

# ENVIRONMENTAL ASSESSMENT FOR PHENOMENON TRAIL CONSTRUCTION IN CLAY COUNTY, GEORGIA.

## 1.0 INTRODUCTION

This Environmental Assessment (EA) was prepared utilizing a systematic, interdisciplinary approach integrating the natural and social sciences and the environmental design arts with planning and decision-making. Under National Environmental Policy Act (NEPA) an EA is a concise public document that briefly provides sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement (EIS).

**Location:** Walter F. George Lake, also known as Lake Eufaula, is located in Georgia and Alabama. It was created by the Walter F. George Lock and Dam on the Chattahoochee River about 183 miles upstream of Apalachicola Bay (Figure 1). The proposed project is located in Clay County, Georgia near Fort Gaines.

Phenomenon Trail Project Location



Figure 1

**Proposed Action:** The U.S. Army Corps of Engineers, Mobile District (USACE) is entering into a Challenge Cost Share Agreement with Clay County, Georgia to construct

a paved multi-use path between the Walter F. George Lake Recreation Facilities and the George T. Bagby State Park and Lodge. A portion of the project will occur on USACE lands currently leased to the Georgia Department of Natural Resources (DNR) for the George T. Bagby State Park and Lodge. Therefore, the proposed action also includes removing approximately 1.5 acres of the leased property from the DNR. Since the cost share agreement is with Clay County, the lands for the trail must be removed from the DNR lease.

**Purpose and Need for the Proposed Actions:** The construction of a paved multi-use path will link pedestrians and bicyclists between the Walter F. George Lake Recreation Facilities, a wildlife-viewing site, and the George T. Bagby State Park and Lodge. The project will begin at the Walter F. George Dam and end at the George T. Bagby State Park Lodge facility. The proposed trail route will pass through land owned by Clay County, USACE and private landowners. The trail will allow for controlled access for view of the lake and natural flora and fauna in the area. A minor pedestrian bridge will span wetlands. Along the corridor there will be informative signage to direct travelers. The expectation of this project is that the trail will provide a great opportunity to educate the public about natural resources while carefully controlling impacts to sensitive areas. All construction will conform to the Americans with Disabilities Act (ADA) regulations.

**Authority:** Walter F. George Lock and Dam was authorized by the River and Harbor Act of 1945 (Public Law 79-14) as amended by Section 1 of the River and Harbor Act of 1946 (Public Law 79-525), and further amended by House Committee Public Works Resolution adopted May 19, 1953, for the multiple purposes of hydroelectric power generation, navigation, recreation, water quality, and fish and wildlife conservation. Other ancillary project purposes were added to these congressionally authorized projects by laws that apply generally to all USACE reservoirs. These other laws include the Flood Control Act of 1944 (Public Law 78-534), which provides authority to construct, maintain, and operate public parks and recreational facilities at water resource development (16 U.S.C 460d); the Fish and Wildlife Coordination Act of 1958 (Public Law 85-624), which provides authority to modify projects to conserve fish and wildlife; the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500), which establish the goal to restore and maintain the quality of the Nation's waters; and the Endangered Species Act of 1973 (Public Law 93-205), which provides authority for operating projects to protect threatened or endangered fish and wildlife. This project was officially designated as the Walter F. George Lock and Dam by Public Law 85-363, approved in 1958.

## **2.0 DESCRIPTION OF THE RECOMMENDED PLAN**

The recommended plan consists of the construction of a paved 10 foot wide by 3.66 mile long multi use trail. The trail is located on property owned by Clay County, private citizens and the Corps of Engineers. There is approximately 1.85 miles of the trail located on USACE property. The entire project will be constructed in one phase. The trail will be constructed on property north of Fort Gaines and west of County Road 39.

The trail will begin south of the USACE Resource Manager's office at the East causeway of the Walter F. George Dam and end at George T. Bagby State Park. The ten foot wide footprint would be cleared, fill placed within the footprint and the path would be paved.

The impact from the clearing will only be grass and ground cover since the path is predominantly located in an open area. There are two areas where the path would be elevated, pile supported structure. One would be at east bank in order to cross a small tributary. The other would be in an area the path would cross jurisdictional wetlands. In order to minimize impacts, no machinery would be operated in or within the stream, stream buffer of the tributary or wetlands during any portion of the construction of these pile supported structures. The corridor identified in the attached Figure 3 is the path of least potential environmental impact and cultural resources.

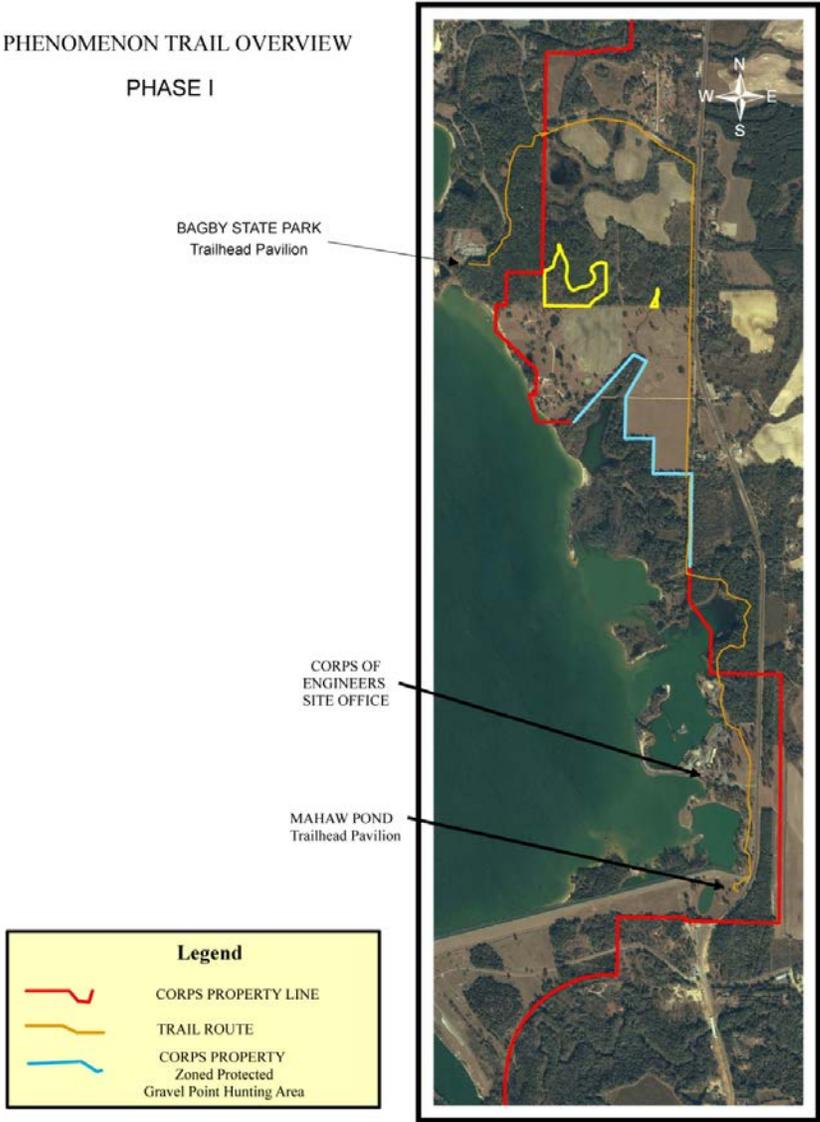


Figure 2

### **3.0 ALTERNATIVES TO THE RECOMMENDED PLAN**

#### **“No Action Alternative”**

The CEQ regulations require analysis of the “no action” alternative 40 C.F.R. § 1502.14. Based on the nature of the proposed action, “no action” represents not constructing the trail on USACE property. Under the “no action” alternative there would be large areas of path fragmented as it winds through private and Federal lands. In addition, several parks in Clay County would not be connected via a pedestrian pathway.

#### **Alternative 1 - Culvert Crossings**

Alternative 1 includes the same path alignment as the recommended plan except that it utilized pipe culverts and fill to cross the stream and wetland areas located on USACE property. This alternative would result in substantially more environmental impacts than the recommended plan and was therefore removed from consideration.

### **4.0 AFFECTED ENVIRONMENT**

**General Environmental Setting.** The Walter F. George project consists of 94,506 acres at normal summer level—45,181 acres of water and 49,325 acres of land (USACE 2006). The lake shoreline is 640 miles long at the normal summer lake elevation of 190 feet, of which 318 miles are in an easement estate and 47 miles are within the Fort Benning Military Reservation (located at the northern end of the lake). The Walter F. George Lake Shoreline Management Plan allocates the lake’s shoreline into four categories—prohibited access areas, protected areas, public recreation, and limited development. Prohibited access land is in the proximity of the dam, lock, and hydropower structure. One percent of the lake’s shoreline is categorized as prohibited access for public safety and project operation purposes. About 36 percent of the shoreline is designated as protected areas to protect or restore aesthetics, fish or wildlife habitat, cultural resources, or other environmental values; to protect channels for navigation; and to restrict structures from areas too shallow for navigation or too exposed to winds and currents. Public recreation accounts for 16 percent of the shoreline. These areas are designated for present or future intensive recreational development. The last category, limited development, accounts for 47 percent of the shoreline, and it allows for private structures or activities (e.g., docks, fixed piers, steps, walkways, vegetative modifications, utility rights-of-way) to be constructed on project land or waters, if properly permitted (USACE, Mobile District 2001).

Land use bordering the Walter F. George project land is a mix of residential, commercial, recreational, agricultural, and military land (Fort Benning). The highest-density development borders the central portion of the lake, where the project is bordered by the cities of Eufaula, Alabama, on the west and Georgetown, Georgia, on the east. The lower portion of the lake is bordered primarily by residential, commercial, and recreational land use. The upper portion of the lake is bordered primarily by farmland.

The recommended plan occurs within areas that are designated for recreation and limited development within USACE Master Plan for Walter F. George. The limited development area is currently a hunting area and the path is along the outer edge of this area, underneath a powerline. The area where the proposed path would be located is characterized as predominately rural and undeveloped property. The proposed path begins near the Walter F. George Resource Manager's office and passes through two day use areas. The day use areas and Resource Manager's Office are characterized by moderate disturbance and development. These areas have a low density of mixed pine and hardwoods, large areas of maintained grass, and paved roads and parking lots. The portion of the trail located on private property and property owned by Clay County. The private property is a combination of agriculture and undeveloped woodlands. The county property is undeveloped property that the county intends to develop as a retirement facility. The trail corridor identified on George T. Bagby State Park is largely undisturbed with the exception of a narrow unimproved, natural surfaced footpath. The footpath meanders thru an area of dense trees and underbrush. The soil in this area is sandy and the topography is relatively flat with the exception of the area near the end of the trail. This area near the state park conference center had slightly more topographic relief and some burrows that appeared to be gopher tortoise burrows. Pictures of the trail corridor located on USACE property described above are included in Appendix B portion of this document.

**Soils.** The soil type in the area of the proposed project is a mix of several soil types. The predominant soil series is of the Cahaba series which usually occupy old stream terraces of the Gulf Coastal Plain region of Alabama and Mississippi. These soils are largely above overflow and are comprised of the best drained soils of these terraces. The specific soil types identified are Cahaba Clay Loam, Cahaba fine sandy loam, Cahaba fine sand, Meadow and Kalmia fine sandy loam. The soil types identified are predominantly sand with relatively small amounts of silt and clay and very little, if any, gravel.

**Wetlands.** Wetlands have developed in various locations around Walter F. George Lake since it was impounded in 1963 and might occur both above and below the 190 feet mean sea level (MSL) normal pool elevation. Those that occur generally are small, are configured as narrow strips in segments along the shoreline, and are in areas having gentle shoreline slopes or areas of sediment accumulation in the extreme upper reaches of the lake's many embayments (USACE, Mobile District 2001, 2007). National Wetlands Inventory data confirm elongated bands of mapped wetlands (freshwater emergent and freshwater forested) in areas along the shoreline of Walter F. George Lake (USFWS 2010b).

There are two wetland areas within the trail corridor on USACE property. One of the wetlands identified is associated with a tributary that feeds into Lake Walter F. George. The jurisdictional wetland is located adjacent to a USACE day use area and is of moderate quality. There has been some disturbance in the area but it has not affected the overall quality of the wetland. Photographs of this location are found in Appendix B, photographs 4-6. The approximate geographic location of this crossing is 31.639609°, -

85.046054°. The other wetland identified in the trail corridor is located on USACE property that is allocated as protected and is currently used as a hunting area during portions of the year. These wetlands are forested and have had little disturbance aside from standard USACE forestry management. Photographs of this wetland area is located in Appendix B, photographs 8&9. The approximate geographic location of this wetland area is 31.647793°, -85.047510°.

**Floodplain.** Portions of the proposed project lie within the 100 year floodplain.

**Flora.** Thousands of trees, shrubs, and herbaceous plants are native to the Walter F. George Lake area. Past inventories that listed just some of the common species included more than 70 native tree species and more than 30 common native shrubs and herbaceous plants. The plant communities are diverse, including broadleaf deciduous trees (e.g., oaks and maples), broadleaf evergreens (e.g., holly and magnolia), coniferous needleleaf evergreens (e.g., pines), and needleleaf deciduous trees (e.g., bald cypress).

Aquatic vegetative communities include shoreline, emergent, floating and floating leaf, and submersed plants, and grasses, sedges, and rushes. Most aquatic vegetation in the lake is found in the extensive shoreline areas of the main lake and its many tributary embayments, generally in water less than 10 feet deep. Aquatic vegetation includes a mix of native and nonnative species. More than 60 aquatic plant species have been observed and recorded during aquatic plant surveys conducted on the lake between 1991 and 2004.

The portions of the trail around the Resource Manager's office and nearby day use areas are largely comprised of low densities of hardwoods and pines and virtually no understory. The ground cover in this area is largely mowed grass except in areas of thick canopy where bare ground is present due to lack of sunlight. The portions of the proposed project area that are relatively undisturbed are predominantly a pine hardwood mix. The portions of the trail on George T. Bagby State Park are mature hardwoods and pines.

**Fauna.** Fish species in Walter F. George Lake are classified as game, commercial, or other. Freshwater game fish of the lake include largemouth bass (*Micropterus salmoides*), spotted bass (*Micropterus punctulatus*), white and black crappie (*Pomoxis annularis* and *P. nigromaculatus*), bluegill (*Lepomis macrochirus*), redear sunfish (*Lepomis microlophus*), redbreast sunfish (*Lepomis auritus*), and longear sunfish (*Lepomis megalotis*). The DNR stocks the lake with striped bass (*Morone saxatilis*) and hybrid striped bass (*M. chrysops* x *M. saxatilis*). The commercial fishery of Walter F. George Lake primarily consists of channel (*Ictalurus punctatus*), blue (*I. furcatus*), and white catfish (*I. catus*). Small forage fish include threadfin shad (*Dorosoma petenense*) and gizzard shad (*D. cepedianum*). The variety of nongame fish species in the lake includes carp (*Cyprinus carpio*), suckers (*Catostomidae*), drum (*Aplodinotus grunniens*), and small minnow-like cyprinids (*Cyprinidae*). In addition, USACE has stocked Walter F. George Lake with sterile herbivorous grass carp (*Ctenopharyngodon idella*) as a management

practice for controlling invasive populations of the exotic and invasive submerged aquatic plant *Hydrilla verticillata*.

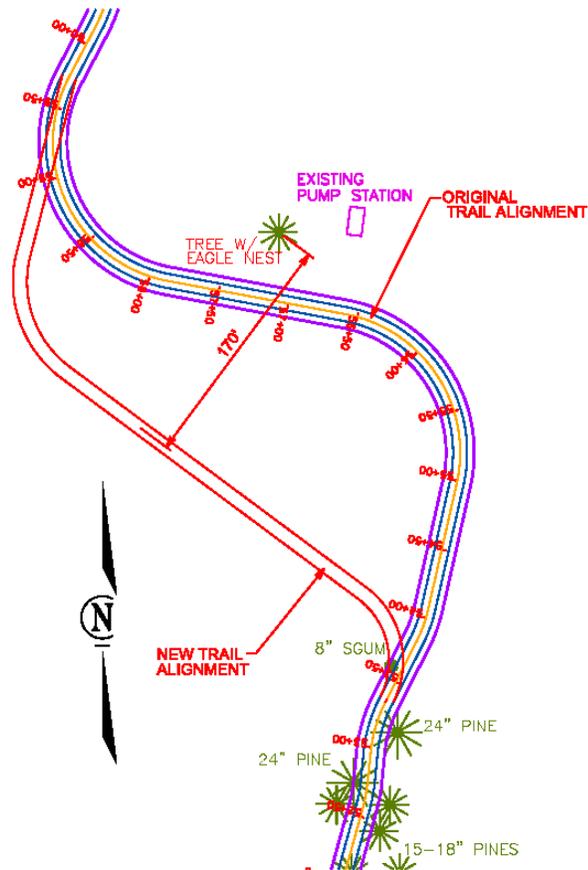
Populations of both game and non-game wildlife species occur throughout the Walter F. George Lake area. Hunting areas include both USACE-managed and state-managed lands that are not specifically closed to hunting, such as developed recreation areas, marinas, residential, and other prohibited areas. Large game animals include white-tailed deer (*Odocoileus virginianus*) and wild turkey (*Meleagris gallopavo*). Smaller game includes gray squirrel (*Sciurus carolinensis*), fox squirrel (*S. niger*), swamp (Sylvilagus aquaticus) and cottontail rabbit (*S. floridanus*), raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and bobwhite quail (*Colinus virginianus*). Small furbearers in the area include mink (*Neovison vison*), muskrat (*Ondatra zibethicus*), beaver (*Castor canadensis*), skunk (*Mephitidae*), weasel (*Mustelidae*), otter (*Lontra canadensis*), and gray (*Urocyon cinereoargenteus*) and red fox (*Vulpes vulpes*). Small nongame mammals in the area include many species of field mice (*Mus musculus*), voles (*Microtus* sp.), chipmunks (*Tamias striatus*), and other small rodents; and several species of bats (*Myotis* sp.). Coyote (*Canis latrans*) and bobcat (*Lynx rufus*) are known to occur near the lake, in the Eufaula NWR. A wide range of amphibians and reptiles inhabiting the project area includes numerous species of salamanders, frogs and toads, terrestrial and aquatic turtles and snakes, multiple species of small lizards, and the American alligator (*Alligator mississippiensis*).

Walter F. George Lake includes resident, migratory, and transient bird species from a diverse range of taxonomic groups. In addition to the turkey and quail mentioned in the previous paragraph, birds of the area include songbirds, waterfowl, raptors, and other avian species that occupy every niche of habitat in the area. The Eufaula NWR, located 23 miles north of the project, is on the eastern edge of the Mississippi flyway and provides seasonal habitat for migratory waterfowl and neotropical migratory birds. A system of 17 seasonally flooded impoundments at the refuge is actively managed to provide food for waterfowl. Peak wintering populations of ducks reached over 40,000 in the 1970s but since 2001 have averaged 12,000 to 20,000. Few migrating geese use Eufaula NWR, but there is a resident population of about 2,000 Canada geese. The refuge provides habitat for wading birds, resident and migratory waterfowl, large breeding and wintering populations of raptors, including bald eagles (*Haliaeetus leucocephalus*) and osprey (*Pandion haliaetus*), and supports several large rookeries consisting of hundreds of great blue heron (*Ardea herodias*), great egret (*Ardea alba*), snowy egret (*Egretta thula*), little blue heron (*Egretta caerulea*), anhinga (*Anhinga anhinga*), and cattle egrets (*Bubulcus ibis*). Large populations of herons and other marsh birds occupy the refuge year-round, and there are spring and summer seasonal populations of wood storks (*Mycteria americana*) and winter seasonal populations of sandhill cranes (*Grus canadensis*).

Portions of the trail have experienced varying degrees of disturbance. The portions of the trail south of the first wetland crossing near the resource manager's office have experienced the most substantial amounts of disturbance. This portion of the trail can be seen in Appendix B, photographs 1 thru 6. The trail corridor has experienced substantially less impact and development as you travel north towards Bagby park. The portion of the trail on the limited development Corps of Engineers property is currently used as hunting property and has had limited impacts, most of which are towards the outer edges of the tract. There is an overhead powerline easement on this property that the trail will be located within. The remaining impacts on this tract are associated with timber and wildlife management activities on the property. There are wetlands located on this property and the trail will traverse these wetlands thru the use of an elevated boardwalk. Pictures of this portion of the trail can be seen in Appendix B in photographs 8&9. The last portion of the trail is located on USACE property on Bagby State Park. This portion of the trail has experienced the least overall impact. The area surrounding the trail is established stands of pine hardwood mix. The canopy in this area is thick and the limited sunlight reduces the understory and ground cover vegetation. Pictures of this portion of the trail are located in Appendix B in photographs 10 thru 15.

**Endangered and Threatened Species.** The following federally listed species are known to occur in Clay County. The threatened American alligator (*Alligator mississippiensis*), endangered red-cockaded woodpecker (*Picoides borealis*), endangered wood stork (*Mycteria americana*), and endangered relict trillium (*Trillium reliquum*). Although no longer listed, the bald eagle (*Haliaeetus leucocephalus*) is still protected under the Bald and Golden Eagle Protection Act and is known to occur in Clay County. Not all of these species have suitable habitat within or in proximity to the trail corridor. There is no suitable habitat for red-cockaded woodpecker and relict trillium within the trail corridor or in proximity to the project. There is potential habitat for American alligator within the footprint of the trail corridor at one of the wetland crossings on USACE property. There is potential habitat for wood stork in and around the project corridor. Since wood storks typically are present seasonally this should not be a problem since construction will be completed during the winter months on USACE property. There is a known, active bald eagle nest on County owned property. The trail will pass in close proximity to this nest. Clay County officials are handling all coordination associated with the active eagle nest. As a result of this coordination, Clay County realigned the trail to avoid the nest.

U.S. Fish and Wildlife Service (USFWS) responded to via email to finalize consultation for this project. The correspondence from USFWS dated 15 July 2013 agreed with the USACE determination that the project may affect but not likely to adversely affect threatened and endangered species.



Alternative Route to Avoid Eagle's Nest

**Cultural Resources.**

A phase I cultural resources survey and consultation with the Georgia State Historic Preservation Officer (SHPO) was conducted for the proposed trail in 2007 as part of the environmental compliance for an associated Federal Highways Administration Transportation Enhancement grant. As a result of the Phase I survey a total of six archaeological sites 9CY202, 9CY203, 9CY204, 9CY205, 9CY206, and 9CY207 were identified. Each of these archaeological sites was determined to be ineligible for listing on the National Register of Historic Places in consultation with the SHPO. By letter dated August 14, 2007 the SHPO concurred that the project would have no adverse effect on historic properties.

Since the Phase I cultural resources survey conducted in 2007 minor adjustments have been made to the foot print of the proposed trail to utilize additional previously disturbed areas. All altered portions of the proposed trail located on USACE property were previously surveyed in the 1980s and early 1990's as part of the cultural resources inventory surveys for Walter F. George fee owned lands. As a result of these surveys and in previous consultation with the SHPO no archaeological sites were identified within the current foot print of the proposed trail.

**Noise.** Noise is defined as any sound that is undesirable because it interferes with communication, is intense enough to damage hearing, or is otherwise intrusive. Human response to noise varies depending on the type and characteristics of the noise, the distance between the noise source and the receptor, receptor sensitivity, and time of day. Noise is often generated by activities that are part of everyday life, such as construction or traffic.

The primary source of noise at Walter F. George Lake is recreational activities such as the use of motorboats and other watercraft. The proposed project area is located in a rural area. Ambient noise is generally limited to automobile traffic from a nearby county road and equipment associated with periodic agriculture and silviculture activities.

#### **Air Quality.**

The Clean Air Act (42 U.S.C. 7401-7671q), as amended, gives EPA the responsibility to establish the primary and secondary National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) that set acceptable concentration levels for six criteria pollutants: particulate matter, sulfur dioxide, carbon monoxide, nitrous oxides, ozone, and lead. Short-term NAAQS (1-, 8-, and 24-hour periods) have been established for pollutants contributing to acute health impacts, while long-term NAAQS (annual averages) have been established for pollutants contributing to chronic health impacts. Each state has the authority to adopt standards stricter than those established under the federal program; however, Alabama and Georgia accept the federal standards.

EPA Region 4 and the ADEM regulate air quality in Alabama, and EPA Region 4 and the Georgia DNR regulate air quality in Georgia. Walter F. George Lake is in a rural area with few major sources of air emissions. Clay County and the other six counties that surround the lake are in attainment for all criteria pollutants.

#### **Water Quality.**

The Walter F. George Lake watershed consists of the 7,460- square-mile portion of the Chattahoochee River watershed upstream of the Walter F. George Lock and Dam. The Chattahoochee River watershed extends into northern Georgia and includes many tributary streams and creeks, as well as several other impoundments upstream of Walter F. George Lake.

A review of the Georgia 305(b)/303(d) list showed that there was one impaired creek segment in proximity to the project area. There is a 6 mile reach of Pataula Creek from Hodchodkee Creek to Lake Walter F. George that is listed for high fecal coli form bacteria. The confluence of Pataula Creek and Lake Walter F. George is approximately 4 miles north of George T. Bagby State Park, the northern terminus of the project.

**Recreation.** There are 13 USACE day use areas and 4 campgrounds on Lake Walter F. George. In addition to camping and day use areas there is also a substantial recreational fishery located on this lake and in proximity to the project area.

**Hazardous and Toxic Materials/Wastes.** There are no known hazardous and toxic materials or wastes located on or in proximity to the project site on USACE property.

#### **4.0 ENVIRONMENTAL IMPACTS OF THE RECOMMENDED PLAN**

**General Environmental Setting.** Since the trail only has a limited footprint of ten feet, development of this trail on government property will not result in significant physical or biological impacts.

**Soils.** The project will be adequately stabilized according to site elevation and soil conditions so that the highly erodible soils will not be affected by any rainfall events. Since the footprint of the project will be limited to ten feet in width and ground disturbance will be minimized to clearing no vegetation larger than a weed, there is very low probability of any erosion issues associated with this project.

**Wetlands.** There are two pile supported structures that will cross wetlands on USACE property. One structure is a bridge across a tributary feeding into Lake Walter F. George. The other structure is an elevated bridge that crosses a wetland area while running underneath a power line on USACE property. The construction associated with these structures will be executed in a manner that will avoid the operation of machinery within the delineated wetland areas and will not result in filling any wetlands.

**Floodplain.** Portions of the proposed project will be located within the 100 year floodplain. Since the construction of this trail will not result in any substantial fill within the floodplain nor any habitable structures there should be no major alterations or impacts to the floodplain.

**Flora.** The project corridor has been delineated in a manner that will not require any clearing of vegetation other than grass. Given the limited impacts within the identified project corridor it can be assumed that this project would have no significant impacts to flora.

**Fauna.** Since the proposed project alignment will not result in substantial ground disturbing activities there should be no substantial impacts to fauna in and around the project corridor.

**Endangered and Threatened Species.** The proposed project site and the surrounding area do not appear to have habitat for any threatened and endangered species. It has been determined that the project is not likely to adversely affect threatened and endangered species or their habitat.

#### **Cultural Resources.**

The Mobile District has determined no historic properties affected by this proposed undertaking as per 36 Code of Federal Regulation 800.4(d)(1). Therefore this action will have no significant impacts to cultural resources.

**Noise Impacts.** Noise levels in the immediate vicinity of the proposed project would increase while construction is underway. Given the remote location of the project area any noise impacts would not have any adverse impacts.

**Water Quality.** Potential impacts to water quality would be limited to runoff from construction activities into Lake Walter F. George and some small unnamed tributaries. The possibility of increased turbidity would be virtually eliminated thru the use of adequate Best Management Practices (BMP's). Properly utilized BMPs will contain sediment and other contaminants from adversely impacting water quality in the area. Therefore the proposed action would have no significant impacts to water quality.

The Walter F. George project office coordinated with Georgia Environmental Protection Division (EPD) about stream buffer variances for the project since the project crosses several streams on and off of USACE property. It was determined that a stream buffer variance was not needed for this project. A copy of this correspondence is included in Appendix A of this document.

It was determined that there is no need for water quality certification and 404(b) due to the avoidance measure taken in the planning phase of this project. The avoidance measures taken included using pile supported structures that would not result in fill or culverts within the streams and wetlands within the project corridor. In addition to the physical structures selected, the construction methods utilized would not result in operation of any equipment in and around streams and wetlands. Figure 2 is a picture of the location where the tributary will be crossed with a pile supported bridge.



**Figure 3**

**Recreation.** The proposed project will improve recreation by offering a means to connect several recreational assets in and around the project corridor.

**Hazardous and Toxic Waste (HTRW).** The proposed project will not result in the generation of any hazardous, toxic or radioactive waste.

**Environmental Justice.** On February 11, 1994, the President issued Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*. The EO is designed to focus federal attention on the environmental and human health conditions in minority and low-income communities with the goal of achieving environmental justice. The EO is also intended to promote nondiscrimination in federal programs substantially affecting human health and the environment. The EO states that federal activities, programs, and policies should not produce disproportionately high and adverse impacts on minority and low-income populations. The proposed project would not disproportionately affect minority or low-income populations.

**Protection of Children.** On April 21, 1997, the President issued Executive Order (EO) 13045, *Protection of Children from Environmental Health Risks and Safety Risks*. To the extent permitted by law and appropriate, and consistent with the federal agencies' mission, federal agencies shall make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children; and shall ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks. The proposed project would not pose a health or safety risk to children.

**Cumulative Impacts Summary.** The CEQ regulations define cumulative impacts as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other action.” 40 C.F.R. § 1508.7. Actions considered in the cumulative impacts analysis include.

The proposed project will result in a relatively small permanent alteration to the immediate landscape and surrounding area. Most of these impacts will be during construction and will rapidly stabilize after the completion of construction and revegetation of any areas subject to ground disturbing activities

## **5.0 ANY IRREVERSIBLE OR IRRETRIEVABLE COMMITMENTS WHICH WOULD BE INVOLVED SHOULD THE RECOMMENDED PLAN BE IMPLEMENTED**

Any irreversible or irretrievable commitments of resources involved in the proposed action have been considered and are either unanticipated at this time, or have been considered and determined to present minor impacts.

## **6.0 ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED**

Any adverse environmental effects which cannot be avoided during implementation of the recommended action are expected to be minor both individually and cumulatively.

## **7.0 THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY**

The proposed project constitutes a short-term use of man's environment and is anticipated to positively affect long-term productivity.

## **8.0 COORDINATION**

U.S. Fish and Wildlife Service – List of Endangered Species for Clay County  
[http://ecos.fws.gov/tess\\_public/countySearch!speciesByCountyReport.action?fips=01125](http://ecos.fws.gov/tess_public/countySearch!speciesByCountyReport.action?fips=01125)

## **Appendix A**



## Georgia Department of Natural Resources

Coastal District Office  
400 Commerce Center Drive  
Brunswick, Georgia 31523-8251  
Mark Williams, Commissioner  
Environmental Protection Division  
Judson H. Turner, Director  
Phone: (912) 264-7284  
Fax: (912) 262-3160

USACE  
c/o Mr. Bill Smallwood  
427 Eufaula Road  
Fort Gaines, GA 39851

Re: Proposed Land Disturbing Activity  
Phenomenon Trail Phase 1  
Clay County, Georgia  
File: SW-030-00-102 Revised

Dear Mr. Smallwood:

In accordance with the General NPDES Permit No. GAR100002 for Storm Water Discharges Associated with Construction Activities for Infrastructure Construction Projects, issued by the Georgia Environmental Protection Division (EPD) in August 2008, this Project has been reviewed for deficiencies in the identification of waters of the state and stream buffer variance requirements.

Based upon this review, the EPD has determined the following:

- (1) The project does **not** have deficiencies in the identification of waters of the state.
- (2) The project will **not** require a stream buffer variance from the EPD.

However, the EPD reserves the right to change this determination if information that conflicts with the original submittal is obtained during a later site inspection.

Additionally, in accordance with the General NPDES Permit No. GAR100002, each Erosion, Sedimentation and Pollution Control Plan (ESPCP) submittal shall include a completed and applicable ESPCP Checklist established by the Georgia Soil and Water Conservation as of January 1 of the year in which the land-disturbing activity was permitted. A completed Checklist must be submitted with the ESPCP or the Plan will not be reviewed.

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A deficient ESPCP is a violation of the NPDES Permit. If violations occur on the proposed project site and enforcement actions become necessary, a deficient ESPCP may increase the fines incurred. The applicable Checklist as well as a guidance document are available on the Georgia EPD website @ [www.gaepd.org](http://www.gaepd.org).

Based upon this review, EPD has determined the following:

- (1) The ESPCP for this Project does **not** have deficiencies.

If additional information is required, please contact me at 912-554-3492.

Sincerely,



Shannon K. Winsness  
Environmental Specialist

cc: Palmer & Hilliard  
c/o John E. Hilliard, P.E.  
1107-A 8<sup>th</sup> Avenue  
Albany, GA 31707

Tom Fowler  
EPD Southwest District Office  
2024 Newton Road  
Albany, GA 31701

GSWCC – Region 5  
c/o Luke Crosson  
4344 Albany Highway  
Dawson, GA 39842

File: SW-030-00-102 Revised

## Appendix B: Trail Corridor Photographs



Photograph 1: Area at of trail corridor at trailhead.



Photograph 2: Portion of the trail near trailhead that travels through several parking areas



Photograph 3: Portion of the trail near the Resource Manager's office



Photograph 4: Location of first elevated portion of the trail



Photograph 5: Tributary at first elevated crossing. No work will take place in this tributary.



Photograph 6: Trail corridor at first elevated crossing looking west towards Walter F. George Lake.



Photograph 7: Eagle's nest located within trail corridor on County Property.



Photograph 8: Trail location after coming off of County property.



Photograph 9: Area of second portion of elevated trail due to jurisdictional wetlands.



Photograph 10: Portion of the trail located on Bagby State Park



Photograph 11: Portion of the trail at Bagby State Park. The trail will be located within the footprint of the existing trail.



Photograph 12: Portion of the trail at Bagby State Park. The trail will be located within the footprint of the existing trail.



Photograph 13: Portion of the trail at Bagby State Park. The trail will be located within the footprint of the existing trail.



Photograph 14: Portion of the trail at Bagby State Park. The trail will be located within the footprint of the existing trail.



Photograph 15: Borough located on Bagby State Park within the trail corridor.

## Appendix C: USFWS Coordination Letter and Response

-----Original Message-----

From: Horton, Matthew W SAM

Sent: Wednesday, June 19, 2013 5:06 PM

To: Mirabeau Dudley

Cc: 'Ulgonda\_Kirkpatrick@fws.gov'; 'john\_doresky@fws.gov'; Zettle, Brian A SAM

Subject: Phenomenon Trail Section 7 (UNCLASSIFIED)

Importance: High

Classification: UNCLASSIFIED

Caveats: NONE

Beau,

I know it has been a while since we spoke last about the proposed trail in Clay County, Georgia at Lake Walter F. George. I am trying to get everything moving again on the section 7 consultation that was pending due to the Federal Law Enforcement action associated with the Eagles in proximity to the project. Clay County has submitted an Eagle Take Permit Application in order to proceed with the proposed trail. I've attached a copy of the Eagle Take Permit that Clay County has submitted to Ulgonda Kirkpatrick. In addition, I have requested a map and/or plans depicting the new alignment of the trail in the area of concern. If you need additional supporting documents or information to move forward with the Section 7 portion of the EA please let me know as soon as possible. We are hoping to get Section 7 and NEPA finalized so construction can be completed before nesting season.

Thanks for your help,  
Matt

Matthew Horton  
U.S. Army Corps of Engineers  
Mobile District  
Ecologist, Inland Environment Team  
251.694.4636  
251-214-6492-cell

Classification: UNCLASSIFIED

Caveats: NONE



## United States Department of the Interior

### Fish and Wildlife Service

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West Georgia Sub Office  
Post Office Box 92590  
Fort Benning, Georgia 31903-2590  
Phone: (706) 544-6428  
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**JUL 15 2013**

Coastal Sub Office  
1990 Wildlife Drive  
Townsend, Georgia 31133  
Phone: (912) 832-8739  
Fax: (912) 832-8744

Mr. Matthew Horton  
Department of the Army  
U.S. Army Engineer Dist. Mobile Dist.  
Corps of Engineers  
P.O. Box 2288  
Mobile, Alabama 36628-0001

Dear Mr. Flores,

RE: FWS File Log No. 2013 CPA-0064

The U.S. Fish and Wildlife Service (Service) has reviewed your January 15, 2013, email and subsequent correspondence (June 19 and July 1, 2013 emails and attached documents) requesting our review and comments of the proposed Phenomenon Trail project located at Walter F. George Lake. Our comments are provided in accordance with the Fish and Wildlife Coordination Act (45 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and section 7(a)(2) of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq.).

Based on the information provided, the requirements of the ESA have been fulfilled relative to this action, and no further consultation is necessary. However, obligations under section 7 of the ESA must be reconsidered if (1) new information reveals that the proposed project may affect listed species in a manner or to an extent not previously considered, (2) the proposed project is substantially modified to include activities which were not considered during this consultation; or (3) new species are listed or critical habitat designated that might be affected by the proposed project.

If you have any questions, comments or require additional information regarding this letter, please contact Reed Dudley at (706) 544-6259.

Sincerely,

Sandra S. Tucker  
Field Supervisor

cc: file, USFWS, West GA Office