



United States
Department of
Agriculture

Forest
Service

National Forests in North Carolina
Pisgah National Forest
Pisgah Ranger District

1001 Pisgah Highway
Pisgah Forest, North Carolina 28768
Phone: 828-877-3265

File Code: 1950-1

Date: July 27, 2004

Dear Interested Citizen:

I have signed the Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the Sycamore Flats Environmental Assessment (July 2004 EA) on the Pisgah Ranger District. The DN discusses in detail my decision and rationale for reaching the decision. Copies of the DN and FONSI and Appendix B – Response to Comments of the EA are enclosed. I have updated the June 2004 EA slightly to incorporate comments received from the public during the official 30-day Notice and Comment period. The updated EA (July 2004) has been posted on the web (<http://www.cs.unca.edu/nfsnc/>) and will be mailed upon request.

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to National Forests in North Carolina, ATTN: Appeals Deciding Officer, 160-A Zillicoa Street, Asheville, North Carolina 28801. Appeals may be faxed to (828) 257-4263. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may also be mailed electronically in a common digital format to: **appeals-southern-north-carolina**.

Those who meet content requirements of 36 CFR 215.13 may appeal this decision. Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Randy Burgess, District Ranger, Pisgah Ranger District, 1001 Pisgah Highway, Pisgah Forest, North Carolina 28768, Phone: 828-877-3265; or Michael Hutchins, Pisgah National Forest Zone NEPA Coordinator, PO Box 128, Burnsville, North Carolina, 28714, Phone: 828-682-6146.

As per 36 CFR 215.9, if no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal-filing period (215.15). When an appeal is filed, implementation may occur on, but not before the 15th business day following the date of appeal disposition (36 CFR 215.2).

Sincerely,

/s/ Randy Burgess
RANDALL BURGESS
District Ranger

Enclosure



United States
Department of
Agriculture

Southern Region
Forest Service

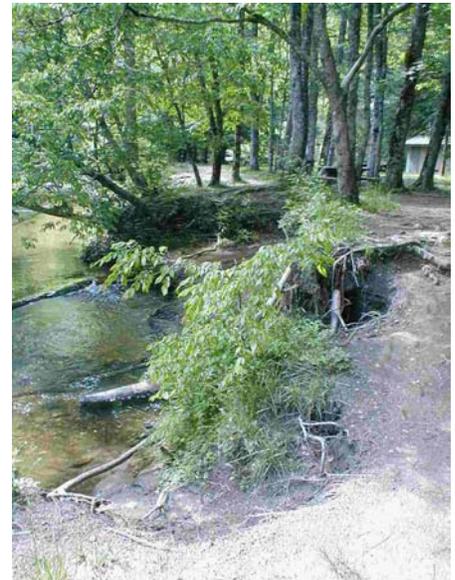


July 2004

Decision Notice

Sycamore Flats Project

Pisgah Ranger District, Pisgah National Forest
Transylvania County, North Carolina



Decision Notice
& Finding of No Significant Impact

Sycamore Flats Project

USDA Forest Service
Pisgah Ranger District, Pisgah National Forest
Transylvania County, North Carolina

Decision and Rationale for the Decision

Decision

Based upon my review of the alternatives, I have decided to select **Alternative B** (Selected Alternative) of the Sycamore Flats Project Environmental Assessment (EA) on the Pisgah Ranger District, Pisgah National Forest and the Mitigation Measure listed in Section 2.4, Chapter 2 of the June 2004 EA. The Selected Alternative will:

- ◇ Install three rock vanes on the picnic area side of the Davidson River at Sycamore Flats to redirect the river's flow away from stream banks where it is causing down cutting and erosion, and back into the middle of the channel. The three rock vanes will be comprised of several boulders generally 3 feet x 4 feet x 5 feet placed next to each other with some irregularity to improve scenic integrity, and three layers deep from the stream bank. They will be visible to at most half of the way across the river. The vanes will extend subsurface (below water and stream bed) to the other bank. The boulders on the top row and those in view will be native rock where practicable. Backfilling with rock of various sizes and shapes will be placed on the upstream side of the vanes to make a more naturally appearing structure. Stream banks will be sloped upstream and downstream of each vane and will be seeded, mulched, and planted with "riparian" type vegetation.
- ◇ Construct an approximate ½ mile walking path around Sycamore Flats Recreation Area to reduce safety hazards to walkers who currently walk on the road intended for vehicles. The path will be 4-6 feet wide and hardened with asphalt. Some trees less than 16 inches in diameter and vegetation will be cut, but larger trees will remain. Several access routes to the river will be constructed off the trail, and a wooden fence will be constructed between the access points along the river to discourage use that increases downcutting of the stream banks.
- ◇ Construct two new picnic shelters with a new design but of similar dimensions as the existing shelter. The new shelters will be placed on a concrete slab.
- ◇ Install about 3,500 linear feet of perforated drain material. The drain material is about 1 inch thick by 6-8 inches deep and will be installed with a 6 inch trencher to minimize damage to tree roots. It will help drain areas within the recreation area that currently hold standing water after rain storms. The drain material will be filtered to eliminate sediment reaching the river. The outflow will be routed to infiltration areas or pass through native vegetation before reaching the river.
- ◇ Construct additional parking spaces to accommodate 15 automobiles and 1 bus.
- ◇ Construct an accessible fishing pier downstream of the eastern-most rock vane. The footings for the pier will be above the annual high water mark and the deck will be cantilevered over the water in a similar fashion as the pier upstream at the North Carolina State fish hatchery.

- ◇ Replace the existing bathrooms with accessible bathrooms of similar dimensions.
- ◇ Remove the existing wells to reduce potential for ground water contamination.

Rationale

As stated in Section 1.4 of the July 2004 EA, the purpose and need (objectives) for the proposal is to:

- ◇ Change the Davidson River's direction of flow back into the middle of the channel to reduce undercutting of the streambank;
- ◇ Increase the safety of daily walkers in the recreation area; and
- ◇ Improve the recreational experiences for users of the facility

I believe the Selected Alternative accomplishes these objectives.

Redirecting the flow of the Davidson River back into the middle of the channel with rock vanes allows the Selected Alternative to work with the natural flow of the River to correct the problem of the streambank being undercut. Undercutting of the streambank is causing erosion and sedimentation to occur, adversely impacting aquatic habitat and water quality (Sections 3.2.1.2 and 3.3.2.1, Chapter 3). Alternative C addresses the symptoms of the incorrect flow by designing a retaining wall instead of rock vane #2, but the retaining wall does not address the overall problem of the incorrect flow (Section 3.3.4.1, Chapter 3). I believe correcting the problem rather than addressing the symptom at this location will better improve aquatic habitat and water quality over time (Section 3.2.3.1, Chapter 3).

I believe the Selected Alternative will not exacerbate safety concerns associated with the new in-stream structures. Based on data received through a USGS gauging station near the project area, summertime recreationists will be safe in water up to four feet in depth in the project area (Section 3.3.3.1, Chapter 3).

I recognize that implementing the Selected Alternative may create a short-term pulse of

sediment to the Davidson River (less than a week). However, the analysis disclosed that the short-term pulses of sediment contributed during construction were outweighed by the long-term benefits received by redirecting the river's flow away from stream banks (Section 3.2.2.1 and 3.3.3.1, Chapter 3).

I also recognize that the Selected Alternative will implement actions within a section of the Davidson River eligible for Wild and Scenic River (WSR) designation with potential classification as "recreation". Forest Plan direction is to provide interim protection until designated or formally released from further study. I believe the Selected Alternative, as designed, will maintain potential WSR designation of this section of the Davidson River (Section 3.1.2.1, Chapter 3). Using native rock where the vanes will be visible by recreationists will make them more naturally appearing features (Section 2.2.2, Chapter 2).

Other Alternatives Considered

In addition to the Selected Alternative, I considered two other alternatives in detail: Alternative A – No-Action and Alternative C. A comparison of these alternatives can be found in Section 2.5 of the EA.

Alternative A – No Action

Under Alternative A, current management plans would continue to guide management of the project area. I did not select this alternative for several reasons. This alternative would not have provided a method for moving the Davidson River's direction of flow back into the middle of the channel and away from the streambanks. The river's flow would continue to undercut the streambanks, contributing sediment and reducing aquatic habitat and water quality (Sections 3.2.1.2 and 3.3.2.1, Chapter 3). In addition, this alternative did not address the safety issue of walkers in Sycamore Flats caused by their close proximity to vehicles, would not have improved the recreational experiences for users of the

facility, would not improve drainage in the area, nor would it remove two existing wells.

Alternative C

Alternative C was similar to the Selected Alternative, except in two ways: (1) Alternative C proposed a rock retaining wall in lieu of rock vane #2 and (2) Alternative C proposed a permeable material instead of asphalt for paving the ~½ mile walking trail. I did not select this alternative primarily because it would not improve the existing condition of stream bank erosion, sedimentation, and aquatic habitat development as well as the Selected Alternative (Sections 3.2.3.1, 3.2.3.2, and 3.3.4.1, Chapter 3 of the EA). As stated above, Alternative C addresses the symptoms caused by the Davidson River flowing into the streambank, but does not correct the initial problem of the flow. As disclosed in the EA: *“Alternative C does less to address the issue of channel instability in the reach. Although the access area would harden an approximate length of 150 feet of stream bank, it would not dissipate stream energy as efficiently as the second vane proposed in Alternative B. Therefore, this energy would be deflected downstream where bank erosion could continue.”*(Section 3.3.4.1, Chapter 3). An additional factor I considered, though to a lesser extent, in reaching my decision was the economic feasibility of implementing Alternative C. Initial estimates for constructing the retaining wall indicate it could cost as much as double the estimated costs of the Selected Alternative. This is due to the increased amount of native rock required to construct the retaining wall. This project is partially funded by grants and I am concerned Alternative C could cost substantially more to implement than current funding allows.

I was also concerned with the ability to meet objectives with the permeable material (i.e. wood chips, aggregate, porous pavement, brick, or concrete pavers) proposed for the ~½ mile walking trail. I believe the permeable material is inferior to asphalt. The wood chips and aggregate material would not meet accessibility standards and the porous pavement, brick, or concrete material will cost more than asphalt—

either initially or through increased maintenance costs over time. Porous pavement requires periodic cleaning with vacuums and jet sprayers to maintain its porosity (*Storm Water Technology Fact Sheet – Porous Pavement*, EPA 832-F-99-023, Sept. 1999).

Other Alternatives Not Considered

Section 2.3 of the EA disclosed two alternatives I considered but eliminated from detailed study. Since they were not considered in detail in the EA, they were not considered in the range of alternatives for my decision.

Public Involvement

The proposal was provided to the public and other agencies for a 30-day comment period during scoping on February 13, 2004. Five letters were received as a result of this scoping. The proposal was listed in the January 2004 and April 2004 Schedule of Proposed Actions.

A 30-day Notice and Comment period of the pre-decisional Sycamore Flats Project EA was initiated on June 21, 2004, and was completed on July 20, 2004. Six timely letters or e-mails were submitted by individuals, agencies, and organizations during this period. Appendix B, attached to this decision notice, discloses the comments received and the Agency’s response. Following review of comments received, the June 2004 EA was updated slightly (40 CFR 1503.4). Members of the public may request a copy of the updated EA (July 2004).

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects

- of the action (Sections 3.1, 3.2, and 3.3, Chapter 3).
2. There will be no significant effects on public health and safety and implementation will be in accordance with mitigation measures (Section 1.7.2.4, Chapter 1 and Section 3.3.3.1, Chapter 3).
 3. There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the project area, nor are there local law or requirements imposed for the protection of the environment (Section 1.7.2.1, Chapter 1 and Section 3.3, Chapter 3).
 4. The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy over the impacts of the project (Sections 3.1 and 3.3, Chapter 3).
 5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (Sections 3.1 and 3.3, Chapter 3).
 6. The action is not likely to establish a precedent for future actions with significant effects, because the project is site specific and effects are expected to remain localized and short-term (Sections 3.1, 3.2, 3.3, Chapter 3).
 7. The cumulative impacts are not significant (Sections 3.1.2.2, 3.2.2.2, and 3.3.3.2, Chapter 3).
 8. The action will have no effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (Section 1.7.2.1, Chapter 1, EA). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (Section 1.7.2.1, Chapter 1). A heritage report was completed for this project and was delivered to the State Historic Preservation Office (SHPO). They stated on July 13, 2004, that they “*are aware of no historic resources which would affect the project.*”

Therefore, we have no comment on the undertaking as proposed.”

9. The action will have no effect on any endangered or threatened species or their habitat that has been determined to be critical under the Endangered Species Act (Act) of 1973, (Section 3.2.2, Chapter 3 and Appendix A). On July 16, 2004, the US Fish and Wildlife Service concurred with this assessment and “*believe the requirements of section 7 of the Act are fulfilled*”.
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Nantahala and Pisgah National Forests Land and Resource Management Plan Amendment 5 (Section 1.4.1, Chapter 1).

Findings Required by Other Laws and Regulations

My decision to implement the Selected Alternative is consistent with the intent of the long-term goals and objectives listed on pages III-1 and III-2 of Forest Plan Amendment 5. The project was designed to meet land and resource management plan standards and incorporates appropriate land and resource management plan guidelines (Section 1.4.1, Chapter 1).

Administrative Review and Contacts

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to National Forests in North Carolina, ATTN: Appeals Deciding Officer, 160-A Zillicoa Street, Asheville, North Carolina 28801. Appeals may be faxed to (828) 257-4263. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m.

Appeals may also be mailed electronically in a common digital format to:

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Those who meet content requirements of 36 CFR 215.13 may appeal this decision. Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Randy Burgess, District Ranger, Pisgah Ranger District, 1001 Pisgah Highway, Pisgah Forest, North Carolina 28768, Phone: 828-877-3265; or Michael Hutchins, Pisgah National Forest Zone NEPA Coordinator, PO Box 128, Burnsville, North Carolina, 28714, Phone: 828-682-6146.

Implementation Date

As per 36 CFR 215.9, if no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal-filing period (215.15). When an appeal is filed, implementation may occur on, but not before the 15th business day following the date of appeal disposition (36 CFR 215.2).

Randy Burgess

7/27/04

RANDALL BURGESS

District Ranger
Pisgah Ranger District

Date

**APPENDIX B – RESPONSE TO COMMENTS
FOR THE
SYCAMORE FLATS PROJECT
ENVIRONMENTAL ASSESSMENT**

Sycamore Flats Project
Environmental Assessment

Response to Comments

- | | |
|--------------------|---|
| Interest 1: | Additional Mitigation/Design Features |
| Interest 2: | Support for Alternative B/Project in General |
| Interest 3: | General Comments |

General Discussion

The formal 30-day Notice and Comment period for the Sycamore Flats Project Environmental Assessment began June 21, 2004, and ended on July 20, 2004. Six timely letters or e-mails were submitted by individuals, agencies, and organizations during this period.

Substantive Comments

To be eligible to appeal the decision on this proposal, individuals must provide comments that are both timely [36 CFR 215.6(a)] and substantive (36 CFR 215.2). Substantive comments are defined as: “*Comments within the scope of the proposed action are specific to the proposed action, have a direct relationship to the proposed action and include supporting reasons for the Responsible Official to consider.*” A comment stating support of an alternative without rationale for the support is not considered substantive. Comments below are grouped by Interest—not all comments received are substantive (as defined by 36 CFR 215.2).

Interest 1: Additional Mitigation/Design Features

Letters and Comments on this Interest:

Richard G. Burns, Ph.D. (RGB)	Brian Cole - USFWS (BC)	Dave McHenry - NCWRC (DM)
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Comment 1-1:

“I would ask that you give consideration to several points during the detailed design of the work. First, if at all possible, retain some of the existing large riverbank trees. I know that a new “floodplain” needs to be constructed to support the vanes. However, retaining a few large trees would greatly enhance the aesthetics of the area.” (RGB)

Agency Response to Comment 1-1:

Where feasible, existing large riverbank trees will be retained (Section 2.2.2 and 2.2.3, July 2004 EA)

Comment 1-2:

“Second, my experience is that runoff from the paved surfaces in Sycamore Flats must be controlled. Retrofitting the roadway to disperse runoff (such as a low broad bump across the pavement) can help eliminate the erosion and scouring of the bare soil areas near the river. This is especially a problem from the gate to the first sharp left curve. Next, a curb should be constructed along the near-river edge of the parking area beside Rock Vane #1 to direct runoff away from the river. This runoff is increasing bank erosion and could damage the new “floodplain”. Finally, the surface on the proposed exercise trail should be “rolled” frequently to disperse runoff. Pavement runoff dispersal along with the drainage will help reduce the wet spots within the area.” (RGB)

Agency Response to Comment 1-2:

This project has been designed to address runoff from the roadway: *“To reduce the impact of an increase in compacted area, this alternative would construct drainage that would route water to areas that promote water infiltration to the soil. Additionally, the runoff control from existing compacted sites would be improved and infiltration promoted. Therefore, there is likely to be a net reduction in*

surface runoff to the Davidson River from the Sycamore Flats area from this alternative.” (Sections 3.3.3.1 and 3.3.4.1, EA). As a result, additional mitigation or project design is not required to address these concerns. The design of the exercise trail, however has been updated to address specific concerns: “*The trail would be designed to control runoff and promote infiltration where potential connectivity of the runoff from the trail could reach the river.*” (Sections 2.2.2 and 2.2.3, July 2004 EA).

Comment 1-3:

“[w]e still have some concerns with the increase in impervious surface and prefer the “permeable surface” walking trail included in Alternative C. The Environmental Assessment concludes that “A wood chip, aggregate, or native soil trail would not provide a firm and stable surface as required to meet accessibility standards. Porous pavement, brick, or concrete pavers are impractical due to initial cost and/or maintenance. Asphalt is the most cost efficient, durable, and easily maintained surface material for this application.” While we appreciate the economics of such a project, because Sycamore Flats is a prime concern, anything that decreases the amount of storm water that must be managed will likely be economical in the long run. We have enclosed a fact sheet produced by the Environmental Protection Agency that details the benefits of porous pavement and also discusses porous asphalt. If economics dictate the use of asphalt in the project area, we strongly recommend that porous asphalt be considered.” (BC)

Agency Response to Comment 1-3:

Experience with porous asphalt has shown it tends to clog with material, losing its porosity over time. It must be “*vacuum swept followed by jet hosing to keep pores open*” (EPA Fact Sheet 832-F-99-023), increasing long-term costs. It is believed the additional design feature described in response to Comment 1-2 above should reduce the adverse effects impervious material will have on the River.

Comment 1-4:

“The Commission supports the proposed action (Alternative B) to improve the facility and public access and to control bank erosion along this segment of the Davidson River. However, as we indicated in our scoping comments on this project, we also feel that construction of the walkway with permeable material is advisable to avoid exacerbating storm water problems (e.g. ponding) at the facility. This would also promote infiltration near the river and reduce the potential for further bank erosion from concentrated upland flow. Therefore, if impervious material must be utilized because of cost and maintenance constraints under the proposed action, we recommend that measures to promote diffuse flow from this surface towards the river be implemented during construction where necessary and practical.” (DM)

Agency Response to Comment 1-4:

See response to Comments 1-2 and 1-3 above.

Interest 2: Support for Alternative B/Project in General

Letters and Comments on this Interest:

Harry Hafer – CFAIA, Pisgah Forest Rotary (HF)	Brian Cole - USFWS (BC)	Terrell West – Blue Ridge Community College (TW)
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Comment 2-1:

“On behalf of the Pisgah Forest Rotary Club, the Cradle of Forestry in America Interpretive Association and as a private citizen, I would like to express support for Alternative B for the Sycamore Flats Project.” (HF)

Agency Response to Comment 2-1:

Comment is noted.

Comment 2-2:

“We concur with the need to correct the erosion and sedimentation problems that occur in the project area. Based on the information provided in the Environmental Assessment, we prefer Alternative B because it does not involve construction of a retaining wall on the Davidson River.” (BC)

Agency Response to Comment 2-2:

Comment is noted.

Comment 2-3:

“As a member of Pisgah Forest Rotary Club and Blue Ridge Community College, I support this wonderful project. This project is important and will serve the Transylvania County residents and visitors to our beautiful area. As the volunteer committee chair, we plan to involve over 100 volunteers. We will include Boy Scouts, Girl Scouts, high school and college students, and the retirees in this project. All of whom will benefit from these well-planned improvements.” (TW)

Agency Response to Comment 2-3:

Comment is noted.

Comment 2-4:

“We have no major concerns with the proposed vane structures and support the effort to reduce sources of sediment in the Davidson River. The structures should help resolve some of the bank erosion at the site and thereby protect aquatic habitat over the long-run. Further, we prefer the use of vanes and similar bioengineering approaches instead of bank armoring in part because bank armoring (e.g. rip rap) is prone to undercutting and failure and can lead to erosion on adjacent natural banks. As designed, the structures appear to be cross vanes that are modified so that approximately one-half on the side of the river opposite from the eroding bank would be submerged. In many situations on large streams, conventional J-book vanes that extend approximately 1/3 of the stream width are sufficient to redirect flow from eroded banks. We do not contend that the proposed design for the vanes is not appropriate; rather, we wished to make note of this observation for consideration.” (DM)

Agency Response to Comment 2-4:

Comment is noted. The vanes extend subsurface to the opposite bank to ensure no downcutting occurs around the vane.

Interest 3: General Comments

Letters and Comments on this Interest:

Brian Cole - USFWS (BC)	Renee Glendhill-Earley - SHPO (RGE)
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Comment 3-1:

“The Environmental Assessment concludes that the proposed project will have no effect on any species that is federally listed as endangered or threatened. We concur with your assessment and believe the requirements of section 7 of the Act are fulfilled.”
(BC)

Agency Response to Comment 3-1:

Comment is noted.

Comment 3-2:

“We have conducted a review of the proposed undertaking and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the undertaking as proposed.” (RGE)

Agency Response to Comment 3-2:

Comment is noted.