



Decision Memo

Mill Creek Road Reconditioning Project

USDA Forest Service Boston Mountain Ranger District

Ozark-St. Francis National Forests

Franklin and Madison Counties Arkansas

Background

In the spring of 2015, Forest Service lands in northern Franklin and southern Madison counties experienced a flood event which caused major damage to Mill Creek Road, a major thoroughfare for vehicle traffic. The current situation presents a public safety hazard, therefore the Boston Mountain Ranger District is proposing to improve transportation and safety by recondition/reconstruction of 3.8 miles along Mill Creek Road.

The section called **Mill Creek Road** (named on the newer geo-topos and in current Forest Service databases as Ragtown) begins in section 8 where it meets Ragtown Road and follows along north-flowing Mill Creek to the terminus at section 28 T13N R 27W.

Mill Creek Road provides access to several thousand acres of National Forest, specifically, access to the Mill Creek OHV Trail Head and the Ozark Highlands Hiking Trail. These roads are used heavily by forest visitors for hunting and recreational activities. Mill Creek Road has poor drainage in some areas and surfacing has been worn away and is mostly non-existent. This has left exposed rock and material from the base of the original road construction. One section of road has begun to capture the creek so that it has changed course and eroded away a portion of the roadway. This is leaving a narrower section of travel way over time creating a safety hazard. The accelerated erosion due to the stream capture is causing excess sediment migration into adjacent Mill Creek (Figure 1).

Funding has been obtained for the reconditioning and reconstruction of 3.8 miles of Mill Creek Road. Clearing, widening and turnouts will occur along the entire length of the road segment. Activities will include installing ditches and cross drains (corrugated steel pipe) where needed and re-surfacing the entire length of the road. Borrow material will be applied over exposed rocks before applying surfacing. All disturbed areas (approximately 4.5 acres) will be treated with seed, fertilizer and mulch. About 260 feet of stream bank stabilization adjacent to Mill Creek will also be needed. This will include placing geotextiles and armoring the eroded slope with large rectangle rocks stacked to a height one foot below the traveled way. At this time the engineers intend to use rocks from recent construction along Cripple Branch road as these are suitable large flagstone and of the same materials as the native rocks along Mill Creek.



Figure 1. View of Mill Creek Road and adjacent Mill Creek facing north.

Decision and Rationale for Categorical Exclusion under the National Environmental Policy Act

I have decided to implement the Mill Creek Road Reconditioning Project which involves the reconstruction of Mill Creek Road along a 3.80 miles segment along Mill Creek. Based on my review of the project file and the rationale described below, I have determined that this is an action with no associated extraordinary circumstances having a significant effect on the human environment.

The Council on Environmental Quality NEPA regulations at 40 CFR 1507.3 provide that agencies may, after notice and comment, adopt categories of actions that typically do not have a significant effect on the human environment and therefore do not require preparation of an environmental assessment or an environmental impact statement (40 CFR 1500.4(p), 1501.4(a)(2), 1508.4).

A categorical exclusion is not an exemption from NEPA, but rather a method of complying with NEPA. Categorical exclusions are administrative tools to promote efficiency in the NEPA review process by reducing excessive paperwork for those categories of actions that, based upon extensive practice and experience, have been determined not to have (individually or cumulatively) significant environmental effects. Forest Service categorical exclusions are set forth at 36 CFR 220.6(e).



A proposed action may be categorically excluded from further analysis and documentation in an EIS or EA only if there are no extraordinary circumstances related to the proposed action and if:

- (1) The proposed action is within one of the categories established by the Secretary at 7 CFR part 1b.3; or
- (2) The proposed action is within a category listed in 36 CFR 220.6(d) or (e).

The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist. I have determined that this action is within the following category:

Categories of Actions for Which a Project or Case File and Decision Memo Are Not Required.

A supporting record and a decision memo are not required, but at the discretion of the responsible official, may be prepared for the following categories:

36 CFR 220.6(d)(4)

(4) Repair and maintenance of roads, trails, and landline boundaries. Examples include but are not limited to:

- (i) Authorizing a user to grade, resurface, and clean the culverts of an established NFS road;*
- (ii) Grading a road and clearing the roadside of brush without the use of herbicides;*
- (iii) Resurfacing a road to its original condition;*
- (iv) Pruning vegetation and cleaning culverts along a trail and grooming the surface of the trail; and*
- (v) Surveying, painting, and posting landline boundaries.*

I have considered the following resource conditions in my determination of the presence of extraordinary circumstances and whether the extraordinary circumstances that are related to the proposed action warrant further analysis and documentation in an environmental assessment or an environmental impact statement:

- a. *Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species*



There will be no negative impacts to threatened, endangered or sensitive species and their habitats.

b. Flood plains, wetlands, or municipal watersheds

Best Management Practices (BMPs) for these practices will be followed to ensure the protection of water quality. Floodplains and municipal watersheds will not be negatively impacted. Wetlands will not be affected.

c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas

None occur, so there will be no impact.

d. Inventoried roadless areas

None occur, so there will be no impact.

e. Research natural areas

None occur, so there will be no impact.

f. American Indian and Alaska Native religious or cultural sites; Archaeological sites, or historic properties or areas

Sites within the project boundaries will be protected from any ground disturbing activities associated with this proposed action.

Public Involvement

Public involvement included listing the project in the Schedule of Proposed Actions, notification of the project by heritage to tribal liaisons and informal notification by field personnel to local landowners. No concerns were expressed from scoping for this project.

Findings Required by Other Laws

This decision is consistent with the Revised Ozark-St. Francis National Forest Land and Resource Management Plan (RLRMP 2005). The planning process that guides this management plan is in compliance with the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528-531). The overall goal of managing Forest Service lands is to sustain



the multiple uses of its renewable resources in perpetuity while maintaining the long-term productivity of the land. Resources are to be managed so they are utilized in the combination that will best meet the needs of the American people. This project was designed in conformance with forest plan decisions to protect and improve renewable resource quality while maximizing net public benefits.

The management practices associated with these actions do not have a disproportionately high and adverse effect on the human health or the environment of minority or low-income populations (Executive Order 12898, 2/11/94).

Implementation Date

This decision is not subject to appeal pursuant to 36 CFR 215.12 (f) This project may be implemented immediately. For further information regarding this project, contact Rick Adair at (479) 667-2191.

William Dunk

5/31/2016

WILLIAM DUNK

date

District Ranger

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