



## Decision Memo

# Paving of Burrell's Ford Road for Sediment Reduction

### USDA Forest Service

### Sumter National Forest, Andrew Pickens Ranger District Oconee County, South Carolina

## Decision

I have decided to authorize the paving of one mile of Forest Road 708 (Burrell's Ford Road) from the end of the existing paved section (the existing paved section is 0.3 miles long, starting at the junction with State Highway 107; see included map). The remaining portion of the road (1.4 miles) will remain as a gravel surface. As part of this decision I also authorize the replacement of the culvert where FR 708 crosses King Creek with an aquatic organism passage (AOP) culvert.

## Purpose and Need for the Project

Burrell's Ford Road crosses and parallels a portion of Kings Creek. This creek is a trout stream and has recently been restored with native southern strain brook trout. With the existing gravel surface, large amounts of sediment have the potential to reach the creek due to topography and the road's proximity to the creek. This sediment has been observed in the past reaching the stream in excessive amounts. The Forest Service installed silt fencing as a temporary sediment barrier, but a long-term solution is needed. In some areas, the sediment has almost overtopped the silt fence. Paving will eliminate the sediment source that is currently coming from the existing gravel road.

The existing culvert where Burrell's Ford Road crosses Kings Creek was inventoried in 2016 and found to be a barrier to fish migration, especially for small young trout. A new stream simulation design structure will remove that barrier by providing for an open bottom concept and having a design that is at least bank-full width.

## Rationale for Categorically Excluding the Action

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as: *Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than 1 mile of low standard road construction*, 36 CFR 220.6(e)(6), as described in Forest Service Handbook 1909.15, Sec. 32.2. This category is applicable because these activities will improve wildlife habitat by preventing sedimentation of aquatic habitats and providing for connectivity of fish habitat. The project also conforms to the constraints stated in this categorical exclusion. These activities will not individually or cumulatively have a significant effect on the human environment.

I find that there are no extraordinary circumstances that warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

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

A Biological Assessment/Biological Evaluation (BA/BE) was completed for this project in November of 2019. The following determinations were made:

- Proposed, Endangered, and Threatened Species
  - Northern long-eared bat - LIKELY TO ADVERSELY AFFECT
  - Small whorled pogonia – NO EFFECT
- Sensitive Species
  - Eastern small-footed bat, Rafinesque’s big-eared bat, Tri-colored bat, Chauga crayfish and Edmund’s snaketail - MAY IMPACT INDIVIDUALS BUT NOT LIKELY TO CAUSE A TREND TO FEDERAL LISTING OR A LOSS OF VIABILITY

The project is "likely to adversely affect northern long-eared bat; however, there are no effects beyond those previously disclosed in the programmatic biological opinion on implementing the final 4(d) rule dated January 5, 2016. Any taking that may occur incidental to this project is not prohibited under the final 4(d) rule (50 CFR §17.40(0)). This project is consistent with the Forest Plan, the description of the proposed action in the programmatic biological opinion, and activities that do not require special exemption from taking prohibitions applicable to the northern long-eared bat; therefore, the programmatic biological opinion satisfies the Forest Service's responsibilities under ESA section 7(a)(2) relative to the northern long-eared bat for this project and there would be no extraordinary circumstances related to protected or sensitive species. Additional details and rationale for these determinations can be found in the BA/BE.

**2. Flood plains, wetlands, or municipal watersheds**

Floodplains would be minimally impacted from paving of the road and replacement of the crossing by adhering to January 2004 Sumter National Forest Revised Land and Resource Management Plan (RLRMP) standards and Best Management Practices (BMPs). There would be an overall net benefit by reducing road sediment that is currently entering the stream. There would no wetlands or municipal watersheds impacted from this activity.

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

Even though the road is the boundary of the wilderness study area the paving of the section of road will not change the overall characteristics of the wilderness study area.

**4. Inventoried roadless areas or potential wilderness areas**

The road does form the boundary of a wilderness study area but the paving of the road will not change the conditions of that potential wilderness area.

**5. Research natural areas**

There are no Research Natural Areas present in the project.





## 6. American Indians and Alaska Native religious or cultural sites, and archaeological sites, or historic properties or areas

A cultural resources review of the project and effects on historic properties was completed by a Forest Service Archaeologist consistent with the requirements of Section 106 of the National Historic Preservation Act. The project was found to have no potential to affect cultural resources or historic properties and is not an undertaking. No SHPO consultation is required. No known Native American traditional, cultural, or sacred sites will be impacted.

## Public Involvement

This action was originally listed as a proposal on the Francis Marion/Sumter National Forest Schedule of Proposed Actions and updated periodically during the analysis. Scoping for this decision was commenced on 01/31/20 for a 30-day scoping period by sending letters to individuals and organizations that have expressed interest in the past in receiving information about district projects. This notice summarized the project and informed recipients of how they could obtain more information and provide comment. Four comments were received; three supported the proposed action. One comment supported replacement of the culvert but questioned the need for paving the road. The one person with the negative comment was contacted by phone. Their concerns were noted and discussed during this conversation. A synopsis of that conversation is noted in the project file. I have taken their concerns into consideration while making my decision.

## Findings Required by Other Laws and Regulations

This decision is consistent with the January 2004 Sumter National Forest Revised Land and Resource Management Plan (RLRMP). The project specifically addresses Goals 1, 2, 3, 4, 6, 8, 10, 23, 34, and 35 of the RLRMP and is compliant with all applicable standards and guidelines.

### Clean Water Act and Clean Air Act

The actions will comply with the Clean Water Act and Clean Air Act by following forest-wide goals, objectives, standards, guidelines, and management area prescriptions including South Carolina's Best Management Practices for Forestry (BMPs).

This project will comply with other applicable laws and regulations.

## Administrative Review (Appeal) Opportunities

This decision is not subject to administrative review.

## Implementation Date

Implementation may begin immediately. Depending on funding and weather this project may take several years to complete.

## Contact

For additional information concerning this decision, contact: J. Keith Whalen, Forest Fish Biologist at 803-561-4076, 4931 Broad River Road, Columbia, SC 29212 or by email to: james.whelen@usda.gov.



*Robert Sitzlar*

Robert L. Sitzlar  
District Ranger

*5-12-20*

Date

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# Burrell's Ford Road - Pavement Project

