



United States  
Department of  
Agriculture

Forest  
Service

May 2024



# Decision Memo

## Panthertown Valley EEG for Trail Repairs and Revegetation Project

National Forests in North Carolina  
Nantahala Ranger District, Nantahala National Forest  
Macon County, North Carolina

**For Additional Information Contact:**

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## Decision and Proposed Actions

I have decided to implement a project to conduct trail improvements and rehabilitate seven areas within the Panthertown Valley trail network. The Nantahala Ranger District is working closely with Friends of Panthertown and the Watershed Association of the Tuckasegee River, Inc. to restore and remediate natural resources through stream bank stabilization, trail improvements, and riparian buffer installations at several problem spots. Site-specific actions are detailed below along with a vicinity map (Figure 1).

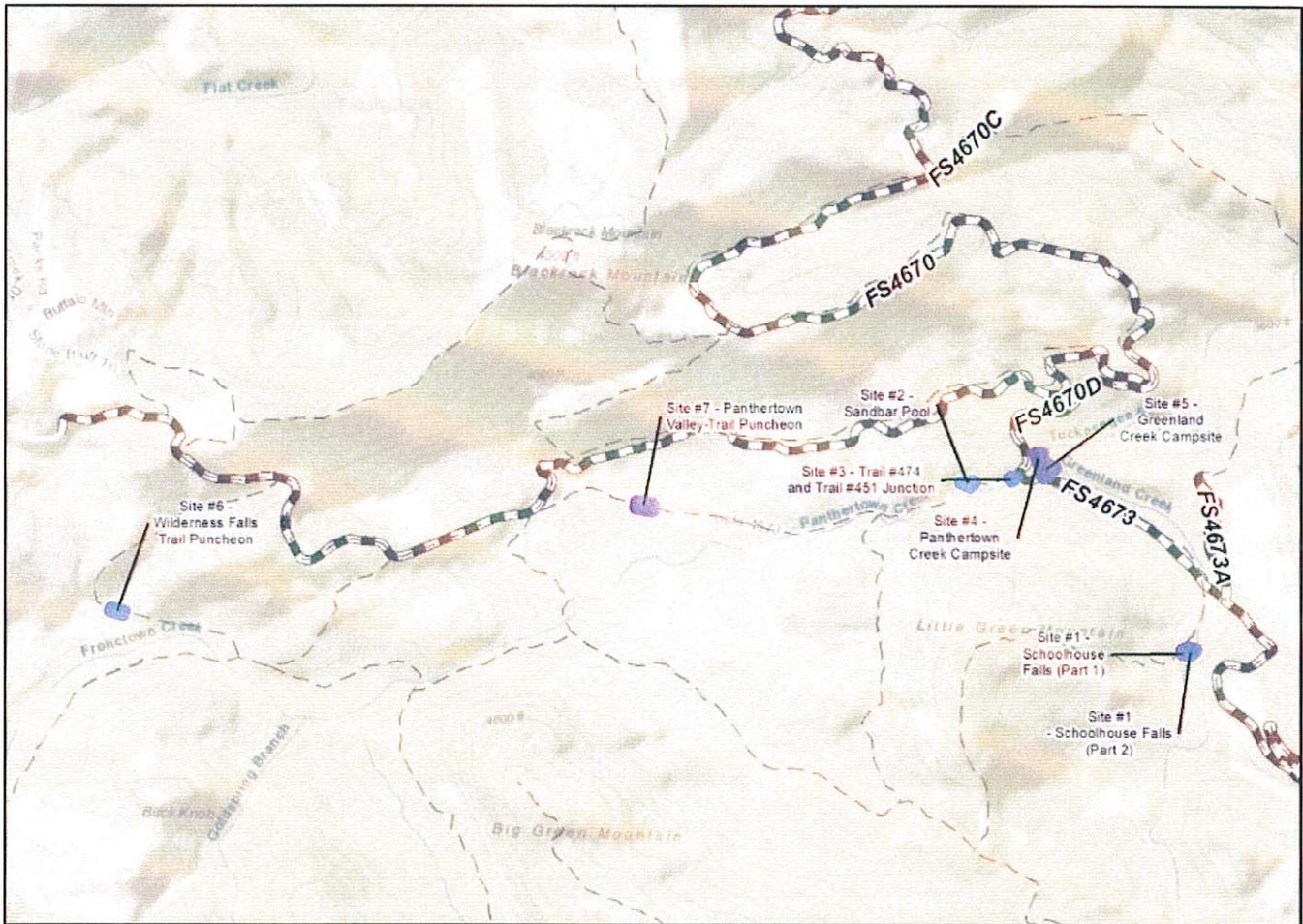


Figure 1 – Vicinity map of proposed actions within Panthertown Valley

### Site 1: Schoolhouse Falls – Little Green Trail # 485

Original steps to Schoolhouse Falls pool will be removed as a direct path no longer exists. Visitors are using multiple user-created trails and severely impacting the stream bank around the whole area. Temporary fencing will be installed to redirect visitors to a new, more sustainable pathway to the rock beach / pool while protecting the area from further disturbance to promote revegetation in the area. Bare eroded ground in this area will be revegetated with approved seed mix. Once vegetation has grown and sufficiently reestablished in the site, the temporary fence will be removed. At the stream's edge, live stakes from existing, native flora (what is onsite), will be planted in coir mat to reinforce the stream bank.

**Site 2:** Sandbar Pool – Panthertown Valley Trail # 474

A popular site suffering damage from tropical storms and subsequent user impacts. Temporary fencing will be placed around the degraded site to help prevent further soil erosion and promote restoration activities. The temporary fence will span approximately 100 feet long from the top of the steps following the existing trail prism, 40 feet down the steps, and 40 feet across the sand bar crossing at the bottom for an approximate total of 180 feet. Current eroded bank will be hand excavated to fill, mat, and plant with live stakes and approved seed mix.

**Site 3:** Junction at Panthertown Valley Trail #474 and Powerline Trail #451

Popular campsite with several user-created trails to get to the campsite. Temporary fencing (approximately 10 feet) will be added to guide visitors to use a sustainable pathway to and be installed within existing trail prism. Aboveground features, such as brush piles and tree-felling, will be placed at user-created access points and across the site to discourage entry and use to promote natural restoration processes.

**Site 4:** Panthertown Creek Campsite

Popular campsite located at the mouth of Panthertown Creek and off Powerline Trail #451. Large area to revegetate to discourage visitors from camping in the area. Aboveground closure features within existing trail prism will be placed to protect native plant species and encourage new growth. Disturbed areas may be planted with live stakes. Plantings would not occur until Section 106 Consultation occurs and SHPO concurrence is received. Implementation would be consistent with any recommendations proposed during Section 106 Consultation. The proposed revegetation work involving ground disturbance will not be implemented until a Section 106 archeological survey and subsequent consultation with the North Carolina State Historic Preservation Office (NC SHPO) and consulting Tribal Historic Preservation Office(r)s (THPOs) has been completed. Implementation would be consistent with any recommendations proposed during Section 106 Consultation.

**Site 5:** Greenland Creek Campsite

Popular campsite located at the mouth of Greenland Creek and Panthertown Valley Trail #474. Above ground closure features at entrance points will be placed to protect resource conditions and encourage natural revegetation of the site. Disturbed areas may be planted with live stakes from approved seed mix from Forest Botanist. Plantings would not occur until Section 106 Consultation occurs and SHPO concurrence is received. The proposed revegetation work involving ground disturbance will not be implemented until a Section 106 archeological survey and subsequent consultation with the NC SHPO and consulting THPOs has been completed. Implementation would be consistent with any recommendations proposed during Section 106 Consultation.

**Site 6:** Wilderness Falls Trail Puncheon

Due to standing water on the trail, visitors have walked around this trail, which created a larger width from the existing Wilderness Falls Trail. To correct this, we propose to install a boardwalk bridge, which is a form of puncheon or a step and run boardwalk. The boardwalk would be constructed within

the existing trail prism and will provide a corrected path for hikers to avoid walking on the outer corridor of the trail, which is currently damaging resources at the edge of the trail prism. Construction of this boardwalk will also enable access for emergency services to operate in this area. The plank parallels the centerline of the trail and rests on closely spaced, lightweight foundations. The step and run boardwalk will provide at least 6 inches of clear space to allowed water flow on either side. The boardwalk will be approximately 36 inches wide.

#### **Site 7: Panthertown Valley Trail Puncheon**

The Nantahala Ranger District proposes to modify approximately 100 feet of a section on Panthertown Valley Trail where the existing trail crosses an existing bog area. In its current state, the trail is subject to flooding and has triggered complaints from hikers while contributing to trampling of sensitive habitat outside of the existing trail prism. The existing trail is built on an old causeway built to carry the road across the bog and is about ten feet wide. The trail is designated for hiking only, but there is evidence of use by cyclist and equestrians. The trail is also used by Jackson County Rescue Squad to extract injured hikers and campers which sometimes requires transit with a UTV.

An elevated boardwalk would be installed to provide means for trail users to traverse the inundated section, preserve accessibility for Jackson County Rescue for operational use, reduce disturbances to local hydrology, and minimize trampling and sedimentation. Due to flooding, the boardwalk would be elevated by 12 inches, 36 inches wide, and would be approximately 100 feet long. The posts that will support the boardwalk would be dug into the ground by about 2 feet.

#### **Reasons for Categorical Exclusion of Project**

Decisions may be categorically excluded from documentation in an Environmental Impact Statement or Environmental Assessment when they are within one of the categories identified in the Code of Federal Regulations 36 CFR 220, and when there are no extraordinary circumstances related to the proposed action. This project is excluded under 36 CFR 220.6(d)(4) *Repair and maintenance of roads, trails, and landline boundaries* and 36 CFR 220.6(e)(20) *Activities that restore, rehabilitate, or stabilize lands occupied by roads and trails, including unauthorized roads and trails and National Forest System roads and National Forest System trails, to a more natural condition that may include removing, replacing, or modifying drainage structures and ditches, reestablishing vegetation, reshaping natural contours and slopes, reestablishing drainage-ways, or other activities that would restore site productivity and reduce environmental impacts*. I find that there are no extraordinary circumstances that would 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:

**a. Federally listed threatened or endangered species (TES) or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or species of conservation concern (SCC)**

A review of suitable habitat and potential impacts to Federally listed species was conducted by USFS biologists during 2023. The findings indicated one known Federally listed threatened and endangered terrestrial wildlife, aquatic, or botanical species or designated critical habitat was present in the project area. The site was surveyed and *Gymnoderma lineare*, a Federally listed Endangered species, was confirmed to be present in the vicinity of one the proposed action areas; however, the proposed action was determined to have “No Effect” to the species due to the

actions occurring away from known populations and no actions occurring within its suitable habitat. There are no other known terrestrial wildlife, aquatic, or botanical species proposed for Federal listing or proposed critical habitat present in the project area. As a result, determinations of “No Effect” were made to all Federally listed species or species proposed for Federal listing.

A biological review conducted throughout 2023 and 2024 determined that six botanical SCC species occur in the general vicinity of several of the proposed action sites, including *Phegopteris connectilis*, *Mylia taylorii*, *Plagiochila austinii*, *Huperzia porophila*, *Chelone cuthbertii*, and *Hymenophyllum tayloriae*. Following a survey to all affected sites by Forest Botanists, it was determined that the action would have no effects to any of the aforementioned SCC populations or their suitable habitat.

**b. Floodplains, wetlands, or municipal watersheds**

Proposed actions occur in limited portions of floodplains and wetlands, but the work is anticipated to benefit these resources by rehabilitating disturbed areas within them.

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

No project activities occur in Congressionally designated areas.

**d. Inventoried roadless areas (IRAs)**

No project activities are proposed in any IRAs.

**e. Research natural areas (RNAs)**

The project area does not include any RNAs.

**f. American Indian and Alaska Native religious or cultural sites, archaeological sites, or historic properties or areas**

Following a field visit by the Nantahala Zone Archeologist on February 23, 2024, it was determined that all proposed actions at Sites 1 and 2 fall under Excluded Undertakings (EUs) “d”, “j”, “n”, and “s” as outlined in the NFN 2022 Programmatic Agreement (PA) as all ground disturbing activities will be confined to areas where the ground surface visibility was at 100 percent during the aforementioned site visit, and where no cultural resources, artifacts, or archeological sites were observed; therefore, the proposed actions will not adversely impact areas with the potential for intact soils/cultural deposits. The proposed temporary fence installation and placement of above-ground natural barriers at Site 3 falls under EUs “d”, “j”, “n”, and “s” as the proposed temporary fence installation will fall within the existing trail prism. The proposed placement of above-ground natural barriers and signage at Sites 4 and 5 falls under EU “n” as the proposed actions do not involve any ground disturbance and are designed to deter unauthorized public usage of and access to the area. The proposed revegetation work involving ground disturbance will not be implemented at Sites 3, 4, 5 until a Section 106 archeological survey and subsequent consultation with the NC SHPO and consulting THPOs has been completed. The proposed installation of wooden puncheons at Site 6 falls under EUs “d”, “j”, “n”, and “s” as the proposed installation falls within the existing trail prism and involves no ground disturbance. Finally, the proposed installation of an elevated wooden boardwalk bridge at

Site 7 falls under EUs “d”, “j”, and “s” as the proposed installation falls within the existing trail prism.

### **Purpose and Need for the Action**

Following damage incurred from Tropical Storm Fred and subsequent recreational use, several sites within Panthertown Valley have experienced resource degradation, including excessive soil erosion and loss of vegetation stemming from illegal trails and streambank destabilization. The purpose of the project is to repair several degraded portions of the Panthertown Valley trail network to prevent further resource damage and rehabilitate disturbed areas. Over time, the areas being proposed for rehabilitation have experienced heavy recreation use that has led to a degraded state of natural resources in several areas. There is a need to address resource concerns to mitigate the damages that have occurred and bring the disturbed sites back to a natural state while promoting more sustainable, future recreation use to avoid recurrent issues. The proposed improvements and repairs aim to rehabilitate these disturbed sites to promote sustainable recreation use of the Panthertown Valley, as well as protect water quality of Panthertown and Greenland Creeks. This proposed action also directly supports all four of the themes in the 2023 Nantahala and Pisgah National Forest Revised Land Management Plan:

- Connecting People to the Land
- Sustaining Healthy Ecosystems
- Providing Clean and Abundant Water
- Partnering with Others

### **Scoping and Public Involvement**

Consistent with the Code of Federal Regulations, providing public notice and identifying issues important to the public is to be conducted commensurate with the action. A scoping letter was distributed on March 4<sup>th</sup>, 2024, with the comment period closing on April 4<sup>th</sup>, 2024. Outreach was conducted through telephone calls and email correspondence with individuals, other government agencies (North Carolina Wildlife Resources Commission, US Fish and Wildlife Service (USFWS)), and organizations known to be interested in the management on the Nantahala Ranger District. The project was planned and developed through close coordination with Friends of Panthertown and the Watershed Association for the Tuckasegee River. Formal responses were received from Jackson County Tourism, Friends of Panthertown, and the Watershed Association of the Tuckasegee River, all of which were supportive of the project.

### **Findings Required by Other Laws**

Forest Plan Consistency – The actions in this decision are consistent with the National Forest Management Act of 1976, with the 2023 Nantahala and Pisgah National Forests Land Management Plan (LMP).

Endangered Species – Implementing the actions in this decision will not affect threatened or endangered species, or result in loss of any other species’ viability, or create significant trends towards Federal listing of the species under the Endangered Species Act of 1973.

Cultural Resources – Consistent with the National Historic Preservation Act of 1966, the actions in this decision will not adversely affect any sites listed, or eligible for listing, in the National Register of Historic Places, nor will they cause the loss or destruction of significant scientific, cultural or historic resources.

This decision is compliant with the Clean Water Act, the Wilderness Act, the Wild and Scenic Rivers Act, the Clean Air Act, as well as Executive Orders 13186, Migratory Birds; EO 11988, Floodplain Management; EO 11990, Protection of Wetlands; and Executive Order 13112, Invasive species.

**Notice, Comment, and Appeal Opportunities**

This decision is not subject to appeal pursuant to 36 Code of Federal Regulation (CFR) 214.4.

**Implementation Date**

Implementation of this decision may occur immediately.



M. TROY WASKEY  
District Ranger

5/7/24  
Date