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September 16, 2008

Re: Improved Recreational Access to Mountaintown Creek

Dear Michele,

Thank you for the opportunity to comment on the proposal to improve recreational access to Mountaintown Creek (MC). Georgia ForestWatch (GFW) has a long standing interest in this area and would like to receive all further correspondence, information and announcements concerning this proposal.

Georgia ForestWatch supports a foot trail from the Bear Creek parking lot to the bottom of Mountaintown Creek as proposed. Many GFW members have regularly used Mountaintown Creek area for general solitude and recreational activities such as: hiking, hunting, fishing, and also educational hikes to practice plant identification and botany skills. These members have been accessing Mountaintown Creek from the Bear Creek parking lot since the Hill's Lake Access was closed nearly a decade ago. With this said, the claim that there is "no access" to Mountaintown Creek is somewhat puzzling. All that is required is a simple 20 minute cross country walk from the parking lot. Be that as it may, we fully support the creation of a formal, marked foot trail to the lower Mountaintown Creek flats area.

GFW does not support the extension of the existing mountain bike trail down MC across the section of the Pinhoti trail that was formerly closed to mountain bikes, thereby connecting it to the existing Bear Creek mountain bike trail. GFW believes that the existing mountain bike trail should be decommissioned due to the fact that the trail is located nearly entirely in the riparian zone of MC, and crosses the stream over a dozen times. It should be noted that GFW does in fact support mountain biking, as well as other forms of non-motorized recreation. Many GFW members and public supporters of our organization enjoy mountain biking in the Chattahoochee-Oconee National Forest (CONF). GFW has never objected to any of the many miles of appropriate mountain bike trails that have been constructed or improved across the CONF in the last two decades. But, recreational use of national forests *must* be in balance with both the physical and natural environment and the other recreational pursuits on any given area or trail. We believe that this proposal is a major action with extraordinary circumstances, including but not limited to the fact that this action is proposed in the riparian zone of a "Blue Ribbon" trout stream within an inventoried roadless area and will add to user conflicts and increase the possibility of injury to both bikers and hikers and would increase impacts on the stream.

A project such as the one proposed should at the minimum require an environmental assessment and opportunity for interested parties to comment on that assessment. If sensitive, rare or endangered species occur in Mountaintown Creek then a full Environmental Impact Statement process should be undertaken. As district personnel know, there was never any environmental assessment performed when the bike trail first appeared in the early 1990s and in fact the trail was an old logging road that had long been used by local hunters and fisherman. This action was illegal as the National Environmental Policy Act was in effect at that time. Bikers simply began using the trail and the Forest Service accepted it. No NEPA done.

Failure to follow NEPA procedures and properly analyze the effects of the mountain bike trail.

The Forest Service has acknowledged their failure to properly analyze or to perform any analysis at all when the trail was legitimized. The many GFW members, hunters, fishermen and the public who had used the area for decades since it was acquired by the Forest Service were given no opportunity to comment. At the July public meeting concerning the Mountaintown bike trail Ranger Jones and staff member Larry Thomas, in response to a question from GFW, stated that if they were to examine the Mountaintown area today they would *never place a bike trail down the riparian corridor* where it currently exists with slopes exceeding 30% and numerous fords. **Since USFS acknowledges this trail violates modern trail construction BMP's and agrees that it is unlikely that such a trail would be constructed in its current location today, an EA should be conducted if the trail is to remain open, since an environmental analysis has never been conducted.** Furthermore, because a NEPA analysis has never been conducted for the creation of this trail a categorical exclusion (CE) is not appropriate for this action in an inventoried roadless area ¹. Although a categorical exclusion may be applied for routine road and trail maintenance, use of a CE in this case assumes that the larger issues associated with operation of a mountain bike trail in an inventoried roadless area within a riparian zone, with grades of 30% and numerous fords have adequately been considered elsewhere. In this instance, the Forest Service has no environmental analysis to which this project may be tiered and must consider the cumulative impacts of maintaining an open mountain bike trail in a location that the district ranger has acknowledged is inappropriate by current standards. The proposed reconstruction of the bike trail contemplates using motorized equipment and heavy machinery in an inventoried roadless area to perform significant excavation in a riparian area to create broad based dips. This is a dangerous activity when performed on 30% slopes where the original road bed was blasted out of a rock wall and the trail surface has very little soil left and appears to be all rock. The disturbance and loosening of this old abandoned road bed to provide 'broad based dips', as this reconstruction proposes, may trigger unintended consequences including considerable erosion, stream degradation and surface irregularities.

(1) FS handbook concerning CE's...30.4 - Extraordinary Circumstances

Resource conditions that should be considered in determining whether extraordinary circumstances related to a proposed action warrant further analysis and documentation in an EA or an EIS are:

- (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;*
- (2) *Flood plains, wetlands, or municipal watersheds;*
- (3) *Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas;*
- (4) *Inventoried roadless areas or potential wilderness areas;*
- (5) *Research natural areas;*

One other issue relating to the failure of the NEPA process in regard to the proposed bike trail is that in 2002 (?) when the route for the Pinhoti trail was proposed that connected the Mountaintown Creek bike trail with the heavily used Bear Creek bike trail, ForestWatch was assured that bikes would not be allowed on this connector and thus the bike traffic on the MC trail would not increase. ForestWatch based our comments on this assurance and now just a few years later it is proposed that this pledge will be violated. When questioned concerning this change in policy agreement, Larry Thomas, the recreational specialist for the Conasauga District replied that the ban on bikes was a part of the proposal and decision because at that time it was thought that the Mountaintown Roadless Area in which the MC bike trail is located would be designated “Wilderness Study” in the then on-going forest planning process. As it turns out, even though this area was carried for five years in the developing plan as wilderness study area, the final plan, *for reasons that have remained unclear*, did not designate this area as “Wilderness Study” despite overwhelming public support for this designation. This raises the question of whether the proposed action contemplated without a NEPA analysis, does not prejudice this area for Wilderness designation in future forest plans. We believe it does. As the district spends greater effort and tax payer’s dollars to address the obvious impacts to the riparian zone of the creek, this “investment” will be pointed at later as a reason for not supporting Wilderness designation for the Inventoried Roadless Area. The issues here go far beyond simply fixing a poorly planned and perhaps illegal trail.

This proposal would certainly lessen the sense of solitude and isolation which the Forest Service uses as a criteria for roadless and wilderness designation. The introduction of heavy equipment including a track hoe and a motorized vehicle to carry gravel into the stream crossings, as contemplated, is inconsistent with the roadless designation that the Mountaintown area currently enjoys. The effects of this heavy construction will be to change a narrow footpath along a grown up old roadbed into what is effectively a road in what is a designated roadless area. The use of the Mountaintown trail as a footpath for hunters, fishermen, botanists and other nature lovers, who have traditionally used this trail prior to the imposition of the bike trail, would not require such drastic, costly, and heavy construction efforts as the conversion of this trail into one that would support heavy mountain bike use would entail.

Failure of the existing bike trail to adhere to Forest Service and other mountain bike trail construction guidelines.

According to the *USFS Trail Construction and Maintenance Notebook* (2007 Edition), trails should not exceed an average of 10 percent slope on any given section of trail. The Notebook also recommends the ½ Rule, which simply states that a given trail should not be greater than ½ of the total slope percent. On steep ground this is seemingly unavoidable but considering our mountain terrain, slopes of greater than 25% are almost always going to become trouble spots on the trail. After an appropriate trail is constructed it is important to outline who, when, and how trail maintenance should/will occur and questions about financing this work well into the future should be addressed prior to construction or refurbishment of the trail. The trail traversing the Mountaintown Creek Area violates these BMP’s outlined by the USFS Technology and Development Division in cooperation with recommendations by the FHA (*Federal Highway Administration*) and the USDOT (*United States Dept. of Transportation*). During a recent inspection sections of the trail were surveyed and numerous sections were found to be greater than 30%. The number of stream crossing is quite high with over 12 fords identified in the recent trail inspection. The same Trail Notebook recommends either rerouting the trail system to avoid crossing the stream, an option that in this case seems impossible. At the very least, tread should be placed into the stream, and the banks should be graded at the entrance and exit of

the crossing, and then armored to prevent erosion from traffic entering the stream at a harsh angle. It should be noted that IMBA, the International Mountain Bicycling Association, assisted the Forest Service in the creation of the "Trail Construction and Maintenance Notebook". It seems problematic that neither the Forest Service nor IMBA have any interest in following their own guidelines.

Safety, User Conflicts and Maintenance

The bike trail has sustained sections of trail that exceed 15% at the top of the trail and shorter sections in the 'gorge' that reach and exceed slopes of 30%. In many places the trail is quite narrow affording little passing room for bikers and hikers. The trail in many places is extremely rocky as well as steep and presents serious dangers to cyclists of toppling over. The bike trail is clearly dangerous should bikers and hikers share these trail sections simultaneously. A trail with such steep, narrow sections violates Forest Service direction for bike trail construction. It is likely that this trail has been used so infrequently up to now due to safety concerns and the lack of an available "legal" exit. The current sparse and infrequent use is a plausible reason for lower injury rates and user conflict incidents. It is likely that user conflicts and injury will increase with increased usage of this trail by mountain bikes. We believe that the decision reached during this process will remain in effect for decades and that the effect of this decision will significantly increase use of the bike trail as the Atlanta metropolitan population inevitably increases and the new through trail becomes better known.

At the recent walk through on MC trail GFW learned that there is to be a major reconstruction of the upper part of the MC trail involving a track hoe and other motorized activity costing some \$17,000 dollars. GFW believes this work is inappropriate at this time. As mentioned above no NEPA analysis was ever performed on the trail. At the first public meeting at Hill's Lake concerning the MC trail in July of 2008 Ranger Jones publicly assured the crowd that in the upcoming analysis of the bike trail all options were on the table including "*taking bikes off the trail.*" If Ranger Jones's comments were accurate and we believe them to be, then it is entirely inappropriate to prejudice the proposal outcome by performing expensive work with heavy equipment that would only be necessary if the bike trail would remain. Traditional log water bars, many already in place, simply need to be cleaned and augmented. This simple task could be performed by hand at little expense. The fords on this bike trail are not fords in the traditional sense of the word but stream crossings where the original log bridges, built for getting timber out, have collapsed. This old logging road that the bike trail uses was not constructed as a permanent road but for one time use to cut and haul the timber in the area. The stream crossings are steep drop offs into the creek and certainly not what a proper bike trail should use to cross a Blue Ribbon trout stream. The proposed reconstruction in fact halts well short of halfway down the trail because one of the stream crossings is considered too dangerous for the track hoe to navigate. How can terrain like this be considered proper for a bike trail? ***Clearly no responsible official today would site a bike trail on such terrain with numerous fords through one of Georgia's premiere trout streams.***

During the walk through on September the 6th the Southern Off-Road Bicycle Association (SORBA) arranged for three expert riders to ride down the trail and they passed the assembled group at one point. This encounter was in a steep rocky section of the trail but not the steepest or rockiest. It was clear from watching even these expert riders that it was difficult to remain upright. It should be noted that even though the trail etiquette sign at the top of the trail indicated that bikers should give way to hikers there was no attempt by these experienced riders to give way. The group of mountain bike supporters on the walk through instead hollered for the pedestrians to give way! If these veteran riders do not follow proper etiquette in the presence

of Forest Service personnel and the officers of SORBA then what should a backpacker, hunter or fisherman expect when they encounter groups of bikers? One biker suggested that bikers would go to great lengths to avoid collisions because of the cost of repairs to their bikes from a collision with a pedestrian. This concern for their bike's welfare will be of little comfort to a hiker struck by a careening out of control bike on the steep sections of the trail.

At the first public meeting in July of 2008, the question was asked of the assembled group of mountain bikers if there had been any accidents on the trail. It turns out that of the 20 or so mountain bikers present only one individual had ridden the trail and he knew of two injuries though he himself had only ridden the trail a few times. He dismissed the injuries stating that they were not significant because the injured parties had been able to self evacuate! Georgia ForestWatch surveyed the trail before the July meeting and found the trail had many blow-downs with little sign of use. Similar surveys over the past 8 years have yielded similar results. Without a legal exit and even the most expert riders unwilling to ride the trail back up, the trail has seen little use over the years. Does the Forest Service have any idea of how many people have ridden the trail and how many people have been injured? The Forest Service proposal would dramatically increase the number of riders on this dangerous trail and thereby increase the number of injuries. This same lone individual at the July meeting, who had ridden the trail, acknowledged that he had quit riding the trail because of the lack of legal exit. It is certain that if the exit for the trail is improved then use will dramatically increase on a trail that the Forest Service admits would not be designated as a bike trail today. The lone mountain biker at either public meeting who had ridden the trail suggested that the long strenuous ride around on Forest Service roads to the top of the trail would always mean that the trail would be little used. Georgia ForestWatch disputes this and predicts with a legal exit and more publicity usage will increase. If usage were to remain minimal than the cost of construction and maintenance plus the safety and user conflict issues and risks of continued siltation of the trout stream are just not worth the effort and expense. It is necessary to conduct an Environmental Assessment, at the least, to determine the situation.

Georgia ForestWatch suggested that over time formal or informal shuttles will be put into place to provide a convenient way for riders to experience the downhill thrill ride. This idea was dismissed by the bikers at the September 2008 trail inspection despite the fact that all present at the meeting except for the ForestWatch participants had in fact been shuttled by the Forest Service to the top of the trail for the walk through. Since individual recreational time is limited in our fast paced world, it is somewhat irrational to suggest that groups of casual users would not take advantage of their personal motorized transportation, and drop each other off at the top of the Mountaintown Creek trail, and park vehicles at the top and bottom to increase the convenience of their personal use of the trail. The "shuttle" system principle is commonly utilized by many recreational user groups of all walks and interest, who intend to use trail systems that are either quite lengthy or are easy "one way" trails for the simple purpose of time efficiency. If this proposal is advanced the Forest Service could well be creating an attractive nuisance.

The Forest Service has clearly been unable to maintain this bike trail over the years. ForestWatch surveyed this trail with Forest Service recreational specialists Larry Lockett and Larry Thomas in 2000 and two years later with SORBA staff and found identical conditions. The trail had many blow downs, was eroding as log water-bars had filled in, and showed little signs of use. The Forest Service and SORBA staff assured Georgia ForestWatch at the time that SORBA volunteers would perform regular maintenance. Annual surveys since then by ForestWatch surveyors have found the same conditions and no sign of maintenance. Prior to the July public meeting ForestWatch members walked the trail and found it to be in the same disrepair. At the September walk through there was finally some evidence of volunteer maintenance of the trail.

Unfortunately this ‘maintenance’ appeared to consist solely in weed eating the trail. No effort was put into cleaning log water bars or installing new ones. Weed eating does not halt erosion and while appropriate for front yards, it provides little benefit to a poorly sited bike trail. At what point in time will there be a regular maintenance program for this trail? Larry Thomas reported maintenance projects by SORBA over the years but this must also have consisted solely of weed eating or took place somewhere else as ForestWatch has seen no evidence of work on erosion control systems over the years. As we all know the Forest Service budget provides little money for trail maintenance and if history is a guide, as it must be, volunteer efforts are not sufficient to maintain this poorly sited trail.

It should be noted that conversations with local mountain bike leaders and trail maintainers confirms that the maintenance of the nearby Bear Creek Mountain Bike trail has been problematic due to a shortage of workers. We believe that time will indicate that the proposed trail re-route will increase trail usage and maintenance needs. It should also be noted that light rains in the Bear Creek mountain bike trails watershed visibly increase the turbidity of that stream.

Environmental Impacts

The existing bike trail is causing noticeable erosion on the fords which flows into MC. While MC remains healthy, any additional silt load over the long run is harmful and the steep grades on the trail make it inevitable that this erosion will continue and of course increase as use of the trail increases. Mountaintown Creek harbors a silt load of historical origin from past logging during the early 1900’s and the more recent clear-cut era from the mid 1960’s to mid 1990’s plus the subsequent recreational use of the Mountaintown Creek trail, which is working its way down stream, especially during high water storm events. This natural flushing of sediment downstream is resulting in cumulative impacts to the privately held Hill’s Lake, filling it in and ruining its scenic value and fishing opportunities. Though Forest Service representatives take no responsibility for this situation and United States Department of Agriculture experts claim that this is one of the purposes of this lake and the many other flood control structures built by the Army Corps of Engineers in the 1960’s for flood control and recreational fishing, it seems irresponsible on the part of both agencies to just accept a bad situation, and to support any action that has the potential to actually increase the silt load to the creek and eventually to Hill’s Lake.

We believe an environmental assessment for this proposal is necessary to determine the overall health of Mountaintown Creek beyond a simple water quality definition. Our concern is for the full biodiversity of life in the stream, especially populations of sensitive, rare and endangered species. We know that many of our southern Appalachian streams contain world class levels of several species of aquatic life and are concerned about the present condition of any populations that may occur and whether the proposal’s cumulative impacts might harm these populations. Please see “Known Occurrences of Special Concern Plants, Animals and Natural Communities in Coosawattee Creek Watershed (HUC8: 03150102)” attached as part of this response as the species of concern, especially the aquatic species listed therein.

Finally we would like to share two videos from the web “You Tube” site that covers mountain bike recreation on the Mountaintown Trail. Especially revealing are the segments of bikers negotiating the “rock garden” section in the upper reaches and stream crossings. These videos can be seen at <http://www.youtube.com/watch?v=bEimB0IB-Zo&feature=email> and <http://www.youtube.com/watch?v=Xy-qYrW2TA0&feature=email>.

It is imperative that we as stewards of the land protect National and State forest lands, as they are becoming some of the last remaining places that citizens have to experience nature in the purest sense and outdoor recreation on large tracts of land.


Thank you again for considering these comments in your decision making process.

Sincerely,



Wayne Jenkins

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Darren L. Wolfgang

Forest Ecologist
Georgia ForestWatch

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**Known Occurrences of Special Concern
Plants, Animals and Natural Communities in
Coosawattee Creek Watershed (HUC8: 03150102)**

Find details for these species at www.georgiawildlife.com and at www.natureserve.org/explorer.

"US" indicates species with federal status (Protected or Candidate).
Species that are federally protected in Georgia are also state protected.
"GA" indicates Georgia protected species.

ANIMALS (22 Known Elements)

- Amblema elliottii* (Roundlake)
- GA - *Cambarus coosawattae* (Coosawattee crayfish)
- GA - *Cambarus speciosus* (Beautiful crayfish)
- US - *Cyprinella caerulea* (Blue shiner)
- Desmognathus folkertsi* (Dwarf black-bellied salamander)
- Elimia capillaris* (Spindle elimia)
- GA - *Etheostoma brevirostrum* (Holiday darter)
- Etheostoma coosae* (Coosa darter)
- Etheostoma jordani* (Greenbreast darter)
- GA - *Etheostoma rupestre* (Rock darter)
- GA - *Etheostoma trisella* (Trispot darter)
- US - *Haliaeetus leucocephalus* (Bald eagle)
- GA - *Hybopsis lineapunctata* (Lined chub)
- Lythrurus lirus* (Mountain shiner)
- GA - *Macrhybopsis sp. 1* (Coosa chub)
- Macrhybopsis storeriana* (Silver chub)
- Notropis volucellus* (Mimic shiner)
- US - *Percina aurolineata* (Goldline darter)
- Pituophis melanoleucus melanoleucus* (Northern pine snake)
- US - *Pleurobema decisum* (Southern clubshell)
- Quadrula rumphiana* (Ridged mapleleaf)
- Sorex hoyi* (Pygmy shrew)

COMMUNITIES (1 Known Element)

- Br boulderfield forest* (Boulderfield forest)

PLANTS (41 Known Elements)

- Agastache nepetoides* (Yellow giant hyssop)
- Aster phlogifolius* (Phlox-leaved aster)
- GA - *Berberis canadensis* (American barberry)
- Calystegia catesbeiana* ssp. *sericata* (Silky bindweed)
- Carex appalachica* (Appalachian sedge)
- Carex manhartii* (Manhart's sedge)
- Carex scabrata* (Sedge)
- GA - *Cypripedium acaule* (Pink ladyslipper)
- Cypripedium parviflorum* var. *pubescens* (Large-flowered yellow ladyslipper)
- Delphinium tricorne* (Dwarf larkspur)
- Dryopteris celsa* (Log fern)
- Eleocharis tenuis* var. *verrucosa* (Warty slender spikerush)
- Erigenia bulbosa* (Harbinger-of-spring)
- Heracleum lanatum* (Masterwort)
- Hydrophyllum macrophyllum* (Largeleaf waterleaf)
- Hypericum dolabriforme* (Glade st. johnswort)
- Juncus filipendulus* (Texas plains rush)
- Juncus gymnocarpus* (Naked-fruit rush)
- Leavenworthia uniflora* (Gladecress)
- Lygodium palmatum* (Climbing fern)
- GA - *Lysimachia fraseri* (Fraser's loosestrife)
- Melanthium latifolium* (Broadleaf bunchflower)
- GA - *Monotropsis odorata* (Sweet pinesap)
- Panax quinquefolius* (American ginseng)
- Phacelia fimbriata* (Fringed phacelia)
- Phlox amplifolia* (Broadleaf phlox)
- Platanthera peramoena* (Purple fringeless orchid)
- Polemonium reptans* (Jacobs ladder)
- Prunus virginiana* (Chokecherry)
- GA - *Sabatia capitata* (Cumberland rose gentian)
- US - *Sarracenia oreophila* (Green pitcherplant)
- US - *Scutellaria montana* (Large-flowered skullcap)
- Stachys eplingii* (Epling's hedge-nettle)
- Symphotrichum novae-angliae* (New england aster)
- Thermopsis fraxinifolia* (Ash-leaf bush-pea)
- Thermopsis villosa* (Aaron's rod)
- GA - *Trientalis borealis* (Starflower)
- Trillium simile* (Sweet white trillium)
- Triosteum aurantiacum* (Wild coffee)
- Veratrum viride* (American false hellebore)
- US - *Xyris tennesseensis* (Tennessee yellow-eyed grass)

Disclaimer

Please keep in mind the limitations of our database. The data collected by the Georgia Natural Heritage Program comes from a variety of sources, including museum and herbarium records, literature, and reports from individuals and organizations, as well as field surveys by our staff biologists. In most cases the information is not the result of a recent on-site survey by our staff. Many areas of Georgia have never been surveyed thoroughly.

The Georgia Natural Heritage Program can only occasionally provide definitive information on the presence or absence of rare species in a given area. Our files are updated constantly as new information is received. Thus, information provided by our program represents the existing data in our files on the date indicated on these pages and should not be considered a final statement on the species or area under consideration.

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(For email, please replace "at symbol" above with @)