

**File Code:** 1920**Date:** July 29, 2015**Route To:****Subject:** Clarification of the 2014 George Washington National Forest Revised Land and Resource Management Plan**To:** Record

We received an administrative appeal of the Record of Decision (ROD) approving the 2014 George Washington National Forest (GWNF) Revised Land and Resource Management Plan (Plan) and its Final Environmental Impact Statement (FEIS). The appeal was filed by the Southern Environmental Law Center on behalf of the Shenandoah Valley Network, The Wilderness Society, and Sierra Club-Virginia Chapter. The appeal sought clarification from the Forest Service on several identified management issues. We clarified these issues and as a result the appeal is being withdrawn. We want to share this clarification with others who may have the same concerns. This letter contains the clarifications and will be posted on the internet so that others may also understand what was meant in the Forest Plan.

As the Plan describes, while the Plan guides forest management, the Forest Service will implement the Plan through future, site-specific projects. These projects will be determined by site-specific project analyses and decisions and will require another phase of environmental analysis and decision-making. The following items will be further addressed during project implementation:

1. Potential Wilderness Areas. Specific characteristics and attributes of the identified Potential Wilderness Areas (PWAs) within the GWNF remain relevant to project-level planning and will be further considered at that time. As stated in the Plan's FEIS, management prescription allocations in the Plan do not necessarily commit an area to development. Before a decision is made to conduct activities in a PWA, site-specific analysis must be conducted. Any project level environmental analysis is guided by the issues developed during project scoping. If the public, Forest Service staff, or others identify issues regarding whether the characteristics of a PWA would be affected by a proposed activity, the environmental analysis would address that issue. When such issues are raised, the site-specific analysis will include consideration of: (1) the effects on the PWA's characteristics and on the PWA's status for inventory and evaluation in the future, based on the applicable criteria, which currently are described in Forest Service Handbook 1909.12 (2015), Chapter 70, Sections 71 (Inventory) and 72 (Evaluation), respectively; and (2) alternatives (if a project is not categorically excluded) that could avoid or mitigate adverse effects on these characteristics.
2. Distinctive or High Public Interest Areas. Similarly, there are various other areas within the GWNF, including many of the areas included in The Wilderness Society's *Virginia's Mountain Treasures*, which have distinctive characteristics and/or a high level of public



interest. As concerns about the characteristics of any such area are identified in project-level scoping by the public, Forest Service staff, or others, these areas' characteristics will be considered in the project-level planning and analysis.

3. Old Growth. As the Plan provides, during project planning, any stands proposed for timber harvest will be inventoried for existing old growth conditions using the criteria in Appendix B of the Plan and the *Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Region*. This inventory will be a field survey. Any existing old growth patches that are identified will be recorded in a manner that allows their existence and contribution to the GWNF's old growth network to be documented, tracked over time, and considered in future project—or forest—planning. The Plan allows existing old growth within Old Growth Forest Type (OGFT) 21-Dry-Mesic Oak Forest and Type 25-Dry & Dry-Mesic Oak-Pine Forest to be considered for timber harvest, following certain analysis required by the Plan. Any such analysis will include consideration of the contribution of identified patches to the representation, distribution, and abundance of the specific forest type within the old growth community classifications and the desired condition of the appropriate prescription. These decisions will be part of the project-level analysis and subject to public involvement. The Plan does not specify the precise criteria for the adequate representation, distribution, and abundance of all specific forest types within the OGFT 21 and 25 community classifications at relevant scales (e.g., watershed and compartment); therefore, those issues will receive further consideration during plan implementation.
4. Ecosystem and Species Diversity. The models, processes, biophysical settings, ecological system descriptions, and other analyses used to develop the Plan components for ecological or ecosystem diversity and for species diversity, including the Ecological Sustainability Evaluation tool, will continue to be further tested and refined during plan implementation, based on site-specific analysis and application at the project level, other field work, monitoring, evaluation, new scientific and other information, and changing conditions on the GWNF.
5. Timber Suitability. The Plan provides that the final determination of suitability for timber production is made at the site-specific project level. This determination will confirm that lands proposed for timber production meet suitability criteria as described in Tables C-1 and C-2 in the Plan and meet minimum management requirements in 36 CFR § 219.27 (1999). Therefore, not all of the 452,000 acres of land identified as suitable for timber production in the Forest Plan may be confirmed as suitable during project level analysis. Nor will all suitable acres be proposed for timber production during project level analyses. Other factors will be considered during project planning and analysis, such as: sale feasibility, road access, slope, soils, timber harvest methods, mitigation measures, economic efficiency and environmental effects.
6. Woody Biomass. During Plan implementation, the Forest Service will study, monitor, and evaluate the effects of a sample of woody biomass removals from the GWNF, including but not limited to the study currently proposed in the Lower Cowpasture Restoration and Management Project area, and amend the Plan if needed.

7. Monitoring. The GWNF monitoring program is being developed pursuant to 36 CFR § 219.12 (2012) and the Plan. As the Monitoring Framework is further refined during Plan implementation into Monitoring Elements and Task Sheets, the Forest Service will inform the public and provide opportunities for public participation and comment on the monitoring program.
8. Forest Plan Framework for Gas Leasing. As described in Chapter 3 of the Forest Plan (Plan page 3-26):

*“At the same time that the Forest Plan was completed, the GWNF also made the decision on which lands would be available for oil and gas leasing. This leasing availability decision, as described in the Record of Decision, makes National Forest System lands unavailable for federal oil and gas leasing. This decision does not affect existing oil and gas leases or privately owned oil and gas rights. Since this is a separate decision, new information could develop resulting in a new availability decision before the plan goes through another full revision. Therefore, this plan establishes a framework to guide any future availability decisions by including direction on the suitability of areas for leasing under various conditions and standards to direct drilling activities.”*

In developing the alternatives for the FEIS, the Forest Interdisciplinary Team identified practices that could minimize or mitigate impacts on forest resources from potential gas drilling. The purpose of including this framework in the Plan was to carry forward some of this analysis to provide a base level of protection if a new decision on leasing availability is ever considered in the future. Part of this framework involved identifying lease stipulations (such as No Surface Occupancy or Controlled Surface Use) associated with certain management prescriptions. For example, to assure no surface disturbance in Special Biological Areas, these areas are identified as “suitable for federal oil and gas leasing with a ‘no surface occupancy’ stipulation to protect threatened, endangered, sensitive, and locally rare species.” Since identifying an area as “suitable” for a use is not a commitment to authorize such a use, this description in the Plan was not intended to indicate that these areas should be authorized for gas leasing. Rather, it was intended to identify that the stipulation was important if any leasing were to be considered in that prescription area. Nor was there any intent that the framework could be used in the future to justify reconsidering or changing the existing leasing availability decision.

9. Gas and Oil Leasing Availability. If it is determined that a new leasing availability decision needs to be considered or that changes to the existing leasing availability decision need to be considered, the process outlined in 36 CFR § 228.102 and any other applicable authorities would be followed. This would include environmental analysis pursuant to the National Environmental Policy Act (NEPA) with public notice and comment. Any new or changed decision would also require new consultation, pursuant to the Endangered Species Act, with the U.S. Fish and Wildlife Service.
10. Areas Currently Under Lease. Approximately 10,000 acres of the GWNF are under current federal oil and gas leases. The ROD documents the decision that, if these leases expire, terminate, or are relinquished, these lands will continue to be legally available for federal

oil and gas leasing. If the Bureau of Land Management (BLM) receives an expression of interest in leasing any of these lands after the time that the current leases are no longer in effect, the Forest Service will evaluate the proposal before consenting to lease the lands. Current direction for conducting this evaluation is described in a File Code 2820 memo from the Regional Forester, dated April 15, 2014 (Attachment 1), 36 CFR § 228.102(e), Forest Service Manual 2822.41, and other authorities. These authorities describe the need to review existing NEPA documentation for the availability decision, in order to determine whether additional environmental analyses must be completed before the Forest Service can authorize BLM to offer parcel(s) for lease. In the case of the GWNF, any review of existing NEPA documentation would consider those factors that were relevant to the current decision and raised in the Appeal including: (1) the level of public interest and engagement regarding oil and gas leasing at the Plan level and related to these lands; (2) changes in oil and gas development technologies and practices since the time the ROD was signed; (3) new circumstances, scientific information, and other reliable information regarding the impacts of gas development; (4) current state and federal regulations on gas development; (5) current circumstances regarding gas development, if any, on the lands surrounding the GWNF; (6) the characteristics of any special areas at issue (e.g., PWAs, semi-primitive areas); (7) any threatened, endangered, or sensitive species, or habitat for such species; and (8) the concerns addressed in the Appeal.

We hope that this information helps all of our partners and forest users better understand our Forest Plan. We look forward to implementing the Forest Plan with the assistance of the many interested parties who have been working with us.

A handwritten signature in blue ink, reading "H. Thomas Speaks, Jr." with a stylized flourish at the end.

H. THOMAS SPEAKS, JR.  
Forest Supervisor