after approval of a construction design prepared by a professional engineer has been approved by the authorized officer. Any additional improvements, construction, re-construction or maintenance shall require prior written approval of the authorized officer. Authorized improvements include: a rifle range, a pistol range with shooting booths, overhead baffle system, earthen berms as back and side safety barriers and an access road. Other improvements will be determined upon approval of the final construction design and may include a parking area, restroom facilities, storage facilities, and clubhouse. A detailed construction plan (i.e., professional engineered design) shall be submitted to and approved by the authorized officer prior to implementation of any construction. All appendices are attached to and shall be made a part of the terms and conditions of "the permit": Maps - Appendix A; Environmental Stewardship Plan - Appendix B; Operating Plan - Appendix C; Safety Plan - Appendix D; Appendix E - Construction Design Plan (once received from "the holder" and approved by the authorized officer).

Plans shall be submitted with final construction design and approved by the authorized officer. "The holder" shall be responsible for operation and maintenance cost for this authorized improvement.

"The holder" shall furnish and maintain a construction bond prior to implementation of any pre-construction, construction or installation of any other improvements authorized by "the permit." Bond shall remain in force throughout construction of "the permit." Amount of bond to be determined upon review of construction design cost equivalent in value to restore area to pre-construction conditions should default occur. Bond shall be released only after satisfactory construction obligation to the FS is fulfilled and accepted by the authorized officer.

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“The holder” shall submit to the authorized officer an agreement between “the holder,” its agents, lessees, or operators e.g., Union County Gun Club. The agreement will clearly define parties’ roles and responsibilities and shall be approved by the authorized officer prior to operation of “the permit.”

“The holder” shall have in effect throughout the life of “the permit” liability insurance with a “Combined Single Limit “of \$1,000,000.00.

## **TERMS AND CONDITIONS**

### **I. GENERAL TERMS**

**A. AUTHORITY.** This permit is issued pursuant to the OCCUPANCY PERMITS, AS AMENDED March 4, 1915 and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

**B. AUTHORIZED OFFICER.** The authorized officer is the Forest or Grassland Supervisor or a subordinate officer with delegated authority.

**C. TERM.** This permit shall expire at midnight on 12/31/2039, 20 years from the date of issuance.

**D. CONTINUATION OF USE AND OCCUPANCY.** This permit is not renewable. Prior to expiration of this permit, the holder may apply for a new permit for the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit. Issuance of a new permit is at the sole discretion of the authorized officer. At a minimum, before issuing a new permit, the authorized officer shall ensure that (1) the use and occupancy to be authorized by the new permit is consistent with the standards and guidelines in the applicable land management plan; (2) the type of use and occupancy to be authorized by the new permit is the same as the type of use and occupancy authorized by this permit; and (3) the holder is in compliance with all the terms of this permit. The authorized officer may prescribe new terms and conditions when a new permit is issued.

**E. AMENDMENT.** This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing a land management plan pursuant to 36 CFR Part 215.

### **F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL**

**REQUIREMENTS.** In exercising the rights and privileges granted by this permit, the holder shall comply with all present and future federal laws and regulations and all present and future state,

county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

**G. NON-EXCLUSIVE USE.** The use or occupancy authorized by this permit is not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

**H. ASSIGNABILITY.** This permit is not assignable or transferable.

**I. TRANSFER OF TITLE TO THE IMPROVEMENTS.**

1. Notification of Transfer. The holder shall notify the authorized officer when a transfer of title to all or part of the authorized improvements is planned.

2. Transfer of Title. Any transfer of title to the improvements covered by this permit shall result in termination of the permit. The party who acquires title to the improvements must submit an application for a permit. The Forest Service is not obligated to issue a new permit to the party who acquires title to the improvements. The authorized officer shall determine that the applicant meets requirements under applicable federal regulations.

**J. CHANGE IN CONTROL OF THE BUSINESS ENTITY.**

1. Notification of Change in Control. The holder shall notify the authorized officer when a change in control of the business entity that holds this permit is contemplated.

(a). In the case of a corporation, control is an interest, beneficial or otherwise, of sufficient outstanding voting securities or capital of the business so as to permit the exercise of managerial authority over the actions and operations of the corporation or election of a majority of the board of directors of the corporation.

(b). In the case of a partnership, limited partnership, joint venture, or individual entrepreneurship, control is a beneficial ownership of or interest in the entity or its capital so as to permit the exercise of managerial authority over the actions and operations of the entity.

(c). In other circumstances, control is any arrangement under which a third party has the ability to exercise management authority over the actions or operations of the business.

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2. Effect of Change in Control. Any change in control of the business entity as defined in paragraph 1 of this clause shall result in termination of this permit. The party acquiring control must submit an application for a special use permit. The Forest Service is not obligated to issue a new permit to the party who acquires control. The authorized officer shall determine whether the applicant meets the requirements established by applicable federal regulations.

## **II. IMPROVEMENTS**

**A. LIMITATIONS ON USE**. Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically authorized by this permit. Any use not specifically authorized by this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

**B. PLANS**. All plans for development, layout, construction, reconstruction, 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 based on federal employment standards acceptable to the authorized officer. 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.

**C. CONSTRUCTION**. Any construction authorized by this permit shall commence by to be determined and shall be completed by to be determined as approved by the Authorized Officer.

## **III. OPERATIONS**

**A. PERIOD OF USE**. Use or occupancy of the permit area shall be exercised 365 days each year.

**B. CONDITION OF OPERATIONS**. The holder shall maintain the authorized improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this permit. Standards are subject to periodic change by the authorized officer when deemed necessary to meet statutory, regulatory, or policy requirements or to protect national forest resources. The holder shall comply with inspection requirements deemed appropriate by the authorized officer.

**C. OPERATING PLAN**. The holder shall prepare and annually revise by **November 1**. The operating plan shall be prepared in consultation with the authorized officer or the authorized officer's designated representative and shall cover all operations authorized by this permit. The operating plan shall outline steps the holder will take to protect public health and safety and the environment and shall include sufficient detail and standards to enable the Forest Service to monitor the holder's operations for compliance with the terms and conditions of this permit. The operating plan shall be submitted by the holder and approved by the authorized officer or the authorized officer's designated representative prior to commencement of operations and shall be attached to this permit as an appendix. The authorized officer may require an annual meeting with the holder to discuss the terms

and conditions of the permit or operating plan, annual use reports, or other concerns either party may have.

**D. MONITORING BY THE FOREST SERVICE.** The Forest Service shall monitor the holder's operations and reserves the right to inspect the permit area and transmission facilities at any time for compliance with the terms of this permit. The holder shall comply with inspection requirements deemed appropriate by the authorized officer. The holder's obligations under this permit are not contingent upon any duty of the Forest Service to inspect the permit area or transmission facilities. A failure by the Forest Service or other governmental officials to inspect is not a justification for noncompliance with any of the terms and conditions of this permit.

#### **IV. RIGHTS AND LIABILITIES**

**A. LEGAL EFFECT OF THE PERMIT.** This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR 214 and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

**B. VALID EXISTING RIGHTS.** This permit is subject to all valid existing rights. Valid existing rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.

**C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS.** The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

**D. SERVICES NOT PROVIDED.** This permit does not provide for the furnishing of road or trail maintenance, water, fire protection, search and rescue, or any other such service by a government agency, utility, association, or individual.

**E. RISK OF LOSS.** The holder assumes all risk of loss associated with use or occupancy of the permit area, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If authorized temporary improvements in the permit area are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed. If rebuilding is not allowed, the permit shall terminate.

**F. DAMAGE TO UNITED STATES PROPERTY.** The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States. Damage includes but is not limited to fire suppression costs and damage to government-owned improvements covered by this permit.

1. The holder shall be liable for all injury, loss, or damage, including fire suppression, prevention

and control of the spread of invasive species, or other costs in connection with rehabilitation or restoration of natural resources resulting from the use or occupancy authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs. Such costs may be deducted from a performance bond required under clause IV.J.

2. The holder shall be liable for damage caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to all roads and trails of the United States to the same extent as provided under clause IV.F.1, except that liability shall not include reasonable and ordinary wear and tear.

**G. HEALTH AND SAFETY.** The holder shall take all measures necessary to protect the health and safety of all persons affected by the use and occupancy authorized by this permit. The holder shall promptly abate as completely as possible and in compliance with all applicable laws and regulations any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during the term of this permit that causes or threatens to cause a hazard to the health or safety of the public or the holder's employees or agents. The holder shall as soon as practicable notify the authorized officer of all serious accidents that occur in connection with these procedures, activities, events, or conditions. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations of the holder for hazardous conditions or compliance with health and safety standards.

#### **H. ENVIRONMENTAL PROTECTION.**

1. For purposes of clause IV.H and section V, "hazardous material" shall mean (a) any hazardous substance under section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

2. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use and occupancy of the permit area. Environmental damage includes but is not limited to all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. If the environment or any government property covered by this permit becomes damaged in connection with the holder's use and occupancy, the holder shall as soon as practicable repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

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3. The holder shall as soon as practicable, as completely as possible, and in compliance with all applicable laws and regulations abate any physical or mechanical procedure, activity, event, or condition existing or occurring in connection with the authorized use and occupancy during or after the term of this permit that causes or threatens to cause harm to the environment, including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources.

**I. INDEMNIFICATION OF THE UNITED STATES.** The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use or occupancy authorized by this permit. This indemnification provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use or occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous materials, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

**J. BONDING.** The authorized officer may require the holder to furnish a surety bond or other security for any of the obligations imposed by the terms and conditions of this permit or any applicable law, regulation, or order.

**L. INSURANCE.** The holder shall furnish proof of insurance, such as a certificate of insurance, to the authorized officer prior to issuance of this permit and each year thereafter that this permit is in effect. The Forest Service reserves the right to review the insurance policy and require any changes needed to ensure adequate coverage of the United States in connection with the authorized use and occupancy. The holder shall send an authenticated copy of any insurance policy obtained on and pursuant to this clause to the authorized officer immediately upon issuance of the policy. Any insurance policies obtained by the holder pursuant to this clause shall name the United States as an additional insured, and the additional insured provision shall provide for insurance coverage for the United States as required under this clause and to the extent of the full limits of insurance available to the holder. The holder shall give 30 days prior written notice to the authorized officer of cancellation of or any modification to the insurance policy. The certificate of insurance, the authenticated copy of the insurance policy, and written notice of cancellation or modification of insurance policies should be sent to **United States C/O Chattahoochee-Oconee National Forests, 1755 Cleveland Highway Gainesville, GA 30501**. Minimum amounts of coverage and other insurance requirements are subject to change at the sole discretion of the authorized officer on the anniversary date of this permit.

The holder shall have in force liability insurance covering losses, including those arising from strict liability, associated with the use or occupancy authorized by this permit arising from personal injury or death and third-party property damage in the minimum amount of:

\$30,000.00 for injury or death to one person per occurrence;

\$500,000.00 for injury or death to more than one person per occurrence; and

\$1,000,000.00 for third-party property damage per occurrence.

## **V. RESOURCE PROTECTION**

**A. COMPLIANCE WITH ENVIRONMENTAL LAWS.** The holder shall in connection with the use or occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq., the Oil Pollution Act, as amended, 33 U.S.C. 2701 et seq., the Clean Air Act, as amended, 42 U.S.C. 7401 et seq., CERCLA, as amended, 42 U.S.C. 9601 et seq., the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 et seq., the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 et seq., and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f et seq.

**B. VANDALISM.** The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

### **C. PESTICIDE USE.**

1. Authorized Officer Concurrence. Pesticides may not be used outside of buildings in the permit area to control pests, including undesirable woody and herbaceous vegetation (including aquatic plants), insects, birds, rodents, or fish without prior written concurrence of the authorized officer. Only those products registered or otherwise authorized by the U.S. Environmental Protection Agency and appropriate State authority for the specific purpose planned shall be authorized for use within areas on National Forest System lands.

2. Pesticide-Use Proposal. Requests for concurrence of any planned uses of pesticides shall be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.

3. Labeling, Laws, and Regulations. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

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**D. ARCHAEOLOGICAL-PALEONTOLOGICAL DISCOVERIES.** The holder shall immediately notify the authorized officer of all antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered in connection with the use and occupancy authorized by this permit. The holder shall follow the applicable inadvertent discovery protocols for the undertaking provided in an agreement executed pursuant to section 106 of the National Historic Preservation Act, 54 U.S.C. 306108; if there are no such agreed-upon protocols, the holder shall leave these discoveries intact and in place until consultation has occurred, as informed, if applicable, by any programmatic agreement with tribes. Protective and mitigation measures developed under this clause shall be the responsibility of the holder. However, the holder shall give the authorized officer written notice before implementing these measures and shall coordinate with the authorized officer for proximate and contextual discoveries extending beyond the permit area.

**E. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA).** In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall follow the applicable NAGPRA protocols for the undertaking provided in the NAGPRA plan of action or the NAGPRA comprehensive agreement; if there are no such agreed-upon protocols, the holder shall as soon as practicable notify the authorized officer of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the forest archaeologist certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a binding written agreement has been executed between the Forest Service and the affiliated Indian tribes that adopts a recovery plan for the human remains and objects.

**F. PROTECTION OF THREATENED AND ENDANGERED SPECIES, SENSITIVE SPECIES, AND SPECIES OF CONSERVATION CONCERN AND THEIR HABITAT.**

1. Threatened and Endangered Species and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., as amended, or within designated critical habitat shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on listed species or designated critical habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing threatened or endangered species or designated critical habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

2. Sensitive Species and Species of Conservation Concern and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals designated by the Regional Forester as sensitive species or as species of conservation concern pursuant to FSM 2670 shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder

shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on sensitive species or species of conservation concern or their habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing sensitive species or species of conservation concern or their habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

**G. CONSENT TO STORE HAZARDOUS MATERIALS.** The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

1. If the holder receives consent to store hazardous material, the holder shall identify to the Forest Service any hazardous material to be stored at the site. Such identification information shall be consistent with column (1) of the table of hazardous materials and special provisions enumerated at 49 CFR 172.101 whenever the hazardous material appears in that table. For hazard communication purposes, the holder shall maintain Material Safety Data Sheets for any stored hazardous chemicals, consistent with 29 CFR 1910.1200(c) and (g). In addition, all hazardous materials stored by the holder shall be used, labeled, stored, transported, and disposed of in accordance with all applicable federal, state, and local laws and regulations.

2. The holder shall not release any hazardous material as defined in clause IV.H for non-federal entities/IV.G for federal entities onto land or into rivers, streams, impoundments, or natural or man-made channels leading to them. All prudent and safe attempts must be made to contain any release of these materials. The authorized officer in charge may specify specific conditions that must be met, including conditions more stringent than federal, state, and local regulations, to prevent releases and protect natural resources.

**H. CLEANUP AND REMEDIATION.**

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer or the authorized officer's designated representative, of any oil discharge or of the release of a hazardous material in the permit area in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer or the authorized officer's designated representative of any release or threatened release of any hazardous material in or near the permit area which may be harmful to public health or welfare or which may adversely affect natural resources on federal lands.

2. Except with respect to any federally permitted release as that term is defined under Section

101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either in the permit area or in connection with the holder's activities in the permit area, regardless of whether those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

## **VI. LAND USE FEE AND DEBT COLLECTION**

**A. LAND USE FEES.** The use or occupancy authorized by this permit is exempt from a land use fee or the land use fee has been waived in full pursuant to 36 CFR 251.57 and Forest Service Handbook 2709.11, Chapter 30.

**B. MODIFICATION OF THE LAND USE FEE.** The land use fee may be revised whenever necessary to reflect the market value of the authorized use or occupancy or when the fee system used to calculate the land use fee is modified or replaced.

### **C. FEE PAYMENT ISSUES.**

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.

2. Disputed Fees. Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by an administrative appeal decision, a court decision, or settlement terms.

### 3. Late Payments

(a) Interest. Pursuant to 31 U.S.C. 3717 et seq., interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the United States Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.

(b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.

(c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.

(d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice

and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall remain responsible for the delinquent fees.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referral to the United States Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 et seq.

(d) Disclosure to consumer or commercial credit reporting agencies.

5. Consolidated Payment. Payment of annual land use fees for number up to 5 years shall be consolidated. The first consolidated payment shall be made on date first full payment is due, when the first full annual land use fee payment is due, and thereafter every number up to 5 given above years from date first full payment is due, until this permit expires.

## **VII. REVOCATION, SUSPENSION, AND TERMINATION**

**A. REVOCATION AND SUSPENSION.** The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state, or local law.
2. For noncompliance with the terms of this permit.
3. For abandonment or other failure of the holder to exercise the privileges granted.
4. With the consent of the holder.
5. For specific and compelling reasons in the public interest.

Prior to revocation or suspension, other than immediate suspension under clause VII.B, the authorized officer shall give the holder written notice of the grounds for revocation or suspension and a reasonable period, typically not to exceed 90 days, to cure any noncompliance.

**B. IMMEDIATE SUSPENSION.** The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's

supervisor shall grant this request within 48 hours. Following the on-site review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

**C. APPEALS AND REMEDIES.** Written decisions by the authorized officer relating to administration of this permit are subject to administrative appeal pursuant to 36 CFR Part 214, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

**D. TERMINATION.** This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon change of control of the business entity. Termination of this permit shall not require notice, a decision document, or any environmental analysis or other documentation. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

**E. RIGHTS AND RESPONSIBILITIES UPON REVOCATION OR TERMINATION WITHOUT ISSUANCE OF A NEW PERMIT.**

Upon revocation or termination of this permit without issuance of a new permit, the holder shall remove all structures and improvements, except those owned by the United States, within a reasonable period prescribed by the authorized officer and shall restore the site to the satisfaction of the authorized officer. If the holder fails to remove all structures and improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

**VIII. MISCELLANEOUS PROVISIONS**

**A. MEMBERS OF CONGRESS.** No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use provides a general benefit to a corporation.

**B. CURRENT ADDRESSES.** The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for billing and payment of land use fees.

**C. SUPERSEDED PERMIT.** This permit supersedes a special use permit designated N/A.

**D. SUPERIOR CLAUSES.** If there is a conflict between any of the preceding printed clauses and any of the following clauses, the preceding printed clauses shall control.

**E. Access to Records (A-7).**

For purposes of administering this permit (including ascertaining that the correct land use fee was paid), the holder shall make all accounting books and supporting records for the authorized operations, as well as those of lessees operating in the permit area, available for review by the Forest

Service or other federal agencies authorized to review Forest Service activities. Review of accounting books and supporting records shall be made at dates convenient to the holder and reviewers. Financial information shall be kept confidential to the extent permitted by law. The holder shall retain these records and keep them available for review for 5 years after they were generated, unless otherwise approved by the Authorized Officer in writing.

**F. Accounting Records (A-8).**

The holder shall follow generally accepted accounting principles or other comprehensive bases of accounting acceptable to the Forest Service in recording financial transactions and in reporting financial results to the Authorized Officer.

When requested by the Authorized Officer, the holder at its own expense shall have annual accounting reports for the authorized operations audited or prepared by a licensed independent accountant acceptable to the Forest Service. The holder shall require lessees to comply with these same requirements. At a minimum, the holder's and lessees' accounting system shall include:

1. Systematic internal controls, including recording by type of business the gross receipts derived from all operations conducted under this permit. Gross receipts should be recorded daily and, if possible, deposited into a bank account without reduction for disbursements.

Receipt entries shall be documented by cash register tapes, sale invoices, rental records, cash accounts from other sources, or some other means.

2. A permanent record of capital investments in facilities (including a depreciation schedule).
3. Generation and maintenance of other records and accounts as may be specified by the Authorized Officer.

**G. Nondiscrimination (B-1).**

1. The holder and its employees shall not discriminate against any person on the basis of race, color, sex (in educational activities), national origin, age, or disability or by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. In addition, the holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and the Age Discrimination Act of 1975, as amended.

2. The holder shall include and require compliance with the above nondiscrimination provisions in any third-party agreement made with respect to the operations authorized under this permit.

3. The Forest Service shall furnish signs setting forth this policy of nondiscrimination. These signs shall be conspicuously displayed at the public entrance to the premises and at other exterior or interior locations, as directed by the Forest Service.

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4. The Forest Service shall have the right to enforce the foregoing nondiscrimination provisions by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the violation occurs.

**H. Equal Access to Federal Programs (B-2).**

In addition to the above nondiscrimination policy, the holder agrees to insure that its programs and activities are open to the general public on an equal basis and without regard to any non-merit factor.

**I. Site Development Schedule (C-1).**

The holder shall prepare by **to be determined** a schedule for the progressive development and installation of facilities on the permitted site. This schedule shall be made a part of this authorization. The holder may accelerate the scheduled date for installation of any improvement authorized, provided the other scheduled priorities are met and that all priority installations authorized are completed to the satisfaction of the Forest Service and ready for public use prior to the scheduled due date.

All required plans and specifications for site improvements, and structures included in the development schedule shall be properly certified and submitted to the Forest Service at least forty-five (45) days before the construction date stipulated in the development schedule.

**J. Ground Surface Protection and Restoration (D-9).**

The holder shall prevent and control soil erosion and gulying on National Forest System lands in and adjacent to the permit area resulting from construction, operation, maintenance, and termination of the authorized use. The holder shall construct authorized improvements so as to avoid accumulation of excessive amounts of water in the permit area and encroachment on streams. The holder shall revegetate or otherwise stabilize (for example, by constructing a retaining wall) all ground where the soil has been exposed as a result of the holder's construction, maintenance, operation, or termination of the authorized use.

**K. Timber Payment (D-17).**

All National Forest timber cut or destroyed in the construction of the permitted improvements shall be paid for at current stumpage rates for similar timber in the National Forest. Young-growth timber below merchantable size will be paid for at current damage-appraisal value; and all slash and debris resulting from the cutting or destruction of such timber shall be disposed of as necessary or as the Forest Service may direct.

**L. Fire-Control Plan (F-20).**

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The holder shall prepare a fire plan for approval by the Authorized Officer which shall set forth in detail the plan for prevention, reporting, control, and extinguishing of fires on the authorized areas and within the holder's area of responsibility defined on an attached map. Such plans shall be reviewed and revised at intervals of not more than three (3) years.

**M. Regulating Services and Rates (X22).** The Forest Service shall have the authority to check and regulate the adequacy and type of services provided the public and to require that such services conform to satisfactory standards. The holder may be required to furnish a schedule of prices for sales and services permitted by the authorization. Such prices and services may be regulated by the Forest Service: Provided, that the holder shall not be required to charge prices lower than those charged by comparable or competing enterprises.

**THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.**

**BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE AUTHORIZED OFFICER OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.**

ACCEPTED:

**LAMAR PARIS ,  
SOLE COMMISSIONER, UNION COUNTY COMMISSION, GEORGIA**

HOLDER NAME, PRECEDED BY NAME AND TITLE  
OF PERSON SIGNING ON BEHALF OF HOLDER,  
IF HOLDER IS AN ENTITY

SIGNATURE

DATE

2/13/2020

APPROVED:

**EDWARD HUNTER**

**CHATTAHOOCHEE-OCONEE NATIONAL FOREST, Acting Forest Supervisor**

NAME AND TITLE OF AUTHORIZED OFFICER

SIGNATURE

DATE

03/02/2020

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and

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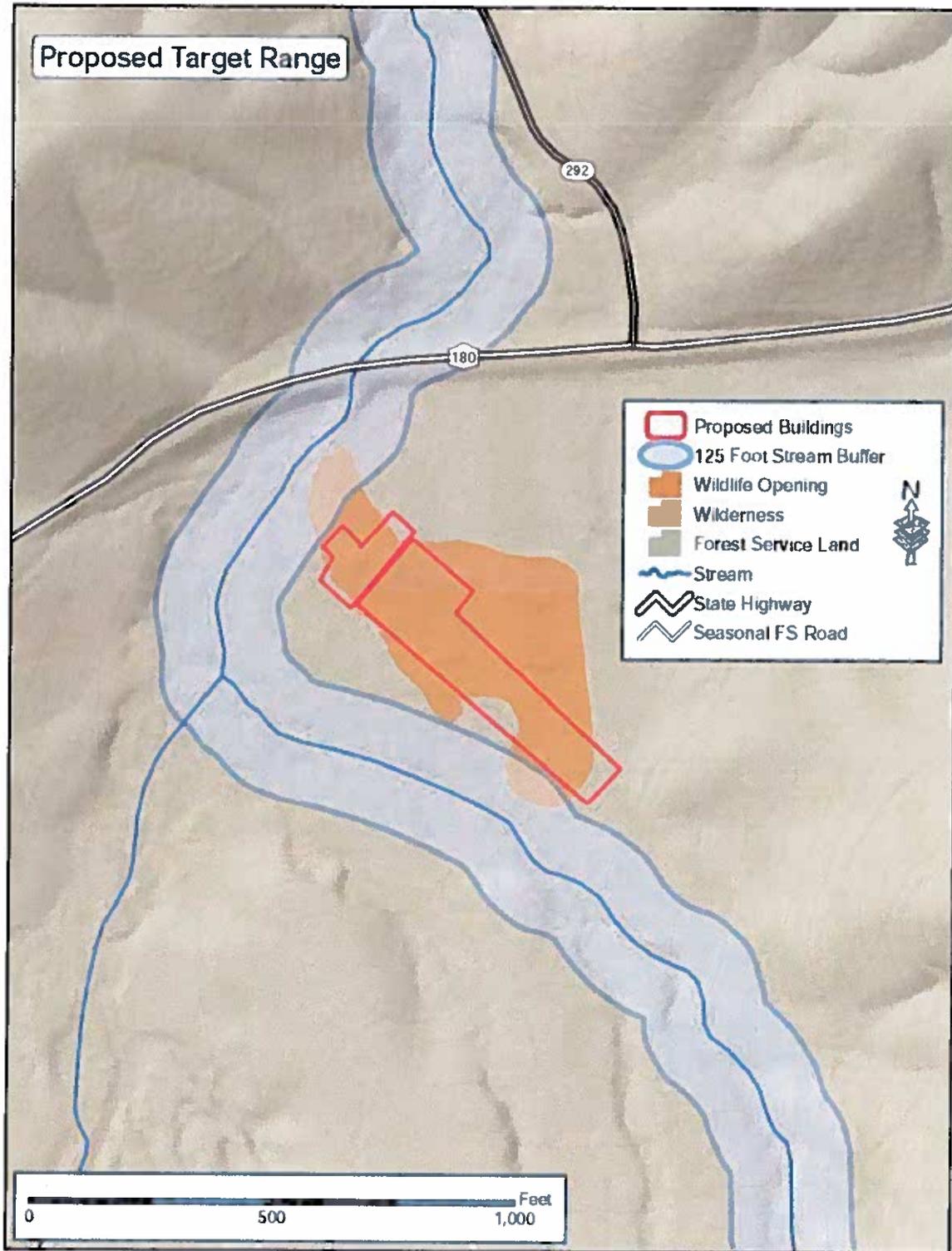
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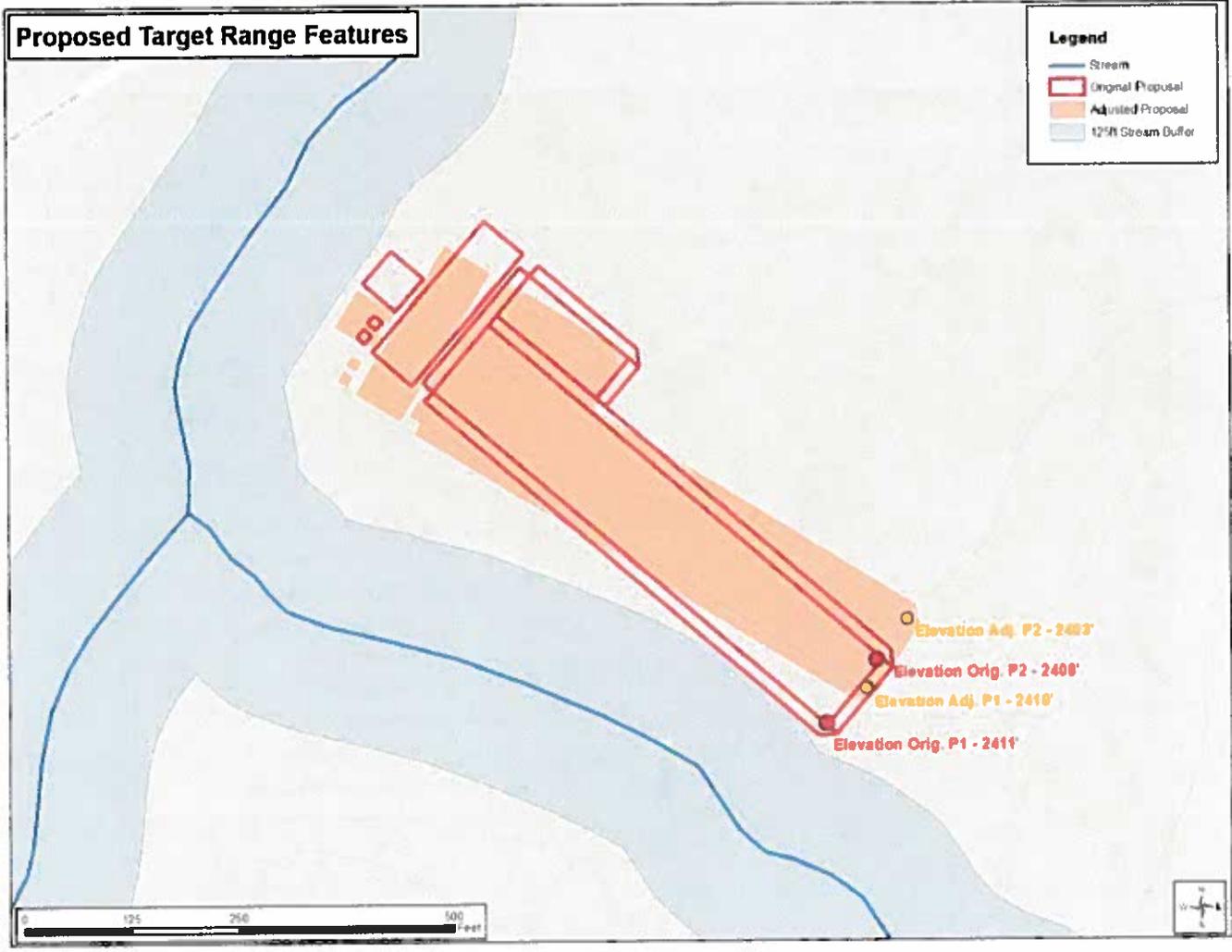
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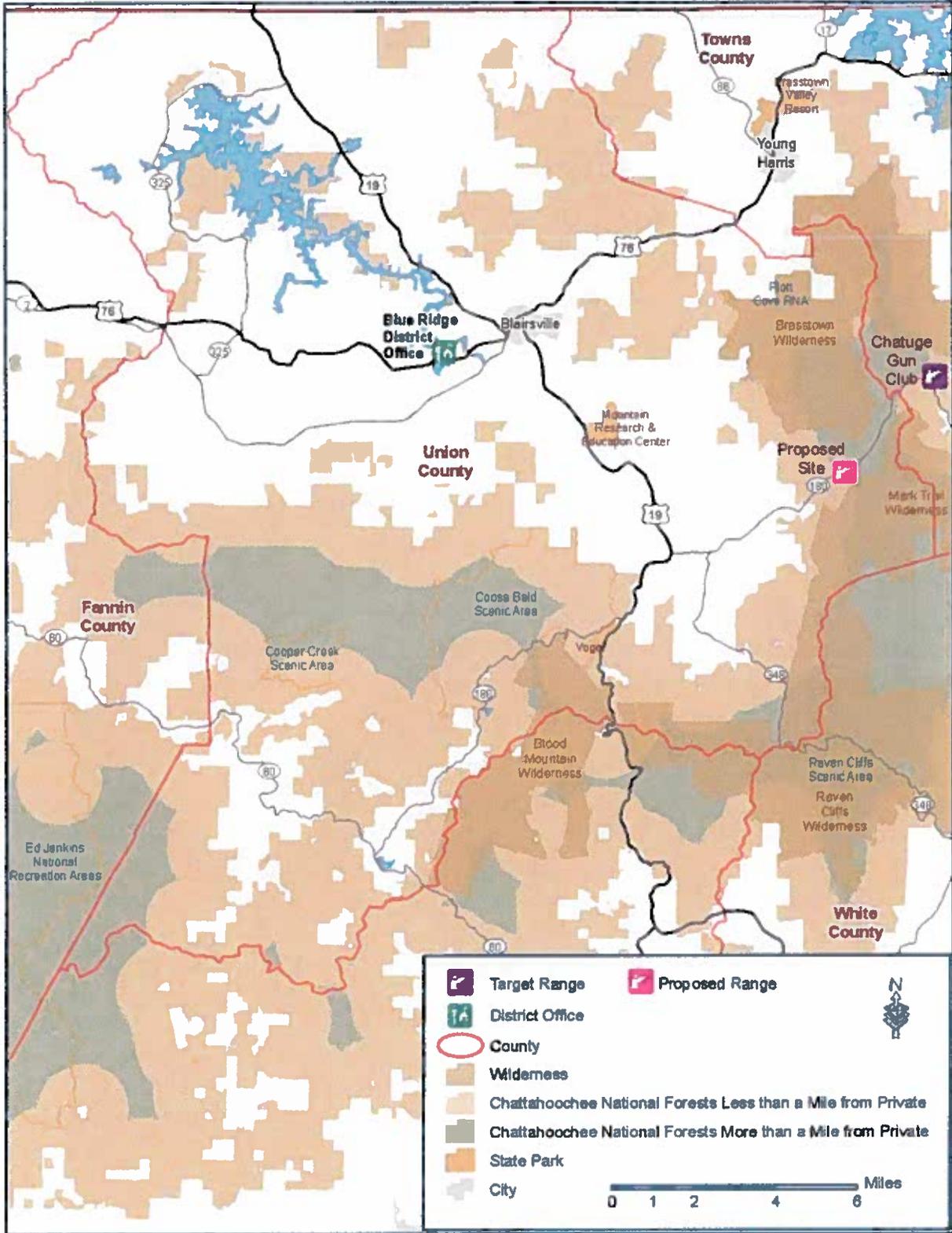


### APPENDIX A. Maps



### New Range Alignment







1 inch = 100 feet

**PROPOSED SHOOTING RANGE LOCATION  
GA HWY 180 E NEAR USFS RD 292  
UNION COUNTY, GEORGIA**



UNION COUNTY, GEORGIA  
PLANNING AND ZONING DEPARTMENT  
1000 W. MARKET STREET, SUITE 200  
UNION CITY, GA 30154  
404.881.1234  
WWW.UNIONCOUNTYGA.GOV



**Legend**

PROPOSED ROAD	RIFLE RANGE
STREAMS	PISTOL RANGE
Roads	BUILDINGS
125 FT STREAM BUFFER	BERMS
PROPOSED PARKING AREA	PROPOSED SHOOTING RANGE BOUNDARY
FIRING LINE	2 FT CONTOURS



1 inch = 100 feet

**PROPOSED SHOOTING RANGE LOCATION**  
**GA HWY 180 E NEAR USFS RD 292**  
**UNION COUNTY, GEORGIA**



***APPENDIX B: Environmental Stewardship Plan***

**Environmental Stewardship Plan For  
the Union County Target Range**

**Prepared for:**

**The Union County Government &  
USDA-Forest Service, Blue Ridge Ranger District**

**With input from:**

**Nutter & Associates, Inc.  
Athens, Georgia  
Nutter Inc.com**

**November 2019**

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Environmental Stewardship Plan.

Contact Name: UNION COUNTY COMMISSION, GEORGIA

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Expiration Date: 12/31/2039

File Code: 171

## **1.0 INTRODUCTION**

The Union County Government (Union County) proposes construction of a target range facility on National Forest Land within the Blue Ridge Ranger District in Union County Georgia. Use of public land is granted through a Special Use Permit (SUP), which requires development and implementation of an Environmental Stewardship Plan (ESP). The Union County Government would be the primary SUP holder and would assume the funding, maintenance and operation responsibilities, with the Union County Gun Club, a private entity, responsible for the day to day operation of the proposed target range. The proposed site for this project is located off Highway 180 between mile markers 18 and 19 on Land lot 212, District 16, Section 1 south of FS Road 292 and consists of approximately 15 acres of National Forest land. As shown in the site layout map included in Appendix A, the proposed layout consists of construction of a new access road from Highway 180, a parking lot, restroom facilities, storage facilities, a clubhouse, and a rifle and pistol range. A more detailed description of the facility is provided in Section 2.0 below.

### **1.1 Plan Goals**

Union County is dedicated to being good stewards of the environment by developing and operating a firing range that minimizes environmental contamination. This ESP has been prepared on behalf of Union County and the USDA-Forest Service in accordance with the SUP to specifically address proper lead management strategies, long-term operation and monitoring measures, and safety provisions to be implemented as part of the proposed Union County Target Range Facility.

**Lead is not considered a hazardous waste subject to the Resource Conservation and Recovery Act (RCRA) at the time that it is discharged from a firearm because it is being used for its intended purpose.** Target lead shot, or bullets, is therefore not regulated by US Environmental Protection Agency (EPA), and a RCRA permit is not required to operate a target range. Nevertheless, lead shot or bullets that remain in the environment are subject to a broader definition of solid waste, included in sections 7002 and 7003 of the RCRA statute (EPA, Revised 2005). This ESP, developed for the target range, includes best management practices (BMPs) to separate lead from soil and to manage range soils that may contain lead. **Implementation of these BMPs for lead and soil are intended to maintain exemptions with respect to RCRA.** Based on what is known about the target range at this time, discharge of spent lead into "waters of the United States", as defined in the Clean Water Act (CWA) is not expected; CWA concerns would be addressed through BMPs and the application of appropriate regulatory requirements as noted in Section 2.5 below.

**This ESP is consistent with the guidance and recommendations of the US EPA "Best Management Practices for Lead at Outdoor Target Ranges" (2001, revised 2005) and will serve as an integral component to addressing lead recovery and management during the renovation and remodeling process as well as to future range operations.** By developing and implementing this ESP and the associated BMPs, Union County can ensure potential lead contamination can be minimized and lead can be managed at the facility in an environmentally sound manner.

## **1.2 Plan Purpose**

The purpose of this ESP is to:

- Provide a description of the Union County Target Range Facility;
- Identify potential environmental concerns that may exist;
- Identify, evaluate, and prioritize appropriate actions to manage lead bullets safely, as well as identifying and addressing environmental concerns;
- Establish a lead recovery and recycling program for the target range;
- Outline recommendations for operational and environmental monitoring;
- Present an Operating Plan for the facility that includes litter control measures and a user-safety plan; and
- Establish an ESP implementation schedule that includes the required USDA-Forest Service oversight for the facility.

## **2.0 PROJECT DESCRIPTION**

### **2.1 Shooting Ranges**

The project would include two shooting ranges, one for rifle usage (600 x 100 foot) and another for pistol usage (150 x 60 foot), both oriented such that the shooting direction directly faces the toe of Turkeypen Mountain with a grade of no greater than 2%. (Appendix A). Per the Operating Plan (Appendix B), the following gun restrictions would be imposed, as stated:

- *Pistol Range - No center-fire Rifles are to be allowed on the Pistol Range. However, 22 Rimfire Rifles may be used on the Pistol Range provided that no mag-loads are used.*
- *Pistol Range - All targets shall be placed immediately in front of the berms, but no closer than 7.5 yards from the firing line, to facilitate that fired bullets will impact the berm.*
- *Rifle Range - Black powder cartridges are allowed. Nothing larger than a 300 Magnum rifle and nothing larger than 300 Magnum loads will be permitted on the range. No targets on the rifle range shall be placed closer than 40 yards and no more than 200 yards. No fully automatic firearms or devices that simulate fully automatic firearms are allowed.*

Protective berms would be installed along the sides of each range to a minimum height of 8 feet, and along the primary backstop of the range to a minimum height of 20 feet (Appendix A). The primary backstop will be equipped with a roof to minimize erosion potential. Side slopes on the backstops are expected to be at a 2:1 ratio (NRA, 1998). The ranges and backstops will be grassed using an approved seed mix and maintained for full vegetative coverage of the site during operation of the range. The backstops and berms should be developed using "undulating" berm edges with clustered evergreen tree planting at the top of the berms.

### **2.2 Structures**

Structures on the site will include a new access road off Highway 180, a parking lot, restroom facilities, storage facilities, a club house, and a pistol and rifle range with shooting booths and earthen berms for back and side safety barriers.

### **2.3 Operations**

The attached Operating Plan (Appendix B) provides an overview of range operations, use restrictions, safety rules, and litter control measures. Further detail on operations is provided in Section 5.0 below. Projections of usage and lead quantity have not been developed to date.

## **2.4 Access**

The access road that connects State Highway 180 to the designated parking lot would be approximately 500 feet in length (Appendix A). Access would be through a designated security gate (Appendix B). The gravel parking lot would consist of a 60 x 200 foot area with a projected capacity will be up to 40 vehicles (subject to change per approved construction design). Signage would be installed as needed to aid in safety for traffic and recreation users of the National Forest in the vicinity of the project.

## **2.5 Drainage Management**

Artificial drainage would be provided temporarily for construction/decommissioning of the project, and permanently for operation and maintenance of the range. All sediment and erosion control measures, including any artificial drainage (e.g., vegetated buffers, turn outs, etc.) would be designed, installed and maintained in accordance with both the Georgia Water Quality Control Act and appropriate Union County codes and ordinances. This includes an approved Sediment and Erosion Control (ESC) Plan and Land Disturbance Permit by Union County, a local issuing authority (LIA). In no instances would there be a direct connection of construction site stormwater to naturally occurring surface water in the vicinity of the project, and compliance with the approved ESC Plan would be maintained. Further, any permanent water control structure(s) that would remain or be constructed as part of the ongoing maintenance and operation of the facility would not provide a direct connection to surface water in the vicinity of the project. Specific runoff and dust control measures are discussed further in Section 4.4.

## **2.6 Noise Control Measures**

Engineering controls for sound mitigation will include berms and non-porous walls that serve to deflect and absorb sound, covered shooting positions, overhead baffles above the shooting positions, and baffling to the rear and sides of the shooting booths serve to further mitigate sound effects. Vegetation will also be utilized to reduce sound by preserving as much existing vegetation as feasible and by planting selected species such as evergreens and hedges that retain sound-absorbing foliage year round.

### **3.0 EXISTING ENVIRONMENTAL CONDITIONS**

The proposed project site is located within the Blue Ridge physiographic region within the Tennessee River Basin. It is bordered to the west by Gillam Branch, a secondary trout stream, which is in the Hydrologic Unit HUC 0602000208 for the Nottely River/Nottely Lake watershed. A buffer of 125-feet would be maintained and remain undisturbed for the life of the proposed project. No other "waters of the United States", as defined in the CWA are located within the proposed site.

The site consists of rolling topography with slopes ranging from 2 to 10 percent (Appendix A). Geologic mapping for the State of Georgia Lawton et al., 1976) indicates that the site is underlain by crystalline, metamorphic rocks including gneiss and mica schists. The crystalline rocks of the Blue Ridge province have little or no inherent porosity or permeability, therefore groundwater does not move through pore spaces within the unweathered rock. Instead, water occurs within pore spaces in soils and saprolite (weathered rock) developed on the rock or within voids (fractures or other discontinuities) in the unweathered rock.

Based on the Soil Survey for Fannin and Union Counties (1996), the soils mapped on and in the vicinity of the site are the Thurmont, Cowee-Evard Complex and Bradson series (Appendix C). In general, these soils include surface horizon(s) that are generally shallow and brown, with granular structure overlaying subsurface horizon(s) with sandy clay loam or clay loam textures, yellowish red in color, with sub-angular blocky or massive structure.

The site is comprised of a mixed hardwood forest and open grassland area. The approximate ten acres forested area is a mafic forest dominated by oaks and hickories. Evergreen species, including white pines and immature hemlocks, are integrated throughout the overstory and midstory. A history of disturbance has created an opening in the forested area that is now dominated by herbaceous vegetation. This includes grasses, sedges, and vine species that are maintained to create a "wildlife opening" currently managed by the USDA-Forest Service. Interspersed throughout the site are boulders and boulder piles either naturally occurring or from anthropogenic sources.

Based on a Phase I Archaeological Survey of the site, one previously unrecorded archaeological site, 9UN728, was located on the proposed site (New South Associates, Inc., 2019). Site 9UN728 represents a stone pile and an associated early- to late twentieth-century metal scatter. It was recommended that the site is not eligible for the National Register of Historic Places.

Threatened and endangered species and critical habitat determinations are disclosed in Section 8 of the Final Decision Notice and FONSI for the Union County Target Range Project.

### **4.0 ACTION PLAN**

#### **4.1 General Behavior of Lead at Firing Ranges**

Lead is the primary component in bullets used in rifle and pistol target. The physical and chemical characteristics of lead play an important role in determining the potential for

negative environmental consequences at outdoor target ranges. According to the US Department of Health and Human Services (HHS, 2007), important characteristics include:

- Lead is a known toxicant that does not degrade leading to higher concentrations in the environment overtime;
- Lead has little effect on plants or herbaceous consumers. It is not biomagnified in the food chain;
- Lead releases to water constitute a much higher exposure risk than releases in soil;
- Lead solubility in water is a function of pH, hardness, salinity, and the presence of organic matter;
- Lead does not leach appreciably into the subsoil and groundwater. It is strongly adsorbed to the soil and is generally retained in upper layers of soil; and,
- The mobility of lead in soils is dependent upon organic matter content, pH, and CEC.

Lead mobility will increase in environments having low pH due to the enhanced solubility of lead under acidic conditions. A majority of lead is retained strongly in soil, and very little is transported through surface water runoff or leaching to groundwater except under acidic conditions. However, it may enter surface waters as a result of erosion of lead-containing soil particulates or airborne soil dust particles. Lead becomes soluble at a pH of 4 to 6 and may leach from existing berms, thus being transported by runoff into groundwater or the surrounding surface water. Additionally, in soil types with low organic matter and CEC, lead is more mobile, especially at a pH of less than 6.5 or greater than 8.5 (EPA, Revised 2005).

#### **4.2 Site Specific Conditions**

Soil types on the site and those that will make up the earthen backstop berms and target lanes are fine loamy or loamy, meaning higher clay content. Most of the stormwater on the site will be managed such that it will not be directed to surface waters. Based on soil pH data for the site, the pH is currently within the optimum range of 6.5 to 8.5 for ensuring immobility of lead. The soils also have a higher cation exchange capacity, which decreases the likelihood of lead migration offsite and contamination of surface and groundwater resources. Given the proposed slope of the site, additional control measures shall be installed (are needed) to control runoff.

Based on the properties of lead, the usage period of the existing range, and onsite soil and surface water characteristics, management measures have been selected and separated into two categories:

1. Proper reclamation and recycling of lead.
2. Control and containment of lead.

At the Union County Target Range, lead has the potential to leave the ranges and interact with the environment through soil, surface water runoff, groundwater, and air. It will be important to manage soil properties (e.g., pH), the amount of lead in the soil, erosion, dust. Proper management of onsite soils and stormwater runoff will act to maximize protection of surface water and groundwater from lead contaminants.

### **4.3 Lead Reclamation and Recycling**

The most important BMPs to minimize lead migration are implementation of a lead reclamation program (EPA, Revised 2005). Periodic lead removal activities should be regularly planned and conducted to ensure no hazardous waste would be present on the site. The firing range could be at risk under RCRA regulations if it fails to routinely recover and recycle the lead.

Lead reclamation activities can be conducted by range personnel or by a professional reclamation company. Management measures conducted by range personnel are less expensive but a more time-consuming alternative to hiring a lead reclamation company. Following reclamation activities, soil can typically be returned to the field and sifted lead can be recycled to help offset reclamation costs. Several BMPs, as identified by the EPA (Revised 2005), can be used to conduct lead removal by range personnel and are discussed in detail below.

***Hand Raking and Sifting:*** A less costly management measure is utilizing range personnel to hand rake and sift bullets from the soil surface. Personnel must wear proper personal protective equipment (PPE) including clothing (gloves, aprons, and boots), safety goggles, and respiratory protection. The Occupation Health and Safety Administration (OSHA) or an appropriate health professional should be contacted to learn about proper protection. Range personnel can use a leaf or landscape rake to sweep soil and bullets along the soil surface. Once collected, the material should be sifted through a screening system. First, pass the material through a 3/6-inch screen then through a 5/100-inch screen. Screening materials and rakes can be purchased at a local hardware store. Once collected, lead must be properly transported to a lead recycler or reused. Due to RCRA violations, raked and sifted lead must never be stored onsite. Following raking and sifting activities, onsite vegetation should quickly be reestablished to minimize erosion.

Unauthorized and unsupervised removal of lead from the backstop should not be conducted. Without proper planning and authorization, digging in berms could jeopardize the integrity of the berms facilitating safety issues and migration of lead.

***Rental Vacuum System:*** Another less expensive alternative to hiring a lead reclamation company is the rental of a vacuum system. Vacuuming the soil surface takes the place of raking or sweeping. The process involves employing a vacuum system that collects lead shot, soil, and other detritus. All material collected by the vacuum system should be sifted through a screening system. The screening system can either be rented or purchased at a local hardware store as previously discussed. A vacuum system can be rented from a heavy equipment rental company. Like hand raking and sifting, the utilization of a rented vacuum

system is more cost effective than hiring a removal contractor, but the process is time consuming. Proper PPE should be utilized by all personnel conducting lead removal. Revegetation following vacuuming activities should be conducted as soon as possible.

#### **4.3.1 Professional Reclamation**

Different companies will utilize different techniques and machinery, but generally follow the same process of sifting material through a series of shaking screens or sieves. Professional reclamation companies have the ability to claim approximately 75 to 95 percent of lead accumulated in soil (EPA, Revised 2005). Lead reclamation companies are typically in high demand, so proper planning is imperative. The Union County Government and/or Union County Gun Club should identify candidate companies with experience in satisfactorily reclaiming and recycling bullets from rifle and pistol ranges. A qualified contractor should conduct a site visit to determine if reclamation is feasible and the best possible techniques for reclaiming shot, their advantages, limitations, and costs. A summary of the two primary techniques are discussed below.

***Vacuuuming:*** Vacuuming is a technique most often used for ranges that are located on hilly, rocky, or densely vegetated terrain. The process is similar to the technique discussed above and involves a reclamation company utilizing a vacuum system to collect the lead shot and sieving or separating using any variety of machines or screens.

***Soil Washing:*** Soil washing is a management measure conducted by reclamation professionals and involves excavating the lead from the range and then mixing the excavated material into a wash solution. The washing technique involves separating the soil into gravel, sand, silt, and clay particle classes and most lead adheres to the clay particles. Wet soil is separated using screening or gravity separation techniques. This process is beneficial because it does not require that the soils be dry. Additionally, washing recovers almost all the lead particles with a removal efficiency of approximately 99 percent (EPA, Revised 2005).

#### **4.3.2 Other Considerations and Timeline**

Several factors will influence ease and cost of lead reclamation including site topography, soil clay content, vegetation, and accessibility. Additionally, more acidic soils will require more frequent lead removal. All reclamation activities should be conducted under dry soil conditions. Wet soils can clog screens and clay particles of wet soils are more likely to bind together making the screening process more time consuming and less efficient due to improper sifting. All lead reclamation activities should be consistent with EPA (Revised 2005) guidance and any range personnel involved with operations should carefully review the document. The use of machinery to reclaim lead typically requires the area to be clear of scrub vegetation.

The EPA (Revised 2005) guidance is clear that lead reclamation be conducted at a frequency appropriate for each range, determined in consideration of range-specific environmental and operational conditions that include cost. Because environmental circumstances, range usage, operational conditions, reclamation technology, and other factors may vary overtime, the appropriate intervals between lead reclamation are likely to vary. The frequency of lead removal is dependent on several factors such as the number of rounds fired, soil pH, annual precipitation, soil type, and depth to groundwater.

After initial lead reclamation, subsequent removal frequency will depend on the range use and environmental factors but should be conducted at a frequency of one to five years, even with minimal usage (NRA, 1991).

#### 4.4 Lead Control and Containment

To operate an outdoor firing range that is environmentally protective, a variety of BMPs must be utilized to control and contain lead bullets and fragments and prevent lead migration into the groundwater and surface water resources. Operators should take every step possible to prevent bullets and other range related materials from migrating off the property through surface water, groundwater, or the air. The following BMPs should be used between reclamation events to ensure proper management of onsite lead.

***Bullet and Lead Containment:*** As proposed, the facility would use earthen backstops (see Section 2.1 above). In addition to the impact backstops, a wooded buffer is proposed to provide a buffer between the rifle and pistol ranges and the site boundaries (Appendix A). Following range improvements and reclamation activities, the range will continue to utilize the earthen backstops and wooded buffer zones for its bullet containment. Earthen backstops would be constructed as steep as possible (NRA, 1998). Berms should be free of debris to ease reclamation activities and ensure proper safety. The additional of lime is recommended during the rebuilding process. Operators and other range personnel should also strictly enforce good target practices and rules against target anything other than targets properly mounted on the target holders (Appendix B and see Section 5.0 below).

***Soil pH Monitoring Program:*** As previously discussed, lead is insoluble and not mobile at a pH range of 6.5 to 8.5. Therefore, proper management of soil pH is extremely important to reduce the risk of lead contamination of groundwater or surface water resources. Soil sampling should be conducted twice per year, once during the cooler and wetter winter months and once during the warmer and drier summer months. Sampling can be conducted by the range operators and samples can be submitted to a local agricultural extension laboratory. In addition to providing soil pH measurements, extension laboratories can provide lime application recommendations based on site specific conditions.

To conduct soil sampling for pH analysis, use clean sampling equipment such as a soil sampling probe, soil auger, spade, or shovel. Sampling equipment should be stainless steel or chrome plated and samples should be collected at a depth of 4 to 6 inches. For each unique area (i.e. earthen berm, base of berm, top of berm, target lane, drainage areas) take at least 6 to 8 subsamples. Place the individual subsamples in a clean, plastic bucket and mix thoroughly to create a single composite sample for each unique test area. Sample collection bags can be provided by your local extension laboratory.

If the soil testing determines an adjustment in pH is needed, spreading of lime is an effective management measure. Spreading lime around and at the base of the earthen backstops or any other areas within the course where bullets accumulate is an effective method of controlling the migration of lead. Lime helps to neutralize acidic soil thus lowering the potential for lead to migrate. Lime should not be spread on soils with a pH greater than 8.5 and can be applied any time of year, except when the ground is frozen. If the pH of surficial soil is between 6.5 and 8.5, no adjustment is needed (EPA, Revised 2005). However, if the pH is below 6.5, it should be adjusted in accordance with the soil test recommendations for a target pH of 7.0. It is also recommended to consult with the

local extension agent for advice on the appropriate lime material, amount, and application rate. Proper records of soil pH sampling and results should be maintained by the range operator (s).

***Runoff and Dust Control:*** BMPs that reduce soil erosion and loss by controlling onsite dust and surface water runoff are important in reducing lead migration. One of the most effective management measures for reducing soil erosion is using vegetative BMPs. A variety of vegetative BMPs such as grasses, mulches, and composts can be used to control dust, slow runoff and stormflow velocities, thus aiding to prevent lead migration. Bare soil areas within the ranges should be kept at a minimum and vegetative BMPs should be used to the fullest extent possible.

To reduce the risk of lead migration from the earthen berms, a covered target area is proposed (see Section 2.1 above). By covering the target areas and earthen berms, the effects of precipitation and runoff will be minimized. Safety issues, such as ricocheting bullets, should be taken into consideration when designing an earthen backstop with a roofed cover.

Per the Final Decision Notice and FONSI, the following engineered runoff controls will be required: 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 would 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 causes any lead still contained in the runoff water to settle. Operation and maintenance of this design feature is minimal, involving mostly periodic removal of debris and occasional replacement of the limestone.

***Monitoring and Record Keeping Program:*** Personnel at the range should institute a program of monitoring and maintaining records of the approximate quantity of bullets fired at the range. Such records will generate an indication of the quantity of lead accumulating in each backstop and assist in determining the timing of reclamation and an approximate value of recycled lead. This can be done by maintaining log books and asking shooters to list the number of rounds shot and the type/size of bullets.

Records should be kept of scheduling and reclamation activities that include specific dates and contractor information. Additionally, records should also be kept of all BMPs installed at the range and any onsite removal of lead conducted by Union County personnel. Records should also be kept of the effectiveness of each BMP and alternative BMPs should be utilized on an as needed basis.

Other important records include site designs and plans, requests for bids, invoices and receipts, records of vegetation management, and minutes of onsite meetings and factors considered in making decisions. Photo documentation of all management measures, including before and after photos, should also be maintained. These records will be an integral part of measuring the success of the ESP and evaluating any changes needed to the ESP. All records should be kept for the life of the range and at least 10 years following closure and be made available for USDA-Forest Service monitoring and oversight of the facility (see Section 5.3 below).

## **5.0 IMPLEMENTATION PLAN**

### **5.1 Operating Plan**

The Union County Operating Plan is presented in Appendix B, and addresses range rules for safety and usage, the number of safety officers, projectile containment, and litter control measures within the intended area.

In accordance with the Forest Service Handbook, 2709.14, Chapter 70, a safety evaluation of the target range must be conducted at Union County Government expense at least every 5 years by a disinterested range technical adviser to verify design and maintenance work as planned. This provision also requires that the range technical adviser prepare an evaluation report and submit it to the authorized Union County Government representative. The USDA-Forest Service reserves the right to approve the selection of the range technical adviser. However, the Agency shall provide a rationale for its rejection.

An evaluation of operations must be conducted by a safety officer with the requisite education or training and experience. The safety officer must prepare an evaluation report and submit it to the authorized Union County Government representative. After each safety evaluation of the target range, the Union County Government must submit a statement, signed by an authorized agent, of compliance with the safety evaluation requirements. At a minimum, this statement must include the following:

**Pursuant to Forest Service Handbook 2709.14 section 71.8, paragraph 2a, and the special use permit for the Union County Target Range, we have had an evaluation to determine the compliance of the Union County Target Range with generally accepted standards of safety, including the guidance in the National Rifle Association's *NRA Range Source Book*. We have received the results of that evaluation and have made, and documented corrections of all deficiencies noted by the range technical adviser. The Union County Target Range is ready for public use as of [date].**

Additionally, the operator(s) of the Union County Target Range must report to the USDA-Forest Service all accidents at the target range caused by discharge of a firearm or release of an arrow that result in property damage, personal injury, or death as soon as reasonably possible, but no later than 24 hours after the accident occurs. Union County Government must complete a written report of the accident and submit it to the USDA-Forest Service.

### **5.2 Plan Implementation and Success**

Table 1 presents the proposed implementation schedule for Union County Target Range ESP. It is the responsibility of the Union County Government and Union County Gun Club to determine the appropriate personnel to ensure proper implementation of the ESP, subject to USDA-Forest Service approval. In addition to implementing the identified management measures, the success of those measures in achieving their objectives should also be determined. On site records discussed in Section 4.4 above should be reviewed and used to document the success of the ESP and implemented measures.

Table 1. Proposed Implementation Schedule for the Union County Target Range Environmental Stewardship Plan.

Activity	2019	2020	2021	2022	2023	2024	2025	2026
Identify potential environmental concerns	Monthly							
Finalize Environmental Stewardship Plan	Monthly							
Identify qualified lead reclamation company	Monthly	Monthly						
Identify and assign key personnel	Monthly	Monthly						
Implement and maintain lead recovery BMPs			Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Implement and maintain lead control and containment BMPs			Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Implement and maintain a monitoring and record keeping program			Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
Implementation of soil pH monitoring program			Summer	Summer	Summer	Summer	Summer	Summer
Establish lead recovery and recycling program		Annually			Annually			Annually
Measure ESP success and conduct annual review			Annually	Annually	Annually	Annually	Annually	Annually
Make annual revision to ESP and implementation schedule, as needed			Annually	Annually	Annually	Annually	Annually	Annually



*\*A safety evaluation of the target range must be conducted at Union County Government expense at least every 5 years by a disinterested range technical adviser to verify design and maintenance work as planned.*

**5.3 USDA-Forest Service Monitoring and Oversight**

In accordance with the Forest Service Handbook, 2709.14, Chapter 70, this ESP includes a requirement for periodic monitoring by the USDA-Forest Service to ensure its effectiveness. The monitoring must be reviewed by a regional USDA-Forest Service environmental engineer or by a contractor with comparable experience. The frequency and scope of the monitoring must be based on site-specific conditions, but at a minimum, monitoring must be conducted every 5 years.

For this monitoring, the USDA-Forest Service will be allowed to review all operating, usage and soil monitoring data collected by the range operator(s). A summary report of that review will be completed by the USDA-Forest Service.

A statement signed by an authorized Union County Government representative must be provided to attest to USDA-Forest Service compliance with these monitoring requirements. At a minimum, this statement must include the following:

**Pursuant to Forest Service Handbook 2709.14 section 71.7, paragraph 3, and the special use permit for the Union County Target Range, the Forest Service has monitored the permit area to determine the compliance of the Union County Target Range with all applicable environmental laws and with generally accepted standards of environmental stewardship, including but not limited to the U.S. Environmental Protection Agency's Best Management Practices for Lead at Outdoor Shooting Ranges and the standards in the National Shooting Sports Foundation's Environmental Aspects of Construction and Management of Outdoor Shooting Ranges and has prepared a monitoring report. We have received the results of that report and have made, and documented corrections of all deficiencies noted by the monitor. The Union County Target Range is ready for public use as of [date].**

The USDA-Forest Service reserves the right to approve or reject all aspects of the monitoring plan including sampling plan and implementation. The Forest Service shall notify the holder of the reasons for rejecting a monitoring activity.

#### **5.4 Plan Review and Revisions**

This ESP establishes management measures, protocols, and schedules to ensure that operation of Union County Target Range minimizes environmental contamination. As a result, this ESP should be considered a "living" document, meaning that the BMPs, goals, and purpose contained within can be modified, strengthened, and/or removed based upon the needs of the Center. As such, annual reviews of the ESP along with all site records should be conducted to determine any necessary changes. Any proposed changes would be subject to review and approval by the USDA-Forest Service.

**6.0**

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Contact Name: UNION COUNTY COMMISSION, GEORGIA  
Expiration Date: 12/31/2039  
Use Code: 171

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*APPENDIX C: Safety Plan*

# **SAFETY PLAN**

**UNION COUNTY COMMISSION  
Union County, GA**

November 2019

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## Summary

This Safety Plan specifies the prevailing shooting-safety rules and regulations. This Safety Plan alone does not create a safe environment. The human element must be controlled through action both physically and psychologically. This is best accomplished by using passive and active training methods such as clear instruction, signs, placards, flyers, engaged range safety officers and training events.

This Safety Plan is a fluid document intended to be improved throughout the life of the Union County Target Range and will require periodic updates as new information and varying range conditions dictate modification to these strategies.

## CHAPTER 1

### ***Introduction and Purpose of the Range:***

The Union County Commission “the holder” (UCC) has developed this Safety Plan in consultation with the U.S. Forest Service (USFS), and the Union County Gun Club (UCGC) in order to safely operate the Union County Target Range. The range located on GA State Road 180, between Mile Marker 18 and 19 in the Chattahoochee National Forest, Union County GA.

This Safety Plan has been prepared in accordance with the U.S. Forest Service Handbook 2109.14 - *Recreation Special Uses Handbook*, Chapter 70-Target Ranges and Other Outdoor Recreation Improvements. A copy of this Safety Plan shall always be kept on the premises during operation of the Union County Target Range. An additional copy of the Safety Plan will be kept on file at the Chattahoochee-Oconee National Forests Blue Ridge Ranger District office.

Though the Union County Commission is the primary permit holder, the UCC is proposing that the target range operations and maintenance be conducted by the UCGC. It is crucial that ranges be operated in a safe and careful manner to provide for the safety of the public and to foster support for shooting sports. This Safety Plan provides guidance regarding range roles, procedures and expectations of UCC and UCGC staff, volunteers and the general public and is intended to cover basic information for range operation.

**The permittee shall maintain 911 emergency communications during range operating hours.**

**Safety Shall Be the Governing Consideration at All Times.**

## CHAPTER 2

### Range Safety Officer Roles and Responsibilities

The Range Safety Officer (**RSO**) supervises and controls all aspects of range operation when shooters are present on the range. The Range Officer's primary responsibility is to ensure that the range is operated in a safe manner and that shooters abide by basic firearm safety rules and range rules. Range Officers should be aware that range safety extends beyond the users of the range. Many of the range rules are directed at preventing projectiles from leaving the range and causing injury to people or damage to property beyond the range. For this reason, Range Officers should monitor target placement and muzzle control on the firing line.

The Range Safety Officer is responsible for the safe operation of the Range.

Range Safety Officers shall be trained and licensed as a certified National Rifle Association (**NRA**) Certified Range Safety Officer or have other approved certification. Certification shall be provided to the USFS yearly and updated in the Operating Plan annually. The Range Safety Officer shall also have or obtain training in basic first aid and cardiopulmonary resuscitation.

The range safety officer is authorized to close the range or temporarily cease activity at any time should safety concerns warrant. The range safety officer is also authorized to require shooters to leave the range if they violate range rules or otherwise pose a threat to other shooters or to safe operation of the range.

The range safety officer is granted considerable discretion and it is expected that this authority will be used in a careful and responsible manner. Range officers should treat all shooters in a courteous and respectful manner but should be firm in giving direction or correcting violations of safety rules. Range officers are representatives of both the UCC and the U.S. Forest Service and as such must refrain from comments directed at a person's sex, race or appearance. Range officers should avoid derogatory comments regarding any person's firearms or shooting ability unless they pose a safety risk, and then such comments should be made in a matter-of-fact and respectful manner.

If a person violates safe firearms handling rules or range rules and is asked to leave the range, the following should occur:

- 1) The range officer should make written notes of the situation immediately following the incident when he/she can safely do so. Such notes should include the time of the incident, a description of the safety violation(s), the response of the violator(s) – what they said and/or did, what the range officer said/did, and the name/phone numbers of any witnesses.

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- 2) The range officer should contact the Union County Commission Liaison and Union County Gun Club President by phone on the day of the incident and provide a verbal description of the event. If necessary, the RSO will contact Union County Law Enforcement and/or Forest Service Law Enforcement as soon as possible.

If an individual refuses to leave the range as instructed by the range safety officer or otherwise creates a disturbance, the range safety officer should cease fire on the range and contact Union County Law Enforcement Officer (LEO) and Forest Service (FS) law enforcement for assistance.

The permittee is responsible for the daily maintenance of the range including trash removal, restroom maintenance, removal of weeds and downed limbs, keeping area mowed and performing minor repairs as well as keeping all signs, gates and walkways in working order.

### **Shooter Responsibilities**

Persons using the Union County Range are expected and required to follow direction of the Range Safety Officer and conduct themselves in a safe and responsible manner. Failure to comply with any of the following may result in expulsion from the range.

- Follow all range rules as posted.
- Obey all verbal instructions of the Range Safety Officer.
- Be certain that the range is clear before firing.
- Be certain that the range is safe before going down range.
- Be certain that the muzzle of your firearm(s) is always pointed in a safe direction.
- If you have a problem with your firearm, notify the range safety officer or Match Director immediately.
- Know how the firearm operates and be sure the firearm and ammunition are compatible.
- Cooperate with other shooters.
- Shooters are responsible for ensuring that the projectiles from their rifles or handguns remain within the designated range area.
- Notify the Range Safety Officer if you observe an unsafe condition or behavior. Any person can and should call a "Cease Fire" if they observe an unsafe situation.
- Adults who bring children are responsible for keeping them under immediate and direct supervision at all times.
- Approved eye and ear protection must be used at all times by shooters and spectators.

## **CHAPTER 3**

### **Rifle and Pistol Range Rules**

#### **NRA Firearm Safety Rules:**

##### **3 Fundamental Rules for Safe Gun Handling:**

- 1) Always keep the gun pointed in a safe direction.
- 2) Always keep your finger off the trigger until ready to shoot.
- 3) Always keep the gun unloaded until ready to use.

#### **Rules for Using or Storing a Firearm**

Know your target and what is beyond it.

Be sure the firearm is safe to operate.

Know how to use the firearm safely.

Use only the correct ammunition for your firearm.

Wear appropriate eye and ear protection.

Never use or be under the influence of alcohol or drugs before or while shooting.

Store firearms so they are not accessible to unauthorized persons.

Be aware that certain types of firearms and shooting activities may require additional safety precautions.

## **CHAPTER 4**

### **Range Commands:**

#### **"Range is hot"**

This means that shooters may handle their firearms on the firing line. They may also handle their firearms in the ready area provided the actions are open or otherwise made safe. Load only on the firing line. At all times the 3 basic NRA safety rules must be observed.

**"Range is cold"**

This means that the range is closed with respect to handling any firearms either on the line or in the ready area.

**All firearms are to be cleared;**

- Magazines removed and actions open or made safe.
- Hand guns may lay on the bench with the action exposed for verification by a Range Safety Officer.
- All shooters after benching their firearms must step back from the firing line.
- Firearms may only be transported between a member's vehicle in a case and the firing Range when the range is cold and there is no one downrange.

**"Commence firing"**

This command should be given by the RSO after the range is declared hot. It informs the shooters that they may begin firing at authorized targets.

**"Cease fire"**

Whenever this command is given all shooters must immediately stop shooting, remain in position with the firearm pointed in a safe direction, and wait for further instructions from the RSO.

**NOTE:** This command may be given by anyone who observes an unsafe condition on the range.

**"Other commands"**

There are other range commands like "Ready on the right, ready on the left, ready on the firing line, etc." that the Range Safety Officer or Match Director may see fit to use. The intent is to make sure that everyone is ready to begin firing. These commands will be given by the Range Safety Officer or Match Director when a competitive match is in progress.

## **CHAPTER 5**

### ***Emergency Procedures***

#### **Emergency Contact**

Emergency Communication	911
Union County Commission Liaison	706-400-9185
Union County Sheriff's Office	706-439-6038
Blue Ridge Ranger District Office	706-745-6928 Mon - Fri.
USFS Law Enforcement	770-297-3057
UCGC President	706-400-8398

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## **Directions to Range**

From Blairsville, GA. take US 129 South to Ga State Road 180, between Mile Marker 18 and 19, on the right-hand side of the road.

## **Emergency Response Sheet/Checklist:**

Emergency Response Sheet/Checklists are located in Appendix B of this Safety Plan.

Place the date of the emergency as the Effective Date:

Check off each step in the checklist as it is completed. If an item on the checklist is not applicable to the emergency situation, check it off and note "NA" to indicate it was not overlooked.

## **Injury Report Form:**

Injury Report Forms are located in Appendix C of this Safety Plan. Designate the RSO or Match Director to initiate the Injury Report Form and keep notes on what is occurring with times.

Fill in the DATE and TIME on the cover sheet. The same DATE and TIME should be reflected in the "Date of Injury" and "Time of Injury" boxes on page 1 of the Injury Report Form.

Fill in every box on the Injury Report Form. If there is no information available for a particular box or the box is not applicable to the event, mark the box with "NA" to indicate it was not overlooked.

Identify any witnesses to the event, provide them with a "Witness Statement" and request that they fill it out with as much detail as possible.

Collect "Witness Statements" and attach them to the Injury Report Form when completed.

Witness Statements are located in Appendix C of this Safety Plan behind the Injury Report Forms.

## **Accidents:**

**Minor accidents** - Cuts, sprains, dislocations, etc.  
Administer first aid as required.

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**Major accidents** - Heart attack, choking, broken limb, gunshot wound, etc.  
Range Safety Officer should close down the Range (take charge of the situation).  
Administer first aid (render aid).

Call 911 to report accident (call for help).

Station people to direct emergency vehicles to the Range.

UCGC and FS Law Enforcement should also be notified as soon as possible.

All accidents at the target range caused by discharge of a firearm that result in property damage, personal injury, or death will be reported to the USFS authorized officer as soon as reasonably possible, but no later than 24 hours after the incident occurs. A written report will be completed by the holder and submitted to the USFS authorized officer.

### **Unruly Persons:**

For the purposes of this Safety Plan, an unruly person is anyone who refuses to follow the commands of the Range Safety Officer.

Move from top to bottom on this list depending upon how the situation develops:

Order the person off the Range Complex and report his/her name to the UCC Administration.

Close down and secure the Range Complex and evacuate the area.

Notify UCGC, FS Law Enforcement, County Sheriff's Office, EMS and request assistance.

### **Weather:**

In the event of severe weather that could endanger the lives of shooters and spectators, the Range Safety Officer should close down the Range and evacuate the area. The RSO should decide to either re-open the range or keep it closed after the weather clears. The RSO should use available information from the National Weather Service, local media and weather alerts regarding weather conditions.

### **Firearm Stoppages and Malfunctions:**

Any firearm stoppage or malfunction can cause serious safety problems if not handled correctly. RSO needs to be prepared for these occurrences.

**Definitions:**

**Stoppage** - An unintentional interruption in the operational cycle of a firearm.

Examples: Bolt fails to lock cartridge in position, a stove pipe in a semi-automatic pistol, double feed, failure of a cylinder to rotate in a revolver, etc.

**Malfunction** - Failure of a firearm to function as designed or to fire satisfactorily.

Two categories:

- 1) Firearm malfunction - For example; a broken sear or firing pin.
- 2) Ammunition malfunction - For example; a misfire, hang fire or squib load.

Range Safety Officers should consider any stoppage or malfunction as a major safety hazard and should know the difference between the two.

There are eight basic steps in the operating cycle of a firearm and a stoppage can occur in any one of the steps. The eight basic steps are:

- 1) Feeding: The face of the bolt makes contact with the base of the cartridge at the top of the magazine and pushes it toward the chamber.
- 2) Chambering: The bolt continues forward and pushes the cartridge into the chamber.
- 3) Locking: As the bolt continues forward, the locking lugs move into the locking recesses in the barrel, locking the cartridge into the chamber.
- 4) Firing: The trigger is pulled to the rear causing the firing pin to strike the primer and fire the cartridge.
- 5) Unlocking: As the bolt moves to the rear, the locking lugs rotate out of the locking recesses.
- 6) Extracting: As the bolt moves rearward, the extractor withdraws the cartridge case from the chamber.
- 7) Ejecting: As the face of the bolt passes over the ejector, the case strikes the ejector and is kicked outward through the ejector port.

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- 8) **Cocking:** As the bolt moves rearward, the firing pin moves into a cocked position.

**Note:** These are the eight basic steps of a firearm operational cycle but not all firearms follow these steps in exact order. For example, revolvers do not extract and eject between shots.

If a shooter experiences a malfunction where the firearm fails to function as designed, the cause will be due to the firearm itself or the ammunition. A malfunctioning firearm must be unloaded and removed from the firing line. An example of a malfunctioning firearm is a semi-automatic rifle that doubles, i.e. fires two rounds when the trigger is pulled. Such a gun is a hazard on the range and the owner should be advised to take the gun to a qualified gunsmith.

Ammunition malfunctions can be classified as:

Misfire where a cartridge fails to fire after the primer is struck by the firing pin.

Hang fire where there is a perceptible delay in the ignition of the cartridge after the primer has been struck by the firing pin.

Squib load where there is less than normal pressure or bullet velocity after ignition of the cartridge.

Normal procedure for handling misfires or hang fires is to:

Keep the gun pointed downrange (safe direction).

Wait at least 30 seconds in case it is a hang fire and at least two minutes in the case of muzzleloaders before attempting to unload.

Normal procedure for handling squib loads is to:

Stop firing immediately.

Keep the gun pointed downrange.

Unload the gun, make sure the chamber is empty.

Insert a cleaning rod down the barrel from the chamber end (if possible) to make sure the bullet is not lodged in the barrel.

RSO on duty must be particularly vigilant to observe any gun malfunctions, stoppages, or ammunition malfunctions and be prepared to move to the shooter's aid. If the shooter starts to do something incorrectly, the RSO must be prepared to step in.

Be in control and in a low, but firm, voice say: **STOP! POINT THE MUZZLE DOWNRANGE!** At this stage let the shooter clear the firearm and bench it. If the shooter experiences problems in doing this, try to talk

him/her through the clearing process. Only as a last resort should the Range Safety Officer take control of the firearm. To do this, approach the shooter from the left side (for a right-handed range officer), grasp the barrel of the firearm behind the muzzle with the weak hand, control the direction of the muzzle so that it points in a safe direction, and have the shooter step back. Use the strong hand to control and reposition the firearm if necessary. Determine the stoppage and clear it. Explain to the shooter what went wrong and how to prevent it from happening again.

Remember throughout the entire process of stoppages and malfunctions to adhere to the three NRA rules of safety. Problems with the normal operation of a firearm pose special safety conditions which must be managed by on duty range officers. All Range Officers should be familiar with the operation and functioning of all firearms that they are liable to encounter on the range.

## CHAPTER 6

### USFS Required Provisions

**Perimeter Signage.** Perimeter signs will be placed every 50 feet at approximately 100 yards around the perimeter of the target range for public safety. The wording for the perimeter signs should specify: "SHOOTING RANGE DO NOT ENTER, or TARGET RANGE DO NOT ENTER." The perimeter signs would be 8 inches by 10 inches with 6-8 inch red letters on white background. Some signs may include English and/or Spanish language. Signs shall be submitted to and be approved by the Authorized Officer prior to installation.

It shall be the responsibility of the UCC to monitor and evaluate perimeter signs to ensure they are intact and readable. Evaluation shall be done annually. Reports indicating loss or damage shall be reported to the Authorized Officer and corrected within two business days.

**Safety Equipment.** UCC shall provide the following safety equipment.

- Fire extinguishers
- First aid kits

Range personnel shall perform monthly checks of all safety equipment to ensure its operability.

#### **Pesticide Use**

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Pesticide use is prohibited without written approval of the authorized officer. See clause **V. Resource Protection, C.** in the special use permit.

#### **Hazardous Substances**

No chemicals of any sort, including firearms cleaning chemicals, chemicals used to finish or protect firearms, pesticides, or herbicides may be stored or utilized on USFS-owned or USFS-operated target range properties without the express written permission of the authorized officer.

#### **Fire Suppression**

See clause **VIII. Miscellaneous Provisions, F.** in the special use permit.

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## **APPENDIX A:**

### ***Range Inspection Checklist***

Prepared By:

Title:  Date:

Check the bulletin board and Range OPERATING PLAN Folder for special instructions.

Walk the firing line and inspect the bullet impact zone to ensure that everything is clear to begin firing.

Explain to everyone as they arrive what the firing line commands are.

Observe and supervise all shooting noting in particular shooters who may be experiencing difficulty.

Assist shooters as the need arises. Be aware of any misfires, hang-fires, or double feeds and react accordingly.

Require shooters to police their firing points and leave each point in a clean condition

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## **APPENDIX B:** ***Emergency Response Sheet/Checklist***

Effective Date: 10/31/2019

<b>Emergency Communication</b>	<b>911</b>
<b>Union County Sheriff's Office</b>	<b>706-439-6038</b>
<b>Union County Fire &amp; Rescue and EMA</b>	<b>706-439-6091</b>
<b>USFS Law Enforcement</b>	<b>770-297-3057</b>

### **Immediate Response for Injuries or Illness:**

- Call a cease fire immediately and issue the command to unload, clear, and bench/rack all firearms.
- Identify one of the Range Safety Officers or other responsible person to secure the gear of the injured person.
- Identify one of the Range Safety Officers or other responsible person to notify emergency services via 911 and provide the following information:
  1. Specific location of incident with directions
  2. Telephone number that you are calling from
  3. Your name
  4. What happened and possible hazards for rescuers
  5. Number of people injured or ill
  6. Condition of people injured or ill
  7. First aid provided
  8. If the accident involves a gunshot injury the Sheriff's Office must be notified
- Station one of the Range Safety Officers or other responsible person to direct emergency services to the scene.
- Provide first aid until the emergency services arrive provided the injured party agrees.
- Assume implied permission if the injured is unconscious or unable to respond.
- Avoid dispensing any medicine unless directed to by emergency services over the telephone.
- Assign someone to complete an Injury Report Form (if applicable) and keep a log of events and time relative to the injury or illness.

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## **APPENDIX C:**

### ***Injury Report Form***

Name of Injured Party:

Address:

Telephone Number:

Date of Injury:

Time of Injury:

1. Describe the nature and extent of the injury (specify parts of body):

2. Describe how the injury occurred:

3. Describe first aid given:

4. First aid was provided by (include names and telephone numbers):

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5. Disposition (specify name of hospital, telephone numbers, time of transport, etc.):

6. Persons notified:

7. Location of incident:

8. Conditions prevalent at the time of the incident:

9. Witness statements: Interview witnesses separately.

A. Witness (Name, Address, and Telephone Number):

Statement Attached: Yes  No

B. Witness (Name, Address, and Telephone Number):

Statement Attached: Yes  No

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C. Witness (Name, Address, and Telephone Number):

Statement Attached: Yes  No

D. Witness (Name, Address, and Telephone Number):

Statement Attached: Yes  No

10. Notes and Comments:

11. Injury report completed by:

Name:

Title:

Date:

Signature:

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## **Witness Statement**

Prepared by:

Address:

Telephone Number:

Date:

Time:

Statement:

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*APPENDIX D: Operating Plan*

# **OPERATING PLAN**

**UNION COUNTY COMMISSION  
Union County, GA**

November 2019

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## CHAPTER 1

### Introduction and Purpose of the Range:

Union County Commission “the holder” (UCC) has developed this Operating Plan in consultation with the U.S. Forest Service (USFS) and the Union County Gun Club (UCGC) for the Union County Target Range. The range is located on GA State Road 180, between Mile Marker 18 and 19 on the Chattahoochee-Oconee National Forest (CONF), Union County GA.

Though the Union County Commission is the primary permit holder, the county is proposing that the target range be maintained and operated by the UCGC. It is crucial that the range be operated in a safe and careful manner to provide for the safety of the public and to foster support for shooting sports. This Operating Plan provides guidance regarding range rules, procedures and expectations of UCC and UCGC staff, volunteers, and the general public and is intended to cover basic information for range operation. This Operating Plan also includes guidelines for the maintenance of the range and its facilities

The Operating Plan is a dynamic plan intended to be supplemented throughout the life of the Union County Target Range and will require periodic updates as new information and varying range conditions dictate modification to these strategies, as required by annual monitoring. Integration of best management practices will be included in the Construction Design.

## CHAPTER 2

### Range Usage

Normal operational hours are Tuesday through Sunday and closed on Monday. The summer operating hours will be 10 to 6 PM; Winter hours will be 10 to 4 PM; and all Sundays 1 to 4 PM. The public will have access Wednesday, Friday, Sunday (and one Saturday per month). Gun club members will have access Tuesday, Thursday, and Saturday (though gun members can shoot on public days).

If law enforcement needs the range for training, they will shoot on Monday with the understanding that a certified range safety officer will be present. It is understood that no shooting, of any kind, will occur without a certified range safety officer present on site.

A collection fee of \$5 will be required from non-club members, while club members will be exempt from user fees.

Union County Law Enforcement will be using the range for night-training at least twice a year---no later than 10PM. The remaining operational hours will be reserved for activities authorized by UCC such as UCGC events, education, and Law Enforcement Training.

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Range operation is under the control of the Range Safety Officer (RSO) and additional assigned Range Safety Officers during all operational hours. The RSO and all assigned RSO's shall complete a NRA certified safety course, basic 1<sup>st</sup> Aid/CPR and all training requirements for safe operation of a target range. Certifications shall be submitted to the USFS annually with the Operating Plan or immediately upon assignment of a new RSO.

Persons may only use the range on open days and hours of operation. Open days and hours of operation shall be designated on signs and at least one such sign will be posted at the entrance to the range. Unauthorized use of the range during non-operational hours is prohibited and shall be reported to UCGC, Union County Commission, FS Law Enforcement and the County Sheriff's Office.

## Fees

**Fees.** The Union County Commission (UCC) will collect fees in order to ensure sustainable operations and maintenance of the range. These fees are outlined in Table 1 below. Fees will be collected from the public for operating cost of the range and shall only be used for operation and maintenance cost of the range. Fees may not be used for the benefit of members or to generate profit of any kind. UCC shall submit fee schedule and a new operating plan to the USFS, Blue Ridge Ranger District office by **November 1**, of each year to be approved. Forest Service and GA DNR law enforcement training are not subject to any facility use fees. Additionally, programs such as but not limited to Hunter Education will not be subject to any facility use fees.

**Table 1. USFS -Approved Fees**

Yearly Membership	Individual	\$35.00
Range Fees	Per Day for Members	Included with membership
	Per Day for Non-members Juniors (Under 16)	\$5.00 Free
Event/Class Rates	Half-day	TBD

## Range Closures and Use of Range by Other Organizations

The Range Safety Officer has the authority to shut down the Range if he/she deems it necessary.

In extreme cases, such as an accident or an unruly person, the Range should be closed down and the proper authorities (Fire & Rescue Squad and/or County Sheriff) notified. Union County Law Enforcement and Forest Service Law Enforcement Officer (**LEO**) shall also be notified as soon as possible.

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UCC will from time to time close ranges for maintenance or special events. Efforts will be made to notify the public of such closures by posting the closure on the website. UCC will notify the, USFS, Blue Ridge Ranger District prior to any closure. In the event of a long-term closure, a press release may be issued.

Non-profit organizations or government agencies may request to reserve the range for exclusive use but must do so at least 21 days in advance. Such requests will be considered on a case by case basis and scheduling such use should minimize impact to the public. Factors to be considered in granting the request include, but are not limited to, the role of the organization and event in supporting the UCC and USFS mission of conservation or promotion of shooting sports.

### ***Maintenance of the Range:***

### **UCC Roles and Responsibilities**

For the duration of the authorization with the Forest Service, UCC will maintain the authorized improvements and permit area to standards of orderliness, neatness, sanitation, and daily operational safety consistent with other provisions of the agreement. The permittee, its lessees, or operators shall be the responsible party with respect to discharged bullets or shot deposited in the soils or facilities of the permitted area. In the event the shooting range facility needs major repairs, UCC and Union County Commission agrees to work cooperatively with the USFS to evaluate and determine a proper course of action, and if so agreed, participate in the repair.

**Reporting.** The UCC shall provide a yearly budget report to the USFS that will show all income and expenses, which shall include membership fees, revenues, donations, and any other income or expenses, and a user report that will show the number of users and visitors. UCC will provide these reports when the annual operating plan is submitted to the Blue Ridge Ranger District at **2042 Highway 515 West, Blairsville GA, 30512.**

## **CHAPTER 3**

### **Forest Service Roles and Responsibilities**

The Forest Service will notify UCC of any upcoming press releases and closures pertaining to the Union County Target Range.

## **CHAPTER 4**

### **Site Specific Rules**

Visitors may not be under the influence of or in possession of alcoholic beverages or other controlled substances. No alcoholic beverages, drugs, or any other controlled substances are allowed.

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All firearms entering or leaving the range *must* be unloaded and properly cased.

No shooter may fire from points other than designated firing points. Shooters may only shoot targets in their lane only.

Do not climb on berms or benches.

No open toed shoes are allowed on the firing line.

### **Rifle Range Permitted:**

No firearm larger than a 300-mag rifle may be used. Black Powder cartridge and Muzzle loaders above .50 caliber (or lower) are allowed.

The following ammunition types are prohibited: tracer and/or incendiary ammunition, armor piercing or penetrator rounds.

The possession of a fully automatic weapon is prohibited.

Broadheads are prohibited on archery ranges.

Any activity that would be considered to present a safety hazard is prohibited.

Approved eye and ear protection **MUST** be used at ALL times by shooters and spectators.

### **Pistol Range Permitted:**

Center fire pistols up to and including .50 caliber and .22 LR rim-fire (rifles & pistols).

Black powder muzzle loading pistols up to .50 caliber.

### **Not permitted:**

.50 Caliber center fire rifles, Browning Machine Gun (BMG).

Tracer and/or incendiary, armor piercing, penetrator or explosive ammunition.

Explosive materials and/or targets.

Fully automatic firearms.

Unauthorized targets (cans, bottles, glass, appliances, electronics, metal etc).

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Dry firing or aiming behind the firing line.

Loading muzzle loading firearms directly from a powder horn or powder container.

## **Administrative Rules**

Parking:

All users of the range must park in the designated parking areas.

Occupancy:

The range cannot be entered or occupied after hours.

All visitors must clean up their areas. All targets, litter, and spent ammunition cases must be removed by the shooter before leaving.

Food, drinks, and tobacco products are prohibited on the firing line at any time.

## **Range Equipment**

Rifle covered firing line points with benches

Pistol Covered firing line points with benches

Wooden target frames

One type III emergency first aid kit

A copy of the Operating and Safety Plans for the Union County Target Range

Trash cans and brass recycling bin

Signs

Barricades



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*APPENDIX E: Construction Design Plan*

**WILL BE ATTACHED FOLLOWING APPROVAL  
OF THE AUTHORIZED OFFICER**