

Environmental Assessment

Middle Oconee River

Non-Motorized Boat Launch:

Princeton Mill Site

Prepared for:

Athens-Clarke County Unified Government - Leisure Services Department
Athens-Clarke County, Georgia

October 20, 2021

Revised January 2022



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1.0 BACKGROUND, PURPOSE, AND NEED

1.1 INTRODUCTION

Athens-Clarke County has filed an application for funding for the proposed *Princeton Mill - Middle Oconee River Non-Motorized Boat Launch* project from the Land and Water Conservation Fund (LWCF), through the Georgia Department of Natural Resources (GA DNR), as authorized by the Land and Water Conservation Act (54 U.S.C. §20030 *et seq.*). The LWCF is a federal program authorized by Congress in 1964 for the purpose of acquiring land and assisting states and local governments to acquire lands and develop and renovate outdoor recreation facilities. LWCF funds are appropriated by Congress to the U.S. Department of Interior, National Park Service (NPS), and the NPS allocates the funds through state agencies as a grant program to state and local governments, in this case Athens-Clarke County Unified Government (ACC). The LWCF requires a 50% match for all grant requests. The LWCF funds would give ACC a tremendous opportunity to extend local taxpayer dollars by obtaining the 50% match.

GA DNR manages and distributes the funding provided by the Department of Interior National Park Service (NPS) under the LWCF. The National Environmental Policy Act (NEPA) therefore applies to this application for grant funds from the LWCF since the funding originates from the federal government.

This Environmental Assessment (EA) is prepared pursuant to NEPA, Department of Interior NEPA regulations at 43 CFR Part 46, and the National Park Service NEPA Handbook 508 (2015). The EA serves two purposes:

1. It provides the framework for the National Park Service (NPS) to evaluate the environmental consequences of the proposed action; and
2. It provides information to help interested and affected public and decision-makers understand the context of the proposed action, including the role of the Land and Water Conservation Act in the proposal, and provide comments on the draft EA.

Review of the National Park Service regulations regarding categorical exclusions at 43 CFR Part 46.205 shows that no categorical exclusion exists for the proposed action analyzed in this EA; therefore, ACC has prepared this EA. GA DNR has determined that, because this document is an EA and it is under preparation as such, the C&S form in the LWCF application (A&R Form) does not need to be completed to determine the level of NEPA documentation (email from LaVerne Turner on 03/16/2021 – Appendix A). However, the environmental checklist and guidance has been used for the impact analysis included in this EA.

In accordance with the guidance, the analyses in this EA were developed to be objective and factual and are written so as to be readily understood by the interested and affected public.

1.2 BACKGROUND

The Unified Government of Athens-Clarke County Mayor and Commission (ACC M&C) passed a resolution in 2014 to support and create the Upper Oconee River Water Trail, which was later added to the Greenway Network Plan in 2017. The project concept for the Princeton Mill Launch was approved by the ACC M&C on May 4, 2021, with funding for the project being supported by the 2020 Special Purpose Local Option Sales Tax (SPLOST) program under Project #34 – Water Trails Project. The Water Trails Project was submitted by a group made of local volunteer citizens selected by the county known as the “Water Trail Committee.”

The first water trail access point for kayaks and canoes in Clarke County on the Middle Oconee River is Ben Burton Park, constructed and opened in 2016 with a \$50,000 grant from the Riverview Foundation (Appendix B – Photo 1). However, there is no public point downriver for safe take-out for those paddlers. Throughout this EA, the proposed project is variably referred to as a “boat launch” and a “take-out.” It is intended to be used for both launching and taking out of kayaks and canoes, however, it is expected to be used primarily as a take-out point for paddlers.

In 2016 and 2017, the Water Trail Committee researched multiple locations for a non-motorized boat take-out site downriver from Ben Burton Park. The Committee identified potential sites using GIS, aerial photography, and general knowledge from the members’ previous experience paddling the river. When a potential site was located, Committee members contacted various property owners. A prospect map was created that documented all the potential sites, with comments from Water Trails Committee members (Appendix C; <https://athensclarke.maps.arcgis.com/apps/instant/minimalist/index.html?appid=d46a01ba5f1e4fd6a24020a842c5efd6>)

The Committee identified that the most feasible location was located at 2390 South Lumpkin Street abutting the Middle Oconee River property that is adjacent to the Macon Highway bridge (US Hwy 129/441), which relates to the portion of the tract that corresponds to the street address of 650 Macon Highway (Figure 1). Few publicly-owned parcels of land are available on the river, and river real-estate, especially land that has appropriate zoning, is in short supply.

Acquisition prices are therefore high and increasing over time. This location is also five miles downriver from Ben Burton Park, which is a good distance for beginning paddlers. This site also

has a willing seller/lessor. A site down-stream from this proposed site in Oconee County (the Brightwell property) is being considered as another take-out site, in order to extend the water trail. The Brightwell site is also near a major transportation corridor. The Brightwell site has neither been sufficiently investigated nor has funding for acquisition been actively sought, so that site is not included within the scope of this EA.

In 2019, the citizens of Athens-Clarke County voted in favor of using funds from the Special Purpose Local Option Sales Tax (SPLOST) for the Water Trails project, both for funding the project and for use as matching funds for leveraging grant opportunities (<https://www.accgov.com/8938/34-Water-Trails-Project>, viewed June 9, 2021).

The County is applying for a LWCF 50% matching grant from the GA DNR for acquisition of the land easement and construction of a parking lot and non-motorized boat launch at the Princeton United Methodist Church (UMC) property located at 2390 South Lumpkin Street. However, the proposed site will be accessed from 650 Macon Highway that is adjacent to the Macon Highway bridge (US Hwy 129/441) and where proximity to the Middle Oconee River is closest to access (Figure 1).

1.3 SCOPE OF THIS EA

This EA assesses the environmental consequences of the *Princeton Mill – Middle Oconee River Non-Motorized Boat Launch* project and does not assess any other components of the Oconee Rivers Greenway Network Plan. The Greenway Network Plan is a long-term planning document which establishes a comprehensive vision for the Oconee Rivers Greenway (which includes both the North Oconee River and Middle Oconee River), its parks, terrestrial trails, and water trails. The Plan includes a conceptual network of terrestrial and aquatic multi-use trails along and within the Middle Oconee River. The Plan gives priority rankings to multiple projects throughout the Greenway Network. However, the terrestrial trails identified in the Greenway Network Plan in the vicinity of the proposed Princeton Mill boat launch are insubstantial in that they are not on the list of priority projects, have not been given a priority designation, and do not have identified or potential funding allocations (ACC, 2017). Therefore, only the proposed non-motorized boat launch, parking lot, and trail from the parking lot to the boat launch are the subject of this EA.

Only this proposed project is the subject of this EA, which is being prepared for the application to the NPS for the grant under the LWCF. Any other recreation projects identified in the Greenway Network Plan not directly related to this application for this LWCF grant that may be considered by ACC in the future would be evaluated under separate processes when each and

any project becomes substantive enough for decision making. These processes would include opportunities for public involvement and comment.

1.4 PUBLIC INVOLVEMENT

Extensive public involvement efforts regarding this proposed project identified substantial public interest and support. This project is supported by the Oconee Rivers Greenway Commission, Upper Oconee Watershed Network, Georgia River Network, and the Upper Oconee Water Trail Committee, a committee of community stakeholders including the ACC County Commissioners, Park planners, University of Georgia, non-profit groups, local outfitters, and local paddlers. Two in-person public meetings were held at Ben Burton Park on March 25 and 27, 2021, and due to the COVID-19 pandemic, additional virtual meetings were held on March 29 and April 13, 2021. A total of 26 people attended the on-site meetings; 278 comments were received via the virtual meetings; 4,040 people engaged on Facebook and Instagram; and 3,978 people engaged via NextDoor. An online survey was made available during the public meetings. Out of 278 survey respondents, 211 made comments in support of the project, 55 respondents did not comment or made neutral statements, and 11 respondents made comments in disapproval of the project (survey results attached in Appendix D). Public input was also received at the May 4, 2021 ACC M&C Regular Session meeting. At the ACC M&C meeting, ten citizens spoke in support of the Water Trails Project and two citizens spoke in opposition. Records of the ACC M&C meetings are available on the ACC government website (<https://www.accgov.com/176/Mayor-Commission-Meetings>).

Members of the Princeton Mill Homeowners Association (HOA), a subdivision located on the other side (i.e., west and northwest) of the Princeton UMC property from the proposed boat launch, expressed opposition to the project. Members of the HOA attended the meetings listed above and engaged with ACC staff. ACC Commissioners and staff attended a meeting of the HOA on the April 8, 2021 date to discuss the boat launch project. Few members of the HOA supported the project, and most continued to oppose the project (Melinda Cochran Davis, Assistant Director, ACC Leisure Services, pers. comm. 12/13/21).

Public notice to provide information regarding the proposed project and to solicit comments from the public and government agencies was conducted by publishing notice in the local paper (Athens Banner-Herald), announcement at November meeting of the ACC Mayor and County Commissioners, and by posting an announcement on the ACC website. A copy of the Draft EA was made available for public review on ACC the website and a hard copy was made available at the ACC library located at 2025 Baxter Street, Athens, Georgia. Copies of the published announcement are included as Appendix D to this EA.

1.5 PURPOSE AND NEED

The goal is to construct a safe and sustainable river access, with parking, that paddlers can readily use. This project would also increase public awareness of and participation in improving and maintaining the environmental quality of the Middle Oconee River. Partnerships are also fostered between the Athens-Clarke County Unified Government departments, such as the Sustainability Office, Public Utilities, Stormwater, and Keep Athens Clarke County Clean and Beautiful, and outside groups with interest in local and Georgia rivers, such as the Upper Oconee Water Trail, UGA Botanical Gardens, Audubon Society, and Trout Unlimited to further encourage water trails programs and stream restoration work.

This project is a high priority for the County and for potential users (see Section 1.4), as it completes the first segment of the water trail (both put-in at Ben Burton Park and take-out at the proposed site) in Athens-Clarke County. Once built, this water trail site will allow users to launch at the existing Ben Burton Park access and take out at the Macon Highway location (Princeton Mill site). After the project construction is complete, the Upper Oconee Water Trail will be eligible to become designated as an established water trail in the Georgia Water Trail Network.

Increasing access to the Middle Oconee River is the primary way to provide and improve paddling and recreation opportunities for the public. The river segment from the Ben Burton Park access to take-out at this site would complete the first river segment of the Upper Oconee Water Trail and create a water trail that does not require paddling upstream. Another launch/takeout site identified is downriver in Oconee County. This future proposed site has no identified potential funding sources and is a future expansion site outside of ACC's scope. Therefore, it is not included within the scope of this EA for LWCF funding from the NPS.

The proposed Princeton Mill Site and the Ben Burton Park site that is upriver from the proposed site, both being located near a two-lane roadway with public parking, provide an excellent opportunity for shuttling boats and paddlers between the two locations. Parking will be made available at the Site for users and will provide space for approximately nine regular-sized vehicles. The site is intended for use by the public. One commercial kayaking outfitter which provides access to the Middle Oconee River has their own private access points for their own use.

Public access to both sites creates opportunities for new and interesting events, educational programs, partnerships, and agreements, including for:

- Beginner paddlers of all ages on moving water (which is now only available in ACC

- onstill water on Lake Chapman);
- Fishing opportunities and events;
- Water safety instruction;
- Conservation activities;
- River clean-up events;
- Improved and safer access to the riverbank; and
- Other educational river-based events.

1.6 SITE CHARACTERISTICS

1.6.1 PHYSIOGRAPHIC SETTING

The site lies within the Winder Slope District of the Southern Piedmont Section of the Piedmont physiographic province (Clarke and Zisa, 1976). The greater site area is characterized by gently rolling topography that is bisected by the headwater tributaries of the major streams draining into the Atlantic Ocean. Granitic formations with common outcroppings are located on the interfluves in the southern and western areas of the district (Clarke and Zisa, 1976).

The region is classified as lying within the Southern Outer Piedmont Level IV ecoregion as defined by the Ecoregions of Alabama and Georgia map (Griffith, 2001). This publication describes the physiography of the Southern Outer Piedmont as low to moderate elevation with low relief, and loblolly-shortleaf pine as the major forest type. Soils mostly consist of red, clayey subsoils underlain by deep saprolite.

1.6.2 SITE DESCRIPTION

The proposed site encompasses a footprint area of 0.89 acres, of which 0.21 acres is comprised of land that will be leased from Princeton UMC, and 0.68 acres is associated with the Macon Highway right-of-way (ROW) that is owned and managed by the Georgia Department of Transportation (GDOT; Figures 1 through 3). The ACC preliminary design drawings for the boat launch are presented in Appendix E. Sheets 2 and 3 of the preliminary design drawings show the proposed site layout and infrastructure (Appendix E). As shown on Sheets 2 and 3, the parking area is located on highest landscape area in terms of elevation, with an elevation high of approximately 578 mean sea level (MSL). The preliminary design includes parking spaces for nine vehicles, which includes one handicap space. The site area slopes downward to the southwest in the direction parallel to Macon Highway; at its steepest the slope is about 25 percent. At the bottom of the slope is a floodplain of the Middle Oconee River that varies from about 50 to 100 feet in width with an elevation of approximately 550 MSL (Figures 3 through 5).

The riverbank slopes steeply from the top of bank to the ordinary high-water mark. Photos of the site are presented in Appendix B.

Adjacent to the subject site is a 0.41-acre tract that is used for outdoor advertising and is equipped with a two-sided steel billboard (Figures 2 and 3). The height of vegetation across the higher elevation areas of the proposed boat launch site is maintained at a low level in order to maintain line-of-sight for the billboard.

The site vegetation is dominated by kudzu (*Pueraria sp.*), which is an invasive species. Chinese privet (*Ligustrum sinense*), also an invasive species, is also prevalent. The privet is largely covered with kudzu vines. There is one mature tree on the project site, a box elder (*Acer negundo*), that is located at the top of the riverbank.

There are no structures on the site, except for a sewer manhole and the associated subsurface sewer line piping. The depth of the subsurface piping was measured with a tile probe and found to be more than four feet below the ground surface. Immediately adjacent to the southern side of the site is Macon Highway and the highway bridge that crosses the Middle Oconee River.

To the north and east of the site is the private billboard tract and Princeton UMC property. All property immediately surrounding the site outside of the right-of-way for Macon Highway is owned by the church or the billboard owner. The church property is accessed from South Lumpkin Street, whereas the proposed boat launch would be accessed by Macon Highway (Figures 2 and 3; Appendix E).

Private residential property is located across the river from the proposed site, adjacent to the church lot, and approximately 200 feet up the riverbank from the proposed site (Figures 2 and 3).

2.0 DESCRIPTION OF ALTERNATIVES INCLUDING THE NO ACTION ALTERNATIVE

2.1 INTRODUCTION

As described above (see Section 1.2), the site selection process conducted by the Upper Oconee Water Trail Committee, made up of a number of organizations, agencies, and interested parties, was rigorous, objective, and conducted in a transparent manner, with substantial opportunities for public involvement and comment (see Sections 1.2 and 1.4). As the A&R LWCF funding application is made for only this proposed site, the Macon Highway site (identified in the LWCF grant application as the Princeton Mill Site) is the only site included for analysis in this EA. Any other sites that might be associated with this water trail have not been identified, and therefore not included in the scope of this EA (see Section 1.3).

This selected proposed site affords ready access to the Middle Oconee River, space for parking, a viable and safe launch site, boat staging area, and easy access to a roadway, which supports easy shuttling of paddlers and boats. Access from Macon Highway also improves management of the facility by the ACC Leisure Services Department and access for ACC Public Safety Services when needed. Therefore, the alternatives considered in this EA will include only the Proposed Action, which fully meets the Purpose and Need as described below and the No Action Alternative, which provides the affected environment description. See also Section 1.2 above for discussion of the site selection process (Appendix C).

The proposed site at the top of the slope is an open field that is already disturbed and largely covered in kudzu. The riverbank itself is sparsely vegetated except for kudzu growth (Appendix B – Photo 5). The site is located on the outside bank of a bend in the river, and the banks are therefore already experiencing erosion from the water flow. Additionally, there are nearby segments of the left streambank located upstream and downstream (beneath Macon Highway bridge) that are armored with riprap. There are no existing constructed facilities on the site, except for a sewer line that parallels and follows the riverbank; the depth to the sewer line was determined to be greater than four feet by using tile probes along the easement line. With this depth, damage to the sewer line from construction equipment is not anticipated.

An ACC sewer easement is located adjacent and parallel to the riverbank within the site, with an additional line that runs parallel to Macon Highway. These two sewer lines join at the sewer manhole located near the riverbank and the sewer line continues as a single line running parallel to the river in the downstream direction.

The proposed site is adjacent to the Macon Highway bridge on US Hwy 129/441 and has access from the roadway. The parking lot site is owned by the Princeton UMC; the church also owns approximately 250 feet of the riverbank from the bridge. The remainder of land nearby is privately owned, including the billboard site, which has direct access from the road (Figures 2 and 3). Access to the billboard site from the proposed parking area would be controlled by a removable bollard with keys for both the county and the commercial property owner.

2.2 PROPOSED ACTION – ESTABLISH PRINCETON MILL LAUNCH/TAKE-OUT SITE

The site will be acquired via a long-term lease from the church. The intent is for the development of a small parking lot and access to the river for multipurpose uses, including paddling, fishing, observing nature, and learning about the river and its conservation. As stated above, it would be a part of the ACC Rivers Greenway, which is a network of natural areas within the 100-year floodplains of the North Oconee River, Middle Oconee River, and Oconee River and their major tributaries. The network includes a system of river-oriented trails that connect the river corridors with adjacent parks, green spaces, neighborhoods, and communities in ACC.

The site would be managed by the ACC Unified Government Leisure Services Department under a Memorandum of Understanding (MOU) agreement with GDOT that will be formalized via a Right-of-Way Encroachment Permit issued by the GDOT (Tract A); the parking area property would be under lease from the church (Tract B; Figure 2 and Appendix E – Sheets 2 and 3).

The project will include the following elements:

- Parking lot for nine vehicles, including a handicap parking space, would be constructed at the top of the slope, using pervious paving materials with a subsurface stormwater detention area below the parking area;
- Access already exists to this site from Macon Highway that is used to access the billboard located on adjacent private land; however, this access is informal with no paving or existing roadway apron. A paved entrance will connect the proposed parking lot to Macon Highway;
- A twelve-foot wide, 330-foot long concrete pedestrian pathway with adjacent boat slide for access to the river by paddlers and pedestrians from the parking area;
- A two-rail split rail fence will surround the parking area, trail, and boat launch area, delineating the park property from the surrounding private property and GDOT

easement. The fence surrounding the parking area will provide access to the adjacent billboard property, but will not incorporate it.

- Cuts along the slope from parking area to the floodplain will be required to establish a moderate slope and construct the pedestrian pathway/boat slide leading from the parking area to the boat launch;
- Cuts into the riverbank will be required for leveling the riverbank slope for construction of the stairs and boat launch slide and installation of the streambank armoring. The length of streambank impact will be less than 40 linear feet. (Appendix E – Sheets 4 and 5);
- During installation of the concrete boat launch, isolation of the work area will be achieved via a temporary coffer dam which will direct water around the construction site to prevent erosion and minimize impacts to aquatic resources;
- During construction, the work area will be enclosed with double-row silt fence for minimizing erosion into the waterway;
- A cross slope along the walkway to the floodplain will channel stormwater into a temporary sediment trap to capture mobilized sediment during construction;
- Eradication of the kudzu along the riverbank, at the parking lot site, and the meadow area outside the parking lot will be achieved by ACC Leisure Services using physical (cutting), chemical (herbicides), and operational means (cleaning equipment before entering site), as appropriate. These areas will be replanted with a native wildflower and grass-meadow and/or native riparian perennial seed mixture;
- Selected native woody plants will be planted at the trailhead and parking area, along the streambank that are within the limits of the project disturbance, and on all disturbed areas on the hillside for long term stabilization of the slope and soils;
- A bioswale area will be constructed in area of the temporary sediment trap to manage long-term stormwater runoff.

The steep slope of the site does not provide for safe access to the riverfront for those needing assistive devices for walking, such as walkers or wheelchairs. However, the parking lot and meadow area would be ADA accessible for enjoying pollinators, flowers, and birds, and looking at the river from above.

2.2.1 ERODIBILITY

Although the entire project site is less than one acre, an Erosion and Sedimentation Pollution Control Plan (ESPCP) is required because the work will be conducted within 200 feet of State Waters. Thus, the construction activities will be conducted in accordance with a site specific ESPCP that is reviewed and approved by the Local Issuing Authority (LIA). Control of soil erosion and stormwater runoff will be facilitated through silt fencing, erosion control matting, check dams, stone diversions, temporary construction exit, as well as temporary and permanent planting of native vegetation. Initial erosion control plans are included in the preliminary design drawings provided in Appendix E – Sheets 4 and 5.

The soils at the site are mapped as Buncombe, Madison and Lousia series soils (Figure 6). The soil erodibility index (K) factors for the mapped soils range from 0.10 (Buncombe soil series) to 0.37 (Madison soil series). The K factor is the mean annual soil loss per unit of erosivity for a standard condition of bare soil with no conservation practice on a five-degree slope that is twenty-two meters long (Morgan, 1986). The range of K factors for lower erodibility oxisols to higher erodibility alfisols generally ranges from 0.01 to 0.69 (Morgan, 1986). Thus, the K factor values of the mapped soils range from low to moderate in terms of the erodibility spectrum.

2.2.2 LWCF EASEMENT REQUESTS

The ACC Government requests an easement in perpetuity to match existing ACC Leisure Services land acquisition processes unless a fee simple purchase is required as part of the LWCF grant. Discussions with the Princeton United Methodist Church leadership, the current owner of the location proposed for the parking lot, indicates that they are amenable to an easement in perpetuity.

2.2.3 PERMITS NEEDED

The following permits are anticipated:

- Georgia Department of Transportation: Execute Right-of-Way Encroachment Permit and Memorandum of Understanding (MOU) with GDOT for use of the GDOT property and to obtain roadway access from Macon Highway to facilitate ingress/egress to the site.
- ACC Government Planning: Plans review and permitting for construction of all aspects of the project: LIA Approval of ESPCP, Floodplain and Riparian Buffer Areas Variance for construction within 25-foot buffer of the river; ACC Flood Protection Ordinance

Variance. Permanent removal of vegetation from the buffer area must be mitigated by restoring an area of equal size with native riparian vegetation. Temporary removal of vegetation during construction must be replaced by native vegetation.

- ACC Mayor & Commission: Approval of final plans for construction, consistent with the filed plans for the LWCF grant.
- US Army Corps of Engineers (USACE): Nationwide Permit (NWP) 42 – Recreational Facilities or Nationwide Permit 36 – Boat Ramps, approved under the 2017 NWP list or the 2021 NWP list. Note that under Section 404(e) of the Clean Water Act, the USACE can issue general permits to authorize NWPs for activities that have only minimal individual and cumulative adverse environmental effects and general permits can be issued for a period of no more than five years. The applicable NWP conditions relevant to the proposed project will be determined based on the NWP selected by the USACE
- Georgia Department of Natural Resources (DNR) Environmental Protection Division (EPD): Variance for a 25-foot Vegetative Buffer Encroachment on Waters of the State will be required for land disturbing activities associated with the boat launch construction within the 25-foot buffer of the Middle Oconee River in accordance the Erosion and Sedimentation Act of 1975 (O.C.G.A. 12-7-6(b)(15)). Due to the inherent steep grade between the top of the site and the river, ACC acknowledges that the project would likely be considered a “major disturbance” per EPD guidelines and will likely require a Buffer Mitigation Plan. A Buffer Mitigation Plan would require ACC to restore an area equal in size to the disturbed area of the 25-foot buffer of the Middle Oconee River with native vegetation. The restoration area would also be within the 25-foot buffer of the Middle Oconee River or nearby waters of the state (see O.C.G.A. 12-7-6(b)(15)).

2.3 NO ACTION ALTERNATIVE

One alternative to the proposed action is to take no action. This would consist of leaving the site area in its current undeveloped state. If this alternative was chosen, then the impacts described in Section 2.2 would not occur. This alternative would result in the approximate 40-feet of river frontage remaining in an undeveloped state until an alternative solution is reached, or the project is canceled. This would also result in the cancellation or delay of infrastructure improvements the river trail. In addition, the kudzu vegetation would continue dominate the site landscape and river recreation opportunities would remain limited to the Ben Burton put-in upriver.

3.0 AFFECTED ENVIRONMENT

This section incorporates the affected environment for each resource discussed as the basis for the environmental impacts associated with implementing the proposed action on those resources. Therefore, the content of Sections 3 and 4 as identified in Section 6b of the Land and Water Conservation Fund State Assistance Federal Financial Assistance Manual (Vol. 71, National Park Service 03/11/2021) are combined into one section entitled Section 3 in this EA. This facilitates understanding of the baseline impacts for each resource (affected environment) and how those impacts would change should the proposed action be implemented (environmental impacts). This Section includes resources identified in Environmental Resources Survey Tables 1 and 2 of NPS Form 10-904 (rev. 11/2019) as relevant to the proposed site and preparation, construction, and use of that site for meeting the project purpose and need.

3.1 ISSUES DISMISSED

There will be no impacts or changes to the following resources and issues, and therefore these resources will not be considered further in this EA; rationale is provided:

- 1. Relocations/structure demolitions:** No persons or structures are present on the proposed site or currently use the site and therefore no relocations or demolitions are necessary for this project. Access to the billboards on the abutting commercial property would be maintained. Therefore, this issue is dismissed.
- 2. Transportation:** Circulation and movement of vehicular traffic on Macon Highway (US Hwy 129/441) will not change with this project. Design and construction of access to the site from US Hwy 129/441 would be fully coordinated and permitted as a Right-of-Way Encroachment Permit via GDOT and must ensure safe access and egress. The parking lot will provide spaces for nine cars and is therefore not expected to necessitate a slow-down lane or turn-lane to be added to Macon Highway at the entrance to the site. Additionally, movement of boat traffic on the Middle Oconee River will not be changed. Therefore, this issue is dismissed.
- 3. Recreation resources:** The purpose and need of this project is to provide increased safe and desired recreational opportunities to the public as part of a larger regional water trail as discussed in Section 1. No other recreation actions or opportunities would be adversely impaired with the addition of this launch and takeout. Users of the site may visit local restaurants, gas stations and other commercial services in the area, potentially having a positive effect on the local economy. Therefore, this issue is dismissed.

4. **Lightscares:** Lighting at the boat launch must comply with the ACC Outdoor Lighting and Glare Ordinance. As such lighting associated with the project will conform to the ordinance standards in terms of lighting intensity, glare, directional control, and trespass. The amount of lighting will also be reduced to the minimum necessary to facilitate safe use. Therefore, this issue is dismissed.
5. **Noise:** This site is directly adjacent to a highway, and all recreationists using the site would have vehicles transporting small non-motorized boats that are launched using the steps and slides (no trailer ramps). Therefore, there would be no additional noise associated with use of the area once construction is completed. Construction would involve only temporary noise from land graders, excavators, and concrete trucks. Users of the parking area would expect noise from the roadway, and sound from the roadway would be diminished down the slope by the river. Therefore, this issue is dismissed.
6. **Unique ecosystems and land designations:** There are no unique ecosystems or land designations on the proposed site. The area is highly disturbed, is directly adjacent to a roadway and bridge, and primarily covered in invasive vegetation (kudzu). Issues related to water quality impacts associated with the Middle Oconee River are discussed in Section 3.2.3 of this EA. Therefore, this issue is dismissed.
7. **Climate:** This proposed project will not affect the climate, nor will the climate or climate change affect this proposed project. With expected climate change, flooding of the Middle Oconee River is expected to increase in frequency, height, and/or duration, but the design of the take-out area at the river's edge is intended to be resilient to flooding. Therefore, this issue is dismissed.
8. **Air quality:** The only potential contribution to air quality would be from the vehicles accessing and parking in the parking lot. All boats using the site would be non-motorized, with no air emissions. Therefore, air quality would not be adversely impacted and this issue is dismissed.
9. **Contamination or hazardous materials:** No hazardous or contaminated materials would be used during construction operations or use of the site by recreationists. All construction and recreation vehicles would not emit hazardous materials when used as directed or by regulation, and all boats are non-motorized. Therefore, this issue is dismissed.
10. **Negative impacts on public health or safety:** The proposed project would have no negative impacts on public health or safety. The stairs and boat slide will make it safer for people to access the river. Recreationists are required to use personal flotation devices while boating on the river per GA DNR regulatory codes. ACC has imposed a strictly-enforced ordinance within its parks that does not allow camping or overnight use. Therefore, ACC will prevent

use of the site, which will be an ACC-maintained park, by unhoused persons using enforcement per code (ACC Ord. Sec. 1-10-26).

3.2 RESOURCES ANALYZED IN DETAIL FOR ENVIRONMENTAL IMPACTS

This section analyzes the degree to which the resources relevant to the proposed action area might be impacted by the proposal. This analysis is presented for the interested and affected public, agencies, and decision-makers to understand the potential for impacts, both beneficial and adverse impacts.

3.2.1 SOILS

The soils at the site are mapped as Buncombe, Madison, and Lousia series soils (Robertson, 1968). None of the mapped soils are hydric, instead, they are well drained to excessively drained and are not associated with wetlands environments. The soils have low to moderate erodibility, based on their K values. In constructing the pathway from the parking area to the floodplain the steepness of the hillslope will be lessened by grading, which will necessitate removal of soil material to achieve the design slope (Appendix E – Sheet 5). The grading activities will be completed in accordance with an approved ESPCP and the final grade will be less steep. After final stabilization with permanent native vegetation, the reduction in slope should result in lower long-term erodibility of the site.

3.2.2 WETLANDS AND FLOODPLAINS

Executive Orders 11988 and 11990 direct the federal agency to avoid, to the extent possible, the long- and short-term adverse impacts associated with modifying or occupying floodplains and wetlands. They also require the federal agency to avoid direct or indirect support of floodplain or wetland development whenever there is a practical alternative.

Completion of the boat launch will contribute to the navigable use of the river. The greater use is desirable to developing community awareness of the Middle Oconee River as a “high priority watershed”. The watershed was designated as such by the Georgia Department of Natural Resources, per the 2015 State Wildlife Action Plan (SWAP). The designation was based on species occurrence data, land cover, and expert knowledge which concluded the watershed contains important populations of a high priority aquatic species.

No wetlands are located on the site. The soils at the site are mapped as Buncombe, Madison, and Lousia series soils (Robertson, 1968). None of the mapped soils are hydric, instead, they are well drained to excessively drained and are not associated with wetlands environments. Hence, there will be no adverse impacts to wetlands in accordance with Executive Order 11990.

The pathway to the boat launch will be constructed of pervious paving. Within the floodplain (Figure 5) the pathway will be installed at grade to attain no rise in the flood level as a result of the pathway. Armoring of the boat launch will be achieved using riprap and/or planted gabions which will be designed to reduce scour, maintain resilience during flood events, and minimize changes to the river hydrology. Areas of the streambank that are disturbed that are not part of the stairway or armoring will be planted with native vegetation.

The streambank at the site of the proposed boat launch is steeply sloping. Construction of the stairway that leads from the floodplain to the launching platform will require limited excavation of the streambank to lessen the streambank slope such that it will allow a more moderate stairway angle (e.g., steps will have 12-inch tread width and six 6-inch rise). Thus, the potential of rise to the flood level from placement/construction of armoring will be largely or fully offset by excavation that is necessary to install the stairway and there will be no adverse impact to the floodplain in accordance with Executive Order 11988.

3.2.3 WATER QUALITY

The project is proposed to be constructed on the bank of the Middle Oconee River, a major tributary to the Oconee River. The project area is located within a 12-mile section of the river which is listed on GA EPD's 2020 305(b)/303(d) list for not supporting its designated uses of fishing and drinking water due to fecal coliform impairment. The listed cause of impairment is nonpoint source runoff. Total Maximum Daily Load (TMDL) assessments for fecal coliform were completed for this section in 2002 and 2007, and the 2007 TMDL requires a 74% fecal coliform load reduction (EPD, 2007). Fecal coliform monitoring was conducted in 2015 and 2016 as part of a Watershed Management Plan (WMP) for the Middle Oconee River Watershed and included sample collection in the Middle Oconee River at Macon Highway near the project location.

Three out of seven fecal coliform geomeans calculated for the Middle Oconee River at Macon Highway in 2015 and 2016 exceeded the state water quality standard of 200 CFU/100mL for the months of May through October (Tetra Tech & ARCADIS, 2018). Potential nonpoint sources of fecal coliform runoff listed in the TMDL and WMP include urban stormwater, leaking sewer lines or septic systems, wildlife feces, and agricultural livestock manure (EPD, 2007; Tetrattech &

ARCADIS, 2018). The 2018 WMP also documented low levels of dissolved oxygen during the summer months in the Middle Oconee River near the project site.

The 2007 TMDL recommends use of management practices to reduce fecal coliform loadings to the streams that includes compliance with NPDES permit limits and requirements, adoption of NRCS conservation practices, and use of best management practices (BMPs) to reduce non-point source loadings (GA EPD, 2007). Construction activities associated with the proposed project will not generate fecal coliform runoff. Sediment is the only potential pollutant that may be generated by the boat launch construction. To help minimize or eliminate any potential adverse impacts to water quality in the Middle Oconee River, a series of stormwater and erosion and sediment control best management practices along with the use of isolation methods during work on the streambank (i.e., coffer dam) and final site stabilization will be applied throughout all phases of construction and completion of the proposed project. Therefore, the project is not expected to negatively impact fecal coliform loadings or water quality in general.

3.2.4 CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL RESOURCES – SECTION 106 NATIONAL HISTORIC PRESERVATION ACT

Athens-Clarke County Leisure Services Department submitted information regarding the proposed project to Historic Preservation Division (HPD) of the Georgia Department of Community Affairs in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). The response letter from the HPD (letter dated October 5, 2020; Appendix F) stated:

“Based on the submitted information and additional desktop research, HPD finds that the eligibility of the church and cemetery located at 2390 Lumpkin Street is unknown for listing the National Register of Historic Places (NRHP). However, it appears that the proposed action would be outside of the NRHP boundary. Therefore, it is HPD’s opinion that no historic properties that are listed or eligible for listing in the NRHP will be affected by this undertaking, as defined in 36 CFR Part 800.4(d)(1), due to the scope and location of work.

“Please be aware that without subsurface inspection, the possibility of NRHP-eligible archaeological resources present in the area of potential effect (APE) cannot be completely ruled out. If archaeological materials are discovered during construction, HPD recommends that all ground disturbing activities cease until these resources can be assessed by a Secretary of the Interior’s-qualified archaeologist.

“This letter evidences consultation with our office for compliance with Section 106 of the NHPA. It is important to remember that any changes to this project as it is currently proposed will require additional consultation. HPD encourages federal agencies and project applicants to discuss such changes with our office to ensure that potential effects to historic properties are adequately considered in project planning.”

No changes to the project, other than more complete design that would be wholly consistent with the project as described in this EA, are anticipated. Therefore, the SHPO has determined that this project would not adversely impact archaeological or historic resources consistent with Section 106 of the NHPA. ACC agrees to cease operations if archaeological materials are discovered during construct and conduct further consultation with SHPO at that time. The site has been cleared by the SHPO jurisdiction officer who has authority over this type of decision and has confirmed the proposed project will not have any adverse impacts to historic resources, including Native American and archaeological resources.

There are no federal lands involved in this proposed project and no Indian Trust resources or sacred sites on this highly disturbed site next to a major highway. There are no Tribal plans or policies relevant to this proposed site or action (Secretary’s Order 3175 and ECM 95-2). Therefore, there are no known historic resources on or near this site, and this proposed project would not have any adverse impacts on Section 106 resources.

3.2.5 FEDERAL AND STATE LISTED SPECIES AND CRITICAL HABITAT

The US Fish and Wildlife (USFWS) Information for Planning and Consultation (IPaC) planning tool was utilized to provide information on the location of federally listed species and other USFWS resources which could potentially be affected by the project. The monarch butterfly was the only Candidate species that was listed on the IPaC report. However, correspondence from the Georgia Department of Natural Resources Wildlife Resources Division, dated March 9, 2021 (Appendix G), listed the gray myotis and the rusty-patched bumblebee as species having occurrences within the HUC10 watershed.

The USFWS was contacted regarding these species and indicated (Appendix G):

- The rusty-patched bumblebee is considered extirpated from Georgia, so no consultation is required for the bumblebee.

- The records of gray myotis in the Athens-Clarke County area are historic in nature. The gray bat does not appear the IPaC species list because the USFWS does not consider the record to be within the current consultation range of the species; therefore, there is no need to consult with the USFWS for the gray bat.
- Consultation is not required for the monarch butterfly under Section 7 of the EA because it is a candidate species, although, the USFWS welcomes voluntary conservation actions for the monarch when appropriate. Due to the project site being mostly located in within a GDOT right-of-way and it being is mostly vegetated with kudzu, it is considered unlikely pollinator habitats will be impacted.

For the purposes of satisfying requirements under Section 7 of the EA with the USFWS, the correspondence presented in Appendix G is deemed sufficient for the USFWS administrative record and a Biological Assessment is not necessary for the project.

Informal consultation with the Georgia Department of Natural Resources Wildlife Resources Division (GA DNR; letter dated March 9, 2021, Appendix G) identified element occurrences in the Georgia Natural Heritage Program database whose range distribution within the local HUC10 watershed is limited by aquatic systems (AQ) and within three miles for all other element occurrences. The GA DNR also identified that federally listed species have been documented within three miles of the site, recommending consultation with the US Fish and Wildlife Service. The webpage www.georgiabiodiversity.org was consulted for information about the species listed in the letter and recommendations for surveys for state-listed species.

The Georgia DNR letter states (Appendix G):

“If the applicant is willing to assume presence and implement provisions to protect state listed aquatic species identified during this review, it may not be necessary to complete any additional surveys for aquatic species. Please refer to the Aquatic Survey Determination Protocol for State Listed Species in determining whether surveys are recommended...”

For purposes of the project implementation, state listed aquatic species are assumed to be present. Accordingly, implementation of the project will involve use of an isolation method (i.e., coffer dam) to minimize or eliminate any potential adverse impacts to aquatic species...”

The Georgia DNR letter further states:

“This project occurs within a high priority watershed...identified to protect the best-known populations of high priority aquatic species...Please refer to Appendix F of Georgia’s State Wildlife Action Plan to find out more specific information about this high priority watershed: <https://georgiawildlife.com/wildlifeactionplan...>”

The Lower Middle Oconee River HUC10 Watershed (HUC 0307010103) has been designated as a Moderate significance, high priority watershed for aquatic species by DNR in the 2015 State Wildlife Action Plan (DNR, 2015). The high priority designation is due in part to the presence of breeding populations of the Altamaha shiner (*Cyprinella xaenura*) in the mainstem of the Middle Oconee River and its tributaries. The Altamaha shiner is state-listed as a threatened species and has been petitioned for inclusion on the federal endangered species list.

The Georgia DNR letter also states:

“We recommend that stringent erosion control practices be used during construction activities and that vegetation be re-established on disturbed area as quickly as possible. Silt fences and other erosion control devices should be inspected and maintained until soil is stabilized by vegetation. Please use natural vegetation and grading techniques (e.g. vegetated swales, turn-offs, vegetated buffer strips) that will ensure that the [project] does not serve as a conduit for storm water or pollutants into the watershed during or after construction. These measures will help protect water quality near the project as well as in downstream areas.”

As discussed previously, a series of stormwater and erosion and sediment control best management practices along with the use of isolation methods during work on the streambank (i.e., coffer dam) and final site stabilization will be applied throughout all phases of construction and completion of the proposed project. These practices will help minimize or eliminate any potential adverse impacts to aquatic species in the Middle Oconee River, therefore, the project is not expected to negatively impact the Altamaha shiner or its habitat in general.

3.2.6 MIGRATORY BIRDS (MIGRATORY BIRD TREATY ACT)

Because of the current invasive vegetation covering the site (Section 1.4.2) and the site’s disturbed characteristics, little biodiversity is available for wildlife, including migratory birds regulated by this Act. Planting native vegetation throughout the site (including flowering plants around the parking area), with an emphasis on species that attract a diversity of birds and

insects, will substantially improve the site for wildlife habitat, including birds. Therefore, there will be a beneficial impact for birds and other insects and wildlife with the proposed action.

3.2.7 ENVIRONMENTAL JUSTICE (EXECUTIVE ORDER 12898):

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, requires federal agencies to achieve environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

Clarke County, Georgia is an economically distressed county, and it has been identified as a persistent poverty county per The University of Georgia Carl Vinson Institute of Government in their 2002 Phase I Report: Dismantling Persistent Poverty (<http://www.cviog.uga.edu/services/research/poverty/>).

Based on the ACC government website (<https://www.accgov.com/105/Demographics>), the demographics of ACC include:

- Population 127,000
- Poverty Rate 29.9%, as compared to the national average of 10.5% (<https://sgp.fas.org/crs/misc/R46759.pdf>)
- Racial Makeup: 66.0% White, 29.2% Black, 10.8% Latino, Asian 4.9%, Other 2.6%
- Median Household Income - \$38,311

This proposed project would have no disproportionate or any adverse impact on minority and/or low-income communities in the area. The proposed recreation area is open to all users with no access fees, and the types of water vessels the site is designed for are low cost, require few to no costly accessories, and can be used by older children and adults. Although the site at the river itself is not accessible by people with some physical disabilities (such as those needing wheelchair access or inability to use stairs), the parking lot area will be beautified with native plants and flowers, which will attract birds, butterflies, and other wildlife.

3.2.8 MANAGEMENT OF INVASIVE PLANT SPECIES

The proposed site is infested with kudzu and other invasive weeds because it is near a major highway and bridge and the soil has been disturbed in the past. Kudzu was introduced from eastern Asia in 1876 as an ornamental plant and was used between the 1930s to the 1950s for erosion control by the US Soil Conservation Service. It quickly got out of control because it can grow up to a foot every day, and readily spreads via runners, rhizomes, and vines that root at nodes to make new plants. It covers the ground, trees, telephone poles, and anything else in its path with thick blankets of vines and leaves, killing and outcompeting plants and destroying wildlife habitat.

The ACC Leisure Services will remove kudzu and other invasive species using chemical, mechanical, and operational means as appropriate. These areas would be replanted with a native wildflower and grass-meadow seed mixture. Once native vegetation on these areas is established, ACC Leisure Services would continue to monitor and treat invasive weeds as needed. These invasive plants will be unable to re-establish in areas covered by the stairs, parking lot, and take-out.

Therefore, this project will beneficially remove invasive species and ensure that they do not become re-established.

3.2.9 CUMULATIVE AND INDIRECT IMPACTS

Due to the disturbed nature of the site, the prevalence of kudzu, mitigation during and after construction, and overall lack of adverse impacts, no cumulative or indirect impacts are expected to any resources evaluated in detail in this section.

4.0 COORDINATION AND CONSULTATION

4.1 LIST OF PERSONS, AGENCIES, AND ORGANIZATIONS INVOLVED

Persons, organizations, and agencies contacted for information and for identifying important issues, developing alternatives, and analyzing impacts are identified below. Government agency contacts will be provided notice directly and an electronic copy of this Draft EA will be submitted to aid in soliciting comments:

US Fish and Wildlife Service ACC – Flood Plain Management

Georgia Department of Natural Resources Environmental Protection Division Michael Berry ACC
Local Issuing Authority

US Corps of Engineers Regulatory Branch

Ga Department of Natural Resources Wildlife Division - Ga SHIPO

Georgia Department of Transportation Georgia Department of Community Affairs

LIST OF PREPARERS

Judith Lee – NEPA Consultant, President of Environmental Planning Strategies, Inc.

Ms. Lee has over 30 years of experience partnering with clients in powerful and innovative strategies to integrate natural resources management, project planning, and the requirements of NEPA and a wide variety of other environmental laws and regulations. She is a former federal and state government professional, including the USFS, and is now a private consultant with nationwide experience and practical understanding of agency operations and policies. This hands-on experience guides her strategic success in agency project planning and decision-making through implementing and perfecting her own Facilitated Planning Approach, integrating federal and state laws into the planning process, successfully providing NEPA consulting for over 15 agencies, and developing a 10-step NEPA review process that has been used for agency training. She has BS/MS in Wildlife Biology and Management, University of Maine and Utah State University.

David Huff – Project Manager, Land Planning, Soils and Hydrology Specialist

David is a Professional Geologist, Certified Professional Soil Scientist, Professional Wetland Scientist, and primarily serves as project lead for numerous interdisciplinary land, water and wastewater management projects throughout the southeast. His expertise lies in land use planning for various uses, specialized permitting and regulatory guidance, detailed site

evaluations of soil, water and biological resources, development of land, waste and nutrient management plans, and impact analysis due to changes in land use. He has a B.S. in Soil Science, an M.S. in Geophysical Sciences, and over 25 years of experience.

Shelley Dodd – Quality Control, Certified Ecologist.

Ms. Dodd is an Ecological Society of America Certified Ecologist. She specializes in environmental compliance, aquatic biology, and watershed management planning. Shelley holds a B.S. in Biology and M.S. in Forest Environmental Resources and has over 12 years of experience.

Erin Harris – Sediment and Erosion Control Specialist.

Ms. Harris is a Certified Professional in Erosion and Sediment Pollution Control, Certified Professional Soil Scientist and Professional Wetland Scientist. She specializes in environmental compliance, soil assessment/mapping, and watershed management planning. Erin has a B.S. in Forest Environmental Resources and over 15 years of experience.

Frazer Mayson – Data Management and GIS Support

Mr. Mayson has over 10 years of experience in GIS applications, geospatial data management and mapping, and environmental fields sampling and analysis. He has a B.S. in Earth and Environmental Sciences.

Rob Benson – Archaeologist and Cultural Resources Specialist

Mr. Benson has served as principal investigator and report author on numerous Cultural Resource Evaluations for the USFS projects over the last few decades. His notable projects include several projects on the Pisgah and Nantahala National Forests, and many projects on the Andrew Pickens Ranger District of Sumter National Forest. He has a MA in Archaeology and over 30 years of experience.

5.0 REFERENCES

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Tetra Tech & ARCADIS. 2018. Draft Watershed Management Plan for the Middle Oconee River, Athens-Clarke County. Prepared for Athens-Clarke County, Georgia, by Tetra Tech, Atlanta, Georgia & ARCADIS, Atlanta, Georgia.