

Appendix B
Public Involvement

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Existing Potential Issues

In accordance with laws and regulations, factors such as vegetation, wildlife, threatened and endangered species, water and air quality and cultural resources would be addressed in the analysis. The proposed action would likely develop unresolved conflicts or concerns that reflect opposing views concerning these and other factors. These concerns, or issues, would be used to develop a reasonable range of alternatives so the deciding official can make an informed decision. Other concerns or issues may develop as a result of public comment. Several preliminary issues have been identified by the interdisciplinary team for consideration in the analysis of the NE Corner Project. This includes, but is not limited to the following:

- Forest health and vigor
- Protection of cultural resources
- Threatened, Endangered, or Sensitive Species habitat may be present and need to be protected.
- The proposed activities may conflict with hunting and may need seasonal restrictions
- Cumulative effects of management actions in the NE Corner Project Area and those of the adjacent Peck Ranch and Rocky Creek State Conservation Areas would also be considered.

Issues Identified During Scoping

A Scoping Report and cover letter were mailed to interested parties, as well as neighbors within or adjacent to the project area on January 31, 2003. Scoping letters asked for any issues relevant to the site-specific locations of the proposed projects. Previous to the Scoping Report mailing, the NE Corner Project had been on the Forest's Schedule of Proposed Actions (SOPA) since July 2002 (4th Quarter FY2002). The public was also notified of the project in a legal notice published February 5, 2003 in the Current Wave Newspaper of Eminence MO. On April 28, 2003, the ID team met for the second time to discuss comments received from scoping, identify issues in those comments and develop alternatives to the proposed action from the issues. A summary of the comments received identified the following issues and concerns:

One phone call from Hank Dorst of Mark Twain Forest Watchers was received (comments documented) and issues identified were:

- ✓ Old growth should be designated in blocks versus dispersed stands
- ✓ Maintain large trees characteristic of old growth in stands proposed for treatment.

One letter was received from Noel Poe, Superintendent of the Ozark National Scenic Riverways, National Park Service in Van Buren and the issue identified was:

- ✓ Sediment, both fine and coarse sediment, produced by proposed actions (particularly roads), may enter losing streams in spring recharge areas (NE Corner Project area is within the Big Spring recharge area).

There was one twenty-page letter requesting consideration of numerous issues, concerns, and topics from Jim Bensman of Heartwood. In general, Heartwood comments are repeated from project to project with little to no site-specificity. Most comments are stated opinion. Some address, in a general way, the same issues raised by more site-specific comments of others. These comments are best addressed in the general analysis of direct, indirect and cumulative effects in the environmental documentation. Many comments are simply accusations about and disagreement with Forest Service policy and practice. The following are a listing of those numerous issues, concerns, and topics that can be identified in Heartwood's comments.

- ✓ Logging is an inappropriate use of the public forests and is contrary to the public interest.
- ✓ The Purpose and Need is too narrowly defined to provide the opportunity to develop alternatives that do not contain logging (beside the No Action alternative) which, therefore do not give the Deciding Officer alternatives to choose from that respond to the public's will.
- ✓ Natural processes that create early successional habitat must be shown by analysis to be inadequate in meeting the need for this type of habitat created by timber sales.
- ✓ Biodiversity must be addressed in regard to all species through a wide range of variables.
- ✓ Fragmentation must be addressed in regard to all species through a wide range of variables.
- ✓ Secondary impacts must be addressed for the effects of logging on the balance of interdependent species populations (no species identified in comment), increased deer numbers, songbird decline, road kills, wind throw, and wildlife mortality/suffering.
- ✓ Compliance with the Migratory Bird Treaty Act
- ✓ Baseline data site-specific to the project area for Management Indicator Species (MIS), forest interior birds, reptiles, and amphibians must be obtained prior to proposing and/or implementing projects.
- ✓ Disclosing the impacts of proposed actions on soil (including soil microorganisms) and water quality.
- ✓ Proposed actions will increase on fire danger, introduce and spread invasive exotic species, increase water flow and sediment to caves and springs.
- ✓ Roads not on the Forest Transportation Plan inventory must be closed permanently and ripped, re-contoured, and revegetated.
- ✓ Baseline data and analysis of effects must include reptiles and amphibians, bats, and unique plant communities.
- ✓ The Forest Service overlooks timber theft by failing to follow its own policies.
- ✓ An alternative banning exports should be considered.
- ✓ This proposal will result in below-cost timber sales.
- ✓ Group selection using area regulation creates ecological traps, resulting in species failing to reproduce due to predation and cowbird parasitism.
- ✓ Implementation of the proposed action will result in the death of Indiana bats.

Comments Received on the Proposed Action (Submitted for 30-Day Review)

There were four submissions constituting comments on the proposed action distributed for 30 days under 36 CFR 215. Two submissions (Heartwood/Missouri Forest Alliance and Ozark Chapter, Sierra Club) were received via the automated reply inbox at: comments-eastern-mark-twain-eleven-point@fs.fed.us. Heartwood's comments were submitted by Jim Bensman, Missouri Forest Alliance's Jim Scheff co-signed onto Heartwood's comments and Dee Dokken submitted for the Ozark Chapter, Sierra Club. One submission came in the mail from Cory Ridenhour of the Missouri Forest Products Association. Finally, verbal comments were made by Hank Dorst during a phone conversation with David Doss, District NEPA Coordinator/Integrated Resource Analyst documented as received at 4:25 PM on November 7, 2003. All comments were timely and are summarized below.

Hank Dorst's comments were:

- ✓ The Proposed Action Report was not a proposed action but a display of alternatives
- ✓ Not all of the desired changes/additions to old growth stands that Mr. Dorst had identified in scoping comments submitted were affected.
- ✓ Compartment 281/Stand 1 is a good old growth opportunity due to existing old growth characteristics in this stand.
- ✓ The Proposed Action Report referenced mitigations on page 20 however, there were none.

Cory Ridenhour's comments were:

- ✓ We support your proposed actions to provide 0-9 age habitat and request that the Forest Service carefully evaluate the feasibility of maintaining all pine, mixed pine-hardwood, and hardwood stands.
- ✓ We support some old growth component throughout the forest but urge the Forest Service to carefully evaluate the quantity, quality and distribution of old growth stands throughout the forest.
- ✓ We realize the need for semi-open habitat, especially for wildlife, but urge the Forest Service to look at establishing, when and where possible, open areas by an E.A.M. (even-aged management?) process, at least on the short term.
- ✓ We support your proposed action for providing healthy forest, however we hope that as much thinning as possible will result in yielding commercial forest products.
- ✓ We encourage the Forest Service to work with MDC and the University of Missouri to find the best solution to managing our hardwood forest (oaks) to lessening the impact of oak decline.
- ✓ We support providing for a safe forest transportation system, but would point out that road closures can cause negative public relation problems for the Forest Service.
- ✓ Forest roads provide access to forest users for a variety of uses, especially hunting. Hunting and fishing have a significant positive impact on the economy of Missouri, especially in financially depressed areas of Missouri.

Dee Dokken's comments were:

- ✓ The Ozark Chapter, Sierra Club wants to see the Mark Twain National Forest managed for ecosystem health, biodiversity on a landscape scale, protection of watersheds and for non-destructive forms of recreation.
- ✓ The Sierra Club supports thinning and prescribed burns where needed to reduce the risk of fire around communities. We oppose Forest Service actions that promote future fire risks. Heavy cuts that result in dense, unhealthy stands in 30 years should be avoided.
- ✓ We would like to see the natural disturbances that always occur, i.e. tornadoes, insects infestations, etc. produce the diversity in age classification that is called for in the Forest Plan.
- ✓ We prefer Alternative 3 over Alternative 23 because it allows for slightly more Old Growth.
- ✓ Adding Compartment 282/Stand 59 to the Old Growth block is a good idea. Some compartments still have very fragmented Old Growth components such as Compartment 284.
- ✓ The Sierra Club is in favor of re-introducing fire into the Ozarks in sites where it pre-existed prior to European settlement, we are frustrated that such burning is eliminated in the same Alternative 3 that maximizes Old Growth designation.
- ✓ We would like to see an alternative that manages for ecosystem health without commercial logging. The No Action alternative does not necessarily represent this position.
- ✓ It is good to see the consideration of the 31 miles of skid trails and the cumulative effects of management actions in this area will be considered with those of adjacent Peck Ranch and Rocky Creek State Conservation Areas.
- ✓ The Sierra Club thinks that there should be an EIS for this project.

Jim Bensman/Jim Scheff comments were:

Logging is an inappropriate use of the public forest and is contrary to the public interest.

All laws that apply to the project need to be followed.

Not providing an EA to comment on is consistent with the new regulations, it is not consistent with the Appeal Reform Act (16 USC 1612).

We assert that comments pertaining to the appropriateness of timber sales and other policy and management issues are within the scope of the proposed action and specific to the action in that they pertain directly to the motivations, the purpose and need, and design of the proposal. These types of comments, and specifically those in this comment letter, must be considered and constitute eligibility to appeal.

In the NE Corner document there are also some particular concerns that need to be addressed:

1. On page 7 of the EA, the Forest Service outlines three types of regeneration cuts, Actions 1a, 1b, 1c, and 1d (shelterwood, seed tree, clearcuts, and group selection respectively). Action 1e states that “following regeneration harvest, all non-commercial trees over 6 feet tall would be felled to encourage sprouting on 314 acres”. Does Action 1e pertain to followup actions to 1a-d or is does it refer to entirely different acres? This is not clear.
2. The project area is integrally related to adjacent private land. How is the FS included the status of the adjacent private land in its analysis of the perceived needs of the project area. The status of adjacent private land needs to be included in the discussion and analysis of any proposed action.
3. The Forest Service needs to reassess the ridiculousness of its standard for old growth habitat (8-10%) and apply this reassessment and its corresponding assumptions to the NE Corner project. Is one to seriously believe that over any given hundred or so year period that the Ozarks underwent catastrophic events at such a scale and frequency that only 8-10% of the forest was left intact?
4. The continuing red oak borer “problem” and the preponderance of red oak borer mortality over the past few years is a result of a maturing even-aged forest dominated by drought intolerant red oaks, a condition created after clearcutting led to even-aged forests.

Problems 1-4 need to be addressed and defended consistent with the OMB and USDA Information Quality Guidelines.

Public Opinion (summarization) – Public opinion poll presented that indicates some general public opposition to logging on national forests. Former Chief Jack Ward Thomas is quoted as characterizing this public opinion as “about evenly split about whether we should harvest timber from national forests or not”. Comment calls for consideration of alternatives that do not include logging and that the No Action alternative is not an acceptable substitution. The comment claims the Forest Service is predisposed not to select No Action.

Scientists Call For End To Logging National Forests – Comment requests consideration of a letter co-signed by 200+ scientists which call for an end to commercial logging on national forests.

Need For Timber Sale (summarization) – Comment questions need for timber sales and requests that analysis consider why natural processes will not create early successional habitat in sufficient quantity to eliminate the need for timber sales to create such habitat.

Biodiversity (summarization) – Comment requests consideration of biodiversity at all levels of diversity (regional landscape, community/ecosystem landscape, population/species, and genetic) and for all species. Comment asks for consideration of pre-settlement condition of the project area as a benchmark with which to compare the existing condition and proposed changes. An emphasis on neotropical migrant birds is noted in the comment. Comment lists numerous variables for consideration both at all levels of diversity and variables for consideration in the context of their historical ranges of natural variability.

Fragmentation (summarization) – Comment requests consideration of fragmentation most often with regard to neotropical migrant birds. Comment requests consideration of all levels of fragmentation that exist and that will result from implementing an alternative(s). Comment requests that fragmentation effects be considered for all species. Comment lists numerous variables for consideration relating to fragmentation, such as impacts to T&E species, sensitive species, old growth opportunities, amount/distribution of late successional habitat, uncommon habitat, habitat compromised by edge effect, road less areas, and habitat patches by seral stage, forest type, size distribution, perimeter/edge ratio, degree of connectivity, degree of structural contrast and population viability for species or feeding guilds prone to fragmentation effects. Comment requests consideration of early successional habitat on private land.

Secondary Impacts (summarization) – Comment requests consideration of topics such as the impacts on the balance of interdependent species populations, increased deer numbers, decreased songbird declines and associated impacts to forest growth due to reduced insect-eating bird numbers, impacts of roads on wildlife mortality, isolation of species, and the possibility of blowdown.

Impacts On Plants & Animals In The Sale Area (summarization) – Comment requests consideration of direct and indirect wildlife mortality in timber sale harvest units. Comment requests consideration of humane and anti-cruelty laws and their application to wildlife mortality in timber sale units.

Migratory Bird Treaty Act or MBTA (summarization) – Comment suggests that analysis give consideration to possible violation of the provisions of the MBTA by loggers in implementing timber sale actions.

Baseline Data (summarization) – Comment requests that Forest Service obtain baseline data via field surveys on all Management Indicator Species (MIS), forest interior birds and reptiles and amphibians. Comment suggests the need for an adequate monitoring plan be in place for plant and animal surveys in all seasons, population and threat trends for threatened, endangered, sensitive, and MIS species and at District, Forest and Regional levels. Comment requests consideration and disclosure of all monitoring done in the project area.

Physical Environment (summarization) – Comment requests the consideration of the following attributes of the physical environment: carbon holding capacity, nitrate levels, impacts to soil and water quality, and impacts to aquatic communities. Comment on water quality includes a request to consider 16 factors that relate to aquatic habitat quality and site-specific Best Management Practices or BMP's. Comment requests consideration of the nutritional value of plants in created openings.

Fire Danger – Comment requests the consideration of how the timber sale will increase the fire danger and how far a fire could spot and the danger to nearby structures.

Exotic Species – Comment requests consideration of how the timber sale could possibly introduce and spread invasive exotic species.

Caves, Springs, & Groundwater (summarization) – Comment requests the consideration of groundwater and subsurface water flow increases through caves and from springs due to timber sale actions. Comment also requests consideration of temperature change and increased sediment.

Roads (summarization) – Comment requests consideration of any road not on the Transportation inventory be closed, as well as roads that exceed Forest Plan standards for number of open roads. Comment requests that road closures in place be enforced, damage to roads and bridges from logging traffic be disclosed, and that direct, indirect, and cumulative effects on local residents/landowners also be disclosed.

Invertebrates & Microorganisms – Comment request consideration of impacts to soil microorganisms (fungi & bacteria), completion of inventories of these organisms, and impacts of compaction, vegetation removal, and erosion.

Dead & Decaying Wood (summarization) – Comment request consideration of the dead/decaying wood component of the forest ecosystem, how many standing/fallen dead trees there would be in a healthy natural forest, current status of this component, and the effects of the proposed action on this important habitat.

Fish & Wildlife – Comment requests consideration of reptile and amphibian decreasing populations around the world, impacts to salamanders, status of native fisheries & mussels, stream habitat quality compared with historic conditions in the project area, Forest and region-wide, population trends of exotic or introduced species relative to native fisheries and mussels in the project area and the impacts the project will have on these populations.

Bats (summarization) – Comment makes several statements about bats and their habitats. Comment requests Forest Service prohibit logging, mining, off-road vehicle use, applications of chemical agents, prescribed burning in or near areas of known bat populations (particularly known summer roosting areas and hibernacula) and the gating/monitoring in or near caves to identify malicious activities.

Unique Plant Communities – Comment requests identification and protection of all T&E species (as well as species considered for this status), all state-listed species and all sensitive species.

Timber Theft (summarization) – Comment suggests the need to consider timber theft and alleged Forest Service failures to control this and other illegal activities (such as illegal ATV operation).

Need For The Sale (summarization) – Comment suggests that other sources can provide society's need for wood (such as state and private land) and this should be considered in the analysis. Comment also request consideration of need for project area to provide wood products and need to ban wood product exports.

Recreation (summarization) – Comment requests consideration of the impacts of the project on all aspects of forest recreation, the ability of private land to provide recreation and timber (versus National Forest land providing those goods and services) and disclosure of jobs/income created by recreation to compare with those jobs/income created from logging.

Economics (summarization) – Comment alleges project to be below-costs and requests analysis as a below-cost sale. Comment suggests that the following costs be included in the economic analysis: Road costs (construct/reconstruct & wear/tear), county payment, land survey, sale administration costs, sale preparation costs, planning (including silvicultural exams), reforestation and timber stand improvement costs, general administration costs, building depreciation, Washington/Regional Office overhead, and law enforcement. Comment request consideration of the economic value of a standing forest such as carbon storage, flood prevention, watershed protection, tourism, recreation, mushroom-gathering, etc. and compare this to the economic value of the cut-over areas.

Graphics – Comment suggests the use of graphics to display the following 19 items: 1) Past logging sites; 2) Timberland Suitability; 3) Old Growth; 4) Interior Forest; 5) Existing Roads; 6) Roads Density; 7) Vegetation Type; 8) Soil Type; 9) Topographical Information (% Slope); 10) Unstable or potential Mass-wasting Slopes; 11) Management Area Prescriptions; 12) Cliffs, Waterfalls, Talus fields, etc.; 13) Snag Density; 14) Wetlands and Riparian Areas; 15) Trails; 16) Visual Quality Objectives; 17) Property Ownership; 18) Right-of-Ways, Powerlines, etc.; and 19) Sensitive Areas (i.e. wilderness, natural areas, etc.).

Various – Comments identifies articles that alleges the Forest Service does not act in the public's interest and the Forest Service is biased in favor of logging. Comment also identifies the Inspector General's Report, "Timber Sale Environmental Analysis Requirements" as needing consideration.

Indiana Bat (summarization) – Comment requests consideration of the Indian Bat and all research on this Endangered Species per summer, fall, and winter habitat, summer roosting and foraging habitat, roost tree loyalty and location, mortality of roosting bats during timber sale actions, increasing food competition with and predation of Indian bats in openings, the presence of hibernacula, and the possibility of logging "taking" Indian bats.

Tallying issues contained within all comments from scoping and 30-day period resulted in the following:

1. Old growth should be designated in blocks versus dispersed stands and treatment stands should maintain large trees characteristic of old growth.
2. Sediment, both fine and coarse sediment, produced by proposed actions (particularly roads), may enter losing streams in spring recharge areas (NE Corner Project area is within the Big Spring recharge area).
3. The desire to prescribe burn approximately 660 acres to create pine woodland will, over time, reduce the ability of these acres to produce timber products in a Management Area (MA) that emphasizes economically efficient pine timber products production.