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# Supplemental Environmental Assessment for the Bainbridge By-Pass Park Disposal to the City of Bainbridge, Georgia

## 1.0 INTRODUCTION

This Supplemental Environmental Assessment (SEA) analyzes the environmental impacts from the proposed disposal of the Bainbridge By-Pass Park to the City of Bainbridge, Georgia. This analysis is to determine if the proposed action will have a significant impact on the environment.

### 1.1 Location

Bainbridge By-Pass Park is located in the City of Bainbridge, Georgia (county seat of Decatur County) as shown in Figure 1.

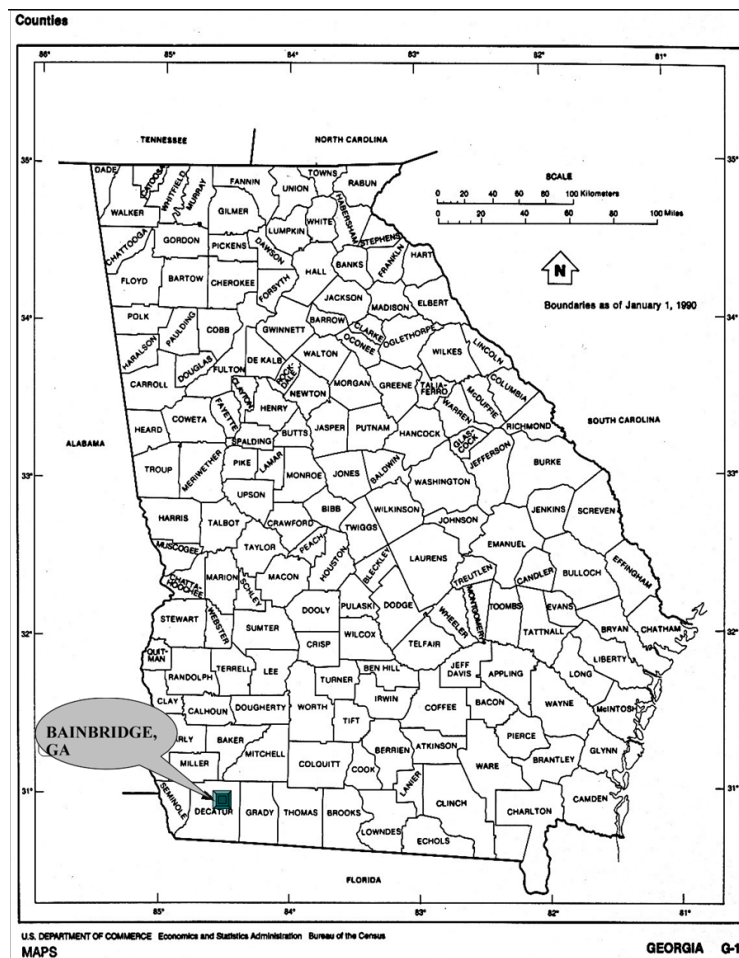


Figure 1: Location of Bainbridge, Georgia

## **1.2 Proposed Action**

The proposed action is the conveyance of Bainbridge By-Pass park located at the Lake Seminole Development in Bainbridge, Georgia to the city of Bainbridge, Georgia as required by and described in Section 1331(d)(3) of America's Water Infrastructure Act of 2018 (WRDA 2018) (Appendix A). This will result in approximately 557.81 acres to be conveyed to the city of Bainbridge, Georgia.

## **1.3 Purpose and Need for the Proposed Action**

The proposed action is necessitated by WRDA 2018 as explained in **Section 1.4** of this report.

## **1.4 Authority**

The proposed action is mandated under WRDA 2018 Section 1331(d)(1)-(2) (Appendix A) which requires the Secretary of the Army to convey the Bainbridge By-Pass Park to the city of Bainbridge, Georgia subject to the requirements that the "the City of Bainbridge agrees to operate, maintain, and manage the property for fish and wildlife, recreation, and environmental purposes at no cost or expense to the United States" and subject to "such other terms and conditions as the Secretary determines to be in the interest of the United States."

## **2.0 ENVIRONMENTAL SETTING WITHOUT THE PROJECT**

### **2.1 General Environmental Setting**

The proposed disposal action encompasses the same footprint as the EA for the Master Plan Update of Bainbridge By-Pass Park titled "Environmental Assessment, Proposed Riverwalk Walking Trail For The City Of Bainbridge, Georgia, Flint River, Decatur County, Georgia" (the EA). The Finding of No Significant Impact for the EA was signed on February 5, 2014.

Of the resources outlined in the EA, the only new resource information that must be captured in this SEA as a result of potential impacts outside the scope of the EA encompasses Historic and Archeological Resources. Therefore, see the EA for details on the general environmental setting.

### **2.2 Significant Resource Description**

#### **2.2.1 Threatened and Endangered Species**

Special status species are those species that are listed as threatened, endangered, or candidates as such by the U.S. Fish and Wildlife Service (USFWS). The USFWS list of Federally protected species that are known to or believed to occur in Decatur County are shown in Table 1. Of the species discussed in the EA only one species, Georgia Rockcress (*Arabis georgiana*), has been added here. Therefore, this section will only discuss those attributes and requirements for the Georgia Rockcress.

Table 1: Federally listed species within Decatur County

Group	Name	Federal Status
Birds	Red-cockaded woodpecker ( <i>Picoides borealis</i> )	Endangered
Clams	Fat three-ridge ( <i>Amblema neislerii</i> )	Endangered
Clams	Purple bankclimber ( <i>Elliptoideus sloatianus</i> )	Threatened
Clams	Oval Pigtoe ( <i>Pleurobema pyriforme</i> )	Endangered
Clams	Shinyrayed pocketbook ( <i>Lampsilis subangulata</i> )	Endangered
Clams	Gulf moccasinshell ( <i>Medionidus penicillatus</i> )	Endangered
Reptiles	Eastern indigo snake ( <i>Drymarchon corais couperi</i> )	Threatened
Reptiles	Gopher tortoise ( <i>Gopherus polyphemus</i> )	Candidate
Conifers and Cycads	Florida torreya ( <i>Torreya taxifolia</i> )	Endangered
Flowering Plants	Fringed campion ( <i>Silene polypetala</i> )	Endangered
Flowering Plants	Georgia Rockcress ( <i>Arabis georgiana</i> )	Threatened

The Georgia Rockcress flowers from early April to mid-May with fruit setting between May and July. As stated in the 2021 Species Status Assessment by the Fish and Wildlife Service, the Georgia Rockcress “is a perennial plant of the mustard family (*Brassicaceae*) endemic to Alabama and Georgia. The natural habitat for Georgia rockcress is steep river bluffs with shallow soils over rock, exposed rock outcroppings, as well as sandy eroding riverbanks. Georgia rockcress possesses a thick rootstock that may live for many years but is considered a short-lived perennial. The species is a poor competitor and relies on shallow soils or regular disturbance to reduce competition as well as to create canopy gaps for sufficient light.”

No surveys have been conducted to determine if the park boundaries contain suitable habitat; however, given the size of the proposed disposal it is presumed that suitable habitat may occur.

### 2.2.2 Historic and Archeological Resources

The area surrounding Lake Seminole in Decatur County is rich in cultural sites and has been occupied by prehistoric and historic peoples for the past 12,000 years. The area was inhabited predominantly by native Muskogean-speaking peoples known as the Muscogee (Creek) who were encountered by European incursions to southwest Georgia,



initially led by the Spaniard Hernando de Soto in 1539. Georgia was colonized by the British in 1732 and became the 13<sup>th</sup> colony of the United States in 1788. In the 1830s, the remnants of the Muscogee (Creek) Nation were forcibly removed from Georgia in what became known as the Trail of Tears.

Five cultural resources surveys have been conducted to date and eight archaeological sites have been identified on this property and include 9DR110, 9DR112, 9DR113, 9DR114, 9DR115, 9DR197, 9DR208 and 9DR223. All of these archaeological sites have been determined ineligible for listing on the National Register of Historic Places (NRHP) with the exception of 9DR112, which was determined eligible from a Phase II cultural resources investigation conducted in 2021.

### 3.0 DESCRIPTION OF THE RECOMMENDED PLAN

The recommended plan would result in the conveyance of approximately 557.81 acres of land comprising the Bainbridge By-Pass Park to the City of Bainbridge, Georgia (Figure 2). A restrictive covenant would be required to protect an approximately one-acre historic property, site 9DR112, within the boundaries of this land transfer. Restrictions would require the site to be avoided with a 150-foot/50-meter buffer and prohibit ground disturbances of any kind within the buffer. Visitation data would no longer be collected and submitted for the disposal area.



Figure 2: Bainbridge By-Pass Park Disposal Boundary

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

The proposed action is the transfer of property ownership and thus no physical action is taking place. As such, and because the City of Bainbridge, Georgia will be required to continue management of the Park as described in **Section 1.4**, no impacts to environmental resources would occur except for Historic and Archeological Resources. Therefore, only resources which require the U.S. Army Corps of Engineers (USACE) to make an effects determination will be discussed in this section.

#### **4.1 Significant Resources**

##### ***4.1.1 Threatened and Endangered Species***

The proposed action would have no direct or indirect effects on federally listed species as no ground disturbing activities would occur.

##### ***4.1.2 Historic and Archeological Resources***

Eight archaeological sites have been identified and include 9DR110, 9DR112, 9DR113, 9DR114, 9DR115, 9DR197, 9DR208 and 9DR223. All of these archaeological sites have been determined ineligible for listing on the National Register of Historic Places (NRHP) with the exception of 9DR112. A Phase II investigation of two prehistoric sites (9DR112 and 9DR113) that were previously recommended eligible for the NRHP was conducted in 2021 to determine eligibility in preparation for land disposal to the City of Bainbridge in accordance with 36 CFR 800 Protection of Historic Properties and Section 106 of the National Historic Preservation Act. Only 9DR112 was determined eligible for listing on the NRHP. The NRHP eligibility of 9DR112 combined with the disposal of the property out of federal ownership is considered an adverse effect to a historic property according to 36 CFR 800.5 (a)(2)(vii).

#### **4.2 Cumulative Impacts**

The lands have been maintained for recreation since 1989 and would continue to operate as a municipal park. The overall park boundaries have remained unchanged due to land use classifications, and no plans exist to expand the boundaries in the immediate future following conveyance. Therefore, no significant cumulative impacts would occur as a result of the disposal.

#### **5.0 ENVIRONMENTAL JUSTICE AND PROTECTION OF CHILDREN**

The proposed disposal would transfer ownership of the property to the City of Bainbridge and no physical disturbance or construction would occur. Therefore, no impacts would occur to the health of all, including minorities and children.

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

Irreversible and ir retrievable commitments of resources involved in the proposed disposal have been considered and no ground disturbing activities would occur; therefore, the only irreversible or ir retrievable commitments of resources are administrative.

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

Per 36 CFR 800.5 (a)(2)(vii) Protection of Historic Properties and Section 106 of the National Historic Preservation Act, disposal of site 9DR112 out of federal ownership is considered an adverse effect to a historic property. However, consultation with the Georgia SHPO determined that avoidance of impacts to site 9DR112 by inclusion of a restrictive covenant in the deed would result in the action not adversely affecting historic property 9DR112 due to transfer to the City of Bainbridge. Thus, the action will result in no adverse impact pursuant to 36 C.F.R. § 800.5(b).

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

The proposed disposal would continue man's short term and long-term use of the land for recreation. The City of Bainbridge would continue to operate the park under their direct ownership.

## **9.0 ALTERNATIVES TO THE RECOMMENDED PLAN**

**No Action Alternative.** The No Action Alternative would mean that the USACE retains ownership of the property, and the City of Bainbridge would continue to lease the park. This alternative is not selected due to the Special Legislation which directs the USACE to dispose of the lands to the City of Bainbridge.

**Alternative 1.** This alternative would convey 100% of the property boundaries with no restrictive covenants. This alternative is not selected due to the sensitive nature of cultural resources within the property.

## **10.0 COORDINATION**

Consultation with the Georgia State Historic Preservation Officer (SHPO) and appropriate federally recognized tribes was initiated on June, 21, 2022. On July 14, 2022, the Georgia SHPO determined that avoidance of 9DR112 from impacts by inclusion of a restrictive covenant in the deed would not adversely affect historic property 9DR112 from transfer to the City of Bainbridge.

Federal coordination with SHPO and federally recognized tribal nations has been completed.

A 30-day public review period will be conducted, and the draft SEA will be made available on <<https://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments/>>. All comments received will be addressed in the Final SEA.

# APPENDIX A

WRDA Section 1331(d)



# Supplemental Environmental Assessment for Disposal of Bainbridge By-Pass Park

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Section 1331(d) of the America's Water Infrastructure Act of 2018, Public Law 115-270 (2018).

(d) BAINBRIDGE, GEORGIA.—

(1) IN GENERAL.—On the date of enactment of this Act, the Secretary of the Army shall convey to the City of Bainbridge, Georgia, without consideration and subject to subsection (b), all right, title, and interest in and to real property described in subsection (c).

(2) TERMS AND CONDITIONS.—

(A) IN GENERAL.—The conveyance by the United States under this subsection shall be subject to—

(i) the condition that the City of Bainbridge agrees to operate, maintain, and manage the property for fish and wildlife, recreation, and environmental purposes at no cost or expense to the United States; and  
(ii) such other terms and conditions as the Secretary determines to be in the interest of the United States.

(B) REVERSION.—If the Secretary determines that the real property conveyed under paragraph (1) ceases to be held in public ownership or the city ceases to operate, maintain, and manage the real property in accordance with this subsection, all right, title, and interest in and to the property shall revert to the United States, at the option of the Secretary.

(3) PROPERTY.—The property to be conveyed is composed of the following three parcels of land:

(A) PARCEL 1.—All that tract or parcel of land lying and being in Land Lots 226. and 228, Fifteenth Land District, and Land Lots 319, 320, 321, 322, 323 and 358, Twentieth Land District, Decatur County, Georgia, more particularly described as follows:

Beginning at a concrete monument stamped “358” which is 950 feet, more or less, North of the South line and 600 feet, more or less, West of the East line of said Land Lot 358, at a corner of a tract of land owned by the United States of America at Lake Seminole and at plane coordinate position North 318,698.72 feet and East 360,033.38 feet based on Transverse Mercator Projection, Georgia West Zone;

Thence Due West 75 feet, more or less, to the contour at elevation 77.0 feet above Mean Sea Level;

Thence Northeasterly along the meanders of said 77.0 foot contour a distance of 20,600 feet, more or less, to the mouth of the entrance channel to the arena and boat basin;

Thence N 75° E 150 feet, more or less, to another point on said 77.0 foot contour;

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Thence Northeasterly along the meanders of said 77.0 foot contour a distance of 3,300 feet, more or less, to a point which is on the boundary of said United States tract and on the boundary of a tract of land now or formerly

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owned by the City of Bainbridge, Georgia;  
Thence along the boundary of said United States tract  
the following courses:  
S 10° 522 E along the boundary of said City of  
Bainbridge tract 830 feet, more or less, to a corner  
of said tract;  
S 89° 452 E along the boundary of said City of  
Bainbridge tract 700 feet, more or less, to a concrete  
monument stamped "J1A", coordinates of said monument  
being North 328,902.34 feet and East 369,302.33  
feet;  
S 22° 252 W 62 feet, more or less, to a corner  
of another tract of land owned by the City of Bainbridge,  
Georgia;  
S 88° 072 W along the boundary of said City of  
Bainbridge tract 350 feet, more or less to a corner  
of said tract;  
N 84° 002 W along the boundary of said City of  
Bainbridge tract 100.5 feet to a corner said tract;  
S 88° 072 W along the boundary of said City of  
Bainbridge tract 300.0 feet to a corner of said tract;  
S 14° 162 W along boundary of said City of Bainbridge  
tract 89.3 feet to a corner of said tract;  
Southwesterly along the boundary of said City of  
Bainbridge tract which is along a curve to the right  
with a radius of 684.69 feet an arc distance of 361.8  
feet to a corner of said tract;  
S 30° 002 W along the boundary of said City of  
Bainbridge tract 294.0 feet to a corner of said tract;  
S 10° 272 W along the boundary of said City of  
Bainbridge tract 385.0 feet to a corner of said tract;  
N 73° 312 W 38 feet, more or less, to a concrete  
monument;  
S 16° 252 W 563.7 feet to a concrete monument  
stamped "J7A";  
S 68° 282 W 719.5 feet to a concrete monument  
stamped "J9A";  
S 68° 282 W 831.3 feet to a concrete monument  
stamped "J12A";  
S 89° 392 E 746.7 feet to a concrete monument  
stamped "J11A";  
S 01° 222 W 80.0 feet to a concrete monument  
stamped "J11B";  
N 89° 392 W 980.9 feet to a concrete monument  
stamped "J13A";  
S 01° 212 W 560.0 feet to a concrete monument  
stamped "J15A";  
S 37° 142 W 1,213.0 feet;  
N 52° 462 W 600.0 feet;  
S 37° 142 W 1,000.0 feet;  
S 52° 462 E 600.0 feet;  
S 37° 142 W 117.0 feet to a concrete monument

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stamped "320/319";

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S 37° 132 W 1,403.8 feet to a concrete monument

stamped "322/319";

S 37° 132 W 2,771.4 feet to a concrete monument

stamped "322/323";

S 37° 132 W 1,459.2 feet;

N 89° 042 W 578.9 feet;

S 53° 422 W 367.7 feet;

S 43° 422 W 315.3 feet;

S 26° 132 W 654.9 feet, more or less, to the point  
of beginning.

Containing 550.00 acres, more or less, and being a  
part of Tracts L-1105 and L-1106 of Lake Seminole.

(B) PARCEL 2.—All that tract or parcel of land lying  
and lying and being in Land Lot 226, Fifteenth Land  
District, Decatur County, Georgia, more particularly  
described as follows:

Beginning at a point which is on the East right-of-way  
line of the Seaboard Airline Railroad, 215 feet North  
of the South end of the trestle over the Flint River, and  
at a corner of a tract of land owned by the United States  
of America at Lake Seminole;

Thence Southeasterly along the boundary of said  
United States tract which is along a curve to the right  
a distance of 485 feet, more or less, to a point which  
is 340 feet, more or less, S 67° 002 E from the South  
end of said trestle, and at a corner of said United States  
tract;

Thence N 70° 002 E along the boundary of said United  
States tract 60.0 feet to a corner of said tract;

Thence Northerly along the boundary of said United  
States tract which is along a curve to the right a distance  
of 525 feet, more or less, to a corner of said tract;

Thence S 05° 002 W along the boundary of said United  
States tract 500.0 feet to a corner of said tract;

Thence Due West along the boundary of said United  
States tract 370 feet, more or less, to a point which is  
on the East right-of-way line of said railroad and at a  
corner of said United States tract;

Thence N 13° 302 W along the boundary of said United  
States tract which is along the East right-of-way line of  
said railroad a distance of 310 feet, more or less, to the  
point of beginning.

Containing 3.67 acres, more or less, and being all  
of Tract L-1124 of Lake Seminole.

Parcels 1 and 2 contain in the aggregate 553.67 acres,  
more or less.

(C) PARCEL 3.—All that tract or panel of land lying  
and being in Land Lot 225, Fifteenth Land District,  
Decatur County, Georgia, more particularly described as  
follows:

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Beginning at an iron marker designated "225/226/", which is on the South line and 500 feet, more or less, West of the Southeast corner of said Land Lot 225 at a corner of a tract of land owned by the United States of America at Lake Seminole and at plane coordinate position North 330,475.82 feet and East 370,429.36 feet, based on Transverse Mercator Projection, Georgia West Zone; S. 3021—68

Thence Due West along the boundary of said United States tract a distance of 53.0 feet to a monument stamped "225/226-A";

Thence continue Due West along the boundary of said United States tract a distance of 56 feet, more or less, to a point on the East bank of the Flint River;

Thence Northerly, upstream, along the meanders of the East bank of said river a distance of 1,200 feet, more or less, to a point which is on the Southern right-of-way line of U.S. Highway No. 84 and at a corner of said United States tract;

Thence Easterly and Southeasterly along the Southern right-of-way line of said highway, which is along the boundary of said United States tract a distance of 285 feet, more or less, to a monument stamped "L-23-1", the coordinates of said monument being North 331,410.90 and East 370,574.96;

Thence S 02° 252 E along the boundary of said United States tract a distance of 650.2 feet to a monument stamped "225-A";

Thence S 42° 132 E along the boundary of said United States tract a distance of 99.8 feet to a monument stamped "225";

Thence S 48° 372 W along the boundary of said United States tract a distance of 319.9 feet, more or less, to the point of beginning.

Containing 4.14 acres, more or less, and being all of Tract L-1123 of the Lake Seminole Project.