FINDING OF NO SIGNIFICANT IMPACT
Sulphur Lick Run Road Decommissioning and Relocation
Greenbrier County, West Virginia

INTRODUCTION

The Federal Highway Administration (FHWA), in cooperation with the United States Department of Agriculture, Forest Service (FS) proposes to decommission a segment of FR 719 (Sulphur Lick Run Road) and provide an alternate access route in the Brushy Mountain Grouse Management Area of the Monongahela National Forest (MNF) by reconstructing FR 719A and a currently unnamed woods road. The non-system unnamed woods road is a proposed addition to the MNF formal road system, and so the road needs to be brought up to FS standards. The FHWA and FS prepared an environmental assessment (EA) that evaluated a no action alternative and the proposed action. The EA analyzed the potential impacts that would result from the implementation of these alternatives on the natural, cultural, and human environment.

The EA was prepared in accordance with National Environmental Policy Act of 1969, as amended (NEPA), and its implementing regulations by the Council on Environmental Quality (40 CFR 1500-1508). Compliance with Section 106 of the National Historic Preservation Act of 1966 and Section 7 of the Endangered Species Act of 1973 has occurred in conjunction with the NEPA process. This document constitutes the FHWA's Finding of No Significant Impact (FONSI) for the implementation of the proposed action.

SELECTED ALTERNATIVE

Based on the analysis presented in the EA, the FHWA has selected Alternative B, the proposed action and the preferred alternative, for implementation. The proposed action will restore vehicle access in the Brushy Mountain Grouse Management Area for the public, and will identify the minimum road system needed for safe and efficient travel and for administration, utilization, and protection of National Forest System lands. This will allow for access for: Forest Service administration and land management activities to create and maintain grouse habitat; management and use of private lands; hunting and other recreational pursuits; forest fire protection and suppression; and, reflects long-term funding expectations, to ensure that the identified system minimizes adverse environmental impacts associated with road construction, reconstruction, decommissioning, and maintenance.

Sulphur Lick Run Road, from Pond Lick Road to the north end of the road decommissioning (a distance of 4,721 feet) will receive general roadway reconditioning to include grading and "smoothing" of the road surface.

Sulphur Lick Run Road, from the north end of the road decommissioning to the intersection with the unnamed woods road (a distance of 9,354 feet) will be decommissioned. Existing culverts will be removed and disposed of off-site and drainages will be re-established by excavating fill material, grading the stream bottom and banks to similar existing contours, and revegetating to provide a stable condition. Unstable fill material and road shoulders will be removed through the

regrading of the existing fill material in order to obliterate the road and provide a stable condition. A soils analysis will be completed by the Forest Service to determine appropriate soil amendment to encourage the regrowth of vegetation. The area will be revegetated using a native seed mix. Physical barriers will be constructed at each end to prohibit vehicular traffic within this section. Physical barriers could include a combination of soil berms, trees, and other natural materials to camouflage the prior existence of the road. Decommissioning is not intended to recreate pre-development conditions.
Sulphur Lick Run Road, from the intersection with the unnamed woods road to the southwestern terminus of project (a distance of 968 feet) will be rehabilitated in-kind to restore the road to pre-storm conditions. Rehabilitation will include: clearing and grubbing; embankment construction; construction of mechanically stabilized earth (MSE) walls; culvert replacement; and resurfacing with aggregate. MSE walls stabilize unstable slopes and retain the soil on steep slopes, and are constructed with soils and artificial reinforcement, such as pre-cast concrete. Three temporary stream crossings are proposed (unnamed stream, Sulphur Lick Run, and unnamed tributary to Sulphur Lick Run). The road is currently washed out at these locations, and temporary access across the drainage is needed for construction equipment and materials. The temporary stream crossings will likely be comprised of pipe culverts and reshaping of existing fill material.

FR 719A, from Pond Lick Road to the north end of the FR 719A Extension (a distance of 17,418 feet) will be rehabilitated in-kind. Minimal improvements are needed to the existing road (14-foot wide single lane with 2-foot shoulders). FR 719A Extension, from the south end of FR 719A to the north end of the unnamed woods road (a distance of 4,517 feet) will be rehabilitated primarily by clearing and grubbing and resurfacing. The existing roadway alignment will be followed to minimize cutting into the hillside and/or placing fill material downslope of the road.

The unnamed woods road, from the eastern end of FR719A to the intersection with Sulphur Lick Run Road (a distance of 13,283 feet), will be reconstructed. The unnamed woods road is a former logging road. The existing road, which varies in width from 4.5 feet to 11 feet, will be reconstructed to provide a 14-foot wide single travel lane with a 2-foot wide ditch adjacent to the hillside and a 2-foot wide shoulder on the downhill side. The hillside will be excavated and fill material will be placed as needed to widen the existing road and provide 1:1 cut-slopes and between 1:1 and 2:1 fill slopes. The use of retaining walls, MSE walls, or other means to reduce the amount of ground disturbance will be analyzed during the design process. Six damaged 18-inch diameter culverts along this segment will be replaced with larger culverts, ranging from 24 to 36 inches in diameter, to better convey runoff in these low areas in the mountainous topography (hillslope hollows). The roadbed will be reconditioned, and then resurfaced with 6 inches of aggregate.

MITIGATION MEASURES

The following are mitigation measures that will be implemented under the Selected Alternative.

- No tree clearing will be allowed between April 1 and November 15 in order to avoid impacts to bat species utilizing trees for roosting.
- On FR 719A, disturbance of Canada cinquefoil and other spring blooming plants found on road shoulders and slopes will be avoided to the maximum extent possible in order to

avoid impacts to the Appalachian grizzled skipper. Any fill material used will be acidic, like the native shales. No limestone fill/aggregate will be used.

Best management practices (BMPs), which include existing regularly occurring policies, practices and measures required by law, regulation or policy, that will be implemented under the Selected Alternative are identified in Appendix C of the EA.

OTHER ALTERNATIVES ANALYZED IN THE EA

In addition to the Selected Alternative, the no action alternative was also considered, as described in Chapter 2 of the EA. Under the no action alternative, no repairs to the observed damage sites would be made and no other activities would be implemented. Sulphur Lick Run Road would be inaccessible after MP 0.8 (after its intersection with FR 719B) due to the washout of two 54-inch diameter corrugated metal pipes. This would preclude vehicular access to the remainder of Sulphur Lick Run Road and its connections to other unnamed woods roads. Additionally, FR 719A would remain open for access to the unnamed woods road, but it would not be extended and upgraded to Forest Road Standards. Only high-clearance vehicle could access portions of FR 719A and the unnamed woods road, and under current maintenance levels FR 719A would limit access for many passenger vehicles.

ALTERNATIVES DISMISSED FROM FURTHER ANALYSIS IN THE EA

The FHWA considered and dismissed from further analysis one alternative before development of the range of reasonable alternatives for full impact analysis. A description of this preliminary alternative and the reason for its dismissal is provided in Chapter 2 of the EA.

IMPACTS OF THE SELECTED ALTERNATIVE

As documented in the EA, FHWA has determined that the Selected Alternative can be implemented without significant adverse effects. As described in the EA, impacts to roads and access, soils, and protected and non-native invasive species are likely to occur as a result of implementing the Selected Alternative; however, no significant impacts were identified.

Roads and Access: Construction of the proposed road segments will temporarily restrict access to the southern portions of the Brushy Mountain area; however, these impacts will occur only until construction is completed (approximately six months). The Selected Action will relocate vehicular access to a more stable location, reducing the probability for future flood events to impact access in this part of MNF.

Soils: Soil disturbance would occur as part of the construction activities of decommissioning the section of Sulphur Lick Run Road, rehabilitating FR 719A, and upgrading the unnamed woods road. These actions will require soil disturbance that removes or displaces organic matter and topsoil. These activities will cause unavoidable, short-term adverse impacts in the form of compaction, erosion, and nutrient loss and will result in an irretrievable commitment of the soil resource on approximately 15.8 acres. However, the Selected Alternative will result in improved

soil quality in the long term because of the proposed road decommissioning and upgraded system road maintenance.

Protected and Non-native Species: The project will remove some trees that may be used by bat species for foraging and roosting; however, the surrounding forest will not be impacted. Trees will be cut during winter hibernation to avoid impacts to roosting bats. Excavation, regrading, and embankment construction will also temporarily disturb potential habitat for white alumroot and roan mountain sedge on steep, rocky slopes adjacent to the existing roadbeds; however, these roadside areas will again provide potential habitat after construction is completed. Potential habitat for the small whorled pogonia will likely be destroyed in areas where amendments of lime and fertilizer are added to facilitate the revegetation of decommissioned road section and shoulders and slopes of the rehabilitated roads, but potential habitat for these species continues to be present in the general project area. The decommissioned portion of Sulphur Lick Run Road and the rehabilitated/upgraded roads will offer open corridors for bat foraging and for the white alumroot and roan mountain sedge to reestablish. The Selected Alternative will impact a relatively small amount of potential habitat for protected species; however, abundant habitat similar in nature is available throughout the MNF. The decommissioning of a 1.77-mile section of Sulphur Lick Run Road will also reduce habitat fragmentation. The introduction of construction equipment and materials in combination with earthwork activity increases the potential for non-native invasive species to spread; however, BMPs will be implemented to minimize the spread of invasive species.

PUBLIC INVOLVEMENT AND AGENCY COORDINATION

The EA was available for public review from October 29, 2018 to November 28, 2018. A notice of the availability for the EA was distributed to the project stakeholders and placed in the Pocahontas Times and the Register-Herald. During the public comment period, copies of the EA were available for review at the Marlinton/White Sulphur Ranger District and the McClintic Public Library. One pieces of correspondence was received during the comment period for the EA. A summary of the comment and response are provided in Attachment A of this FONSI.

Consultation per Section 106 of the National Historic Preservation Act was completed with the State Historic Preservation Office (SHPO) regarding the potential for the proposed project to adversely affect historic properties. The FS determined that the proposed undertaking would have no effect to historic properties. On September 11, 2018, the FS transmitted their findings to the West Virginia Division of Culture and History, which serves as the SHPO. In a letter dated October 12, 2018, the SHPO concurred with the FS's determination.

Informal consultation per Section 7 of the Endangered Species Act of 1973, as amended was completed. On August 8, 2018, the FHWA coordinated with the United States Fish and Wildlife Service (USFWS0 regarding protected species. In their response on September 5, 2018, the USFWS determined that five Federally-listed species may occur within the vicinity of the project area and may be affected by the proposed project: Indiana bat, northern long-eared bat, running buffalo clover, small whorled pogonia, and shale barren rockcress. The USFWS concurred that the project is not likely to adversely affect these Federally-listed species and that no further consultation under section 7 of the Endangered Species Act is required.

SECTION 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966, 49 U.S.C. 303(c), states that the use of land from a significant publicly-owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site (as determined by the officials having jurisdiction over the resource) as part of a Federally-funded or approved transportation project is permissible only if there are no feasible and prudent alternatives to the use and that the proposed action includes all possible planning to minimize harm to the protected property resulting from such use.

The MNF is a multiple-use property and there are no recreational areas located within in the project area. While hiking on the forest roads and hunting can occur, it is not the principle designated use. There are no Section 4(f) properties in the project area.

CONCLUSION

The Selected Alternative does not constitute an action that normally requires the preparation of an Environmental Impact Statement (EIS). The FHWA has determined that the Selected Alternative will not have a significant impact on the human or natural environment. Negative environmental impacts that could occur are negligible or minor in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significantly cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any Federal, State, or local environmental protection law. Based on the foregoing an EIS is not required for this action and thus will not be prepared.

Recommended: Holly E Bell 1-29-2019

Holly E. Bell
Planning and Programs Manager
Federal Highway Administration
Eastern Federal Lands Highway Division

Date

Approved: Kurt Dowden 1-31-2019

Kurt A. Dowden
Chief of Business Operations
Federal Highway Administration
Eastern Federal Lands Highway Division

Date

ATTACHMENT A

ERRATA AND RESPONSE TO COMMENT

ERRATA

The following changes have been made to the EA for Sulphur Lick Run Road Decommissioning and Relocation Project (September 2018) to correct minor misstatements of fact, update information, and disclose minor adjustments to the preferred alternative and impact analysis. This errata sheet will become part of the project file. Additions to the text are identified by underlines and deletions are marked by strikeouts, unless otherwise noted.

Chapter 1 Introduction, Section 1.10 Background (page 1-1)

The ~~7,148~~ 7,184 acres in the project area include approximately 6,862 acres of Forest Service land and 322 acres of privately-owned land.

Chapter 3 Affected Environment and Environmental Consequences:

Section 3.4 Soils, 3.4.2 Environmental Consequences, Alternative B (page 3-20).

Short-term s~~S~~oil disturbance would occur as part of the construction activities of ~~decommissioning the section of Sulphur Lick Run Road,~~ rehabilitating FR 719A~~,~~ and upgrading the unnamed woods road. These actions would require soil disturbance that removes or displaces organic matter and topsoil (thereby losing nutrients), increases soil compaction, and increases erosion. These activities would cause unavoidable, short- and long-term adverse impacts ~~in the form of compaction, erosion, and nutrient loss. Alternative B would result in an irretrievable commitment of the soil resource on approximately 15.8 acres. However, Alternative B would result in improved soil quality in the long-term because of the proposed road decommissioning and upgraded system road maintenance.~~ Conversely, decommissioning Sulphur Lick Run Road (which is also proposed under Alternative B) would only result in short-term adverse impacts in the form of discontinuous sheet erosion. In the long-term, the section of decommissioned road would experience soil quality improvement because soil compaction is reduced, thereby restoring hydrologic connectivity, reducing erosion and reducing nutrient loss.

Section 3.4 Soils, 3.4.2 Environmental Consequences, Cumulative Effects (page 3-21).

Under Alternative B, road decommissioning would improve soil quality and productivity in the long-term. ~~While the extension~~ The repair of 719B and reconstruction of existing woods roads would result in short- and long-term soil quality degradation, erosion and sedimentation in these areas ~~would be reduced due to regular road maintenance~~. However, road upgrades and scheduled maintenance would help to reduce erosion and sedimentation in the long-term. When the impacts of Alternative B are combined with the adverse impacts of other past, present, and reasonably foreseeable future actions, there would be an overall adverse impact on soils; however, Alternative B would make a noticeable contribution towards reducing the intensity of the adverse impact.

RESPONSE TO COMMENT

A single public comment was received during the public comment period. A representative of the Ruffed Grouse Society stated support for the project.

Comment: After reviewing the environmental assessment information provided by District Ranger Cynthia Sandeno, we are supportive of all efforts to ensure adequate access to all areas of the Monongahela National Forest. While we consider "road hunting" as a detriment to good wildlife management, it is also important that proper timber management is ongoing as the National Forest originally mandated. We support the efforts that keep our National Forests as public multi-use resources.

Response: Thank you for your comment.