United States Department of the Interior

FISH AND WILDLIFE SERVICE
Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801

December 23, 2008

Ms. Marisue Hilliard, Forest Supervisor
U.S. Forest Service
National Forests in North Carolina
160-A Zillicoa Street
Asheville, North Carolina 28801-1082

Dear Ms. Hilliard:

Subject: Biological Assessment for Managing Recreational Uses on the Upper Chattooga River, Nantahala National Forest, Jackson and Macon Counties, North Carolina

On December 12, 2008, we received your letter transmitting the subject Biological Assessment (BA) dated December 1, 2008, and requesting our concurrence with a "not likely to adversely affect" determination for the federally endangered rock gnome lichen that occurs in the project area. We also received, via email, the Chattooga River *Gymnoderma lineare* Population Monitoring Plan from Mr. Gary Kauffman of your staff on December 12, 2008. We previously commented on this project in a letter to Mr. John Cleeves (U.S. Forest Service [USFS], Columbia, South Carolina) on September 11, 2007, and a letter to the Chattooga Planning Team dated July 31, 2008. The following comments are provided in accordance with the provisions of section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

The Sumter (SNF), Chattahoochee (CNF), and Nantahala (NNF) National Forests, are proposing a change in recreation management direction for the 21-ile section of the Chattooga Wild and Scenic River upstream of the bridge traversing US 28 (Upper Chattooga River). About 70 percent of the upper Chattooga River is bordered by South Carolina on the eastern bank and Georgia on the west bank; the northernmost portion is within North Carolina.

The predecisional Environmental Assessment (EA) for this proposal addressed eight alternatives. Major issues addressed in the alternatives include boating (in general, below private property to the Bull Pen Road Bridge, from the Bull Pen Road Bridge to a quarter of a mile above the Burrells Ford Bridge, between the Grimshawes Bridge and Lick Log, and between the Grimshawes and Highway 28 Bridges), group size, group encounters, trails, woody debris, campsites, parking, and user registration. According to your letter, Alternative 4 has been selected. This alternative would open limited boating on a section of the Upper Chattooga from

the confluence of Norton Mill Creek in North Carolina to Burrells Ford on the Georgia/South Carolina border. A small number of boating groups would be allowed on this section of river between January 1 and March 1 on days when flow levels are expected to reach 450 cubic feet per second.

The EA also stated:

> Existing users could also directly affect rare bryophytes and **lichens** [our emphasis] by scraping occupied rocks and trampling streamside vegetation. Trampling and removal of vegetation associated with the creation of campsites and user-created trails have an indirect effect on competition among associated understory species. Species such as *Juncus tenuis* or nonnative invasive species that favor compacted soils may increase and displace rare species in the forests (such as *Carex manhartii* or *Lygodium palmatum*) or other rare species on the islands (such as *Lysimachia fraseri*, *Juncus gymnocarpus* or *Stellaria alsine*).
>
> Increased portaging could directly affect rare bryophytes and **lichens** [our emphasis] by trampling and crushing small individuals adhering to rocks and boulders primarily on the river's edge or trampling terrestrial herbaceous species.

Nowhere in the EA were these types of impacts addressed relative to the federally endangered rock gnome lichen (*Gymnoderma lineare*), which is currently found within the Chattooga Wild and Scenic River Corridor in North Carolina.

However, the BA provided with your letter addresses the impacts to rare lichens and bryophytes, including the rock gnome lichen. Two monitoring plans will be implemented in association with the proposed recreational change. Large woody debris will be monitored annually for the first 2 years following implementation of this proposed action and periodically thereafter if needed. This monitoring is principally intended to determine if any removal of large woody debris is occurring and if there are effects to the aquatic habitat. Prior to the start of the boating season, a critical stretch of the river will be monitored for downed trees spanning the river and requiring portage. The search will be conducted from (1) the confluence with Norton Mill Creek downstream to Bull Pen Road Bridge and (2) a distance of 0.6 mile downstream of where the Fowler Creek Trail (#431) intersects the Chattooga River Trail from North Carolina to the boundary between Georgia and South Carolina. If portage areas are located, a survey will be conducted by a qualified biologist for the presence of the following rare species by forest:

1. *Lejeunea bloomquistii* or *Listera smallii* on the CNF;

2. *Chiloscyphus muricatus*, *Homalia trichomanoides*, *Bryoxiphium norvegicum*, *Cephalozia macrostachya* ssp. *australis*, *Plagiomnium carolinianum*, or *Plagiochilla sullivantii* var. *sullivantii* on the NNF; and

3. *Lophocolea appalachiana* for either the NNF or the CNF.

If any of these rare species are located, a National Environmental Policy Act decision would be implemented to ensure that boaters traversing that stretch of the river would avoid impacts to these species.

Other recreational access will be restricted to designated trails, with closure of redunant trails or those with unacceptable resource damage. Camping will be allowed only in designated campsites with designated fire-ring locations. Activities will include the permanent closure of campsites with unacceptable resource damage. An adaptive management strategy to control all recreational use will be implemented, including self-registration for boating and periodically assessing the amount of all recreational use ¼ mile from roads and bridges.

There are two documented populations of the rock gnome lichen in tributaries (Scotsman Creek and Fowler Creek) to the Upper Chattooga River in North Carolina. Surveys completed in 2007 relocated both of these populations in addition to finding a new subpopulation on the east bank of the Chattooga River in North Carolina, just upstream from the confluence of Fowler Creek and about 1,500 feet north of the South Carolina and Georgia border.

There are no visible direct impacts from any current recreational usage within the two rock gnome lichen populations, including the new subpopulation along the main stem of the Chattooga River. Potential direct effects to the rock gnome lichen subpopulation along the Chattooga River from the proposed modification of recreational activities includes trampling by anglers traversing the river, scraping of rocks by boats traversing the river at different high flows, and portaging of boats around log jams, all of which are anticipated to increase with the decline and dropping of eastern hemlock trees as a result of infestations by the hemlock wooly adelgid.

The newly located subpopulation along the Chattooga River is partially protected under a narrow rock shelf. The physical features of the site probably have previously discouraged, and will continue to discourage, access by anglers as well as any visitation from boaters when floating this section of the river. There is no hiking trail within the vicinity of this site nor are there any trails proposed for this area. The site is not flat enough to allow a rest opportunity for boaters. If adjacent hemlocks were to fall across the river at this site, resulting in a necessary portage, the natural area to traverse would be the flatter western bank where the species does not occur. Therefore, there are no anticipated direct effects anticipated with seasonal boating proposed along this stretch of the Chattooga River. Annual monitoring of the subpopulation along the main stem of the Chattooga River will also be executed (in accordance with the aforementioned monitoring plan) to ensure that no impacts are occurring from implementation of this recreational project.

Additionally, there are no anticipated indirect effects to the rock gnome lichen from the proposed recreational use changes. Given the relative remoteness of the site and its physical characteristics, which discourage any stops by boaters, it is unlikely there will be increased visitation to this site if the recreation proposal is implemented. Therefore, the BA concludes that the proposed recreational changes are not likely to adversely affect the rock gnome lichen and the proposed activities associated with opening up a portion of the upper Chattooga River to limited boating will have no effect on any other federally listed species.

Based on the information provided in the BA and the USFS's commitment to monitor the rock gnome lichen subpopulation in the project corridor, we concur with your assessment that the selection of Alternative 4 in the EA is not likely to adversely affect the rock gnome lichen. Therefore, the requirements under section 7(c) of the Act are fulfilled. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

We appreciate your cooperation and coordination with our office on this project. If you have questions, please contact Mr. Allen Ratzlaff of our staff at 828/258-3939, Ext. 229. In any future correspondence concerning this project, please reference our Log Number 4-2-05-454.

Sincerely,

Brian P. Cole
Field Supervisor

cc:
Mr. David McHenry, Mountain Region Reviewer, North Carolina Wildlife Resources Commission, 20830 Great Smoky Mtn. Expressway, Waynesville, NC 28786
Ms. Laura Gadd, Botanist, North Carolina Department of Agriculture and Consumer Services, Plant Protection Section, 1060 Mail Service Center, Raleigh, NC 27699-1060
Ms. Misty Buchanan, Botanist, Natural Heritage Program, North Carolina Department of Environment and Natural Resources, 1601 Mail Service Center, Raleigh, NC 27699-1601
Field Supervisor, FWS, Georgia Ecological Services Field Office, Athens, GA
Field Supervisor, FWS, Charleston Field Office, Charleston, SC