

Appendix E: Public Comments Content Analysis

A. Process

In addition to the typical letters received for this project, the public was also willing to share their thoughts using direct email and a website comment sheet. The website comment sheet was viewed as a successful tool, not only because of the ease with which people could share their thoughts but also because critical project information was near the comment form on the website. This information proximity should help create more focused input from the public.

Of the 243 responders giving comments about the project during the first scoping period in 2001-2002, the responses came in the following forms:

Letters – 153 responders

Website – 59 “

Email – 31 “

For the record, approximately 30-40 additional responders sent in their thoughts in September and October after the close of the comment period for the released environmental assessment. These late responders used typical letters and email messages to convey their thoughts.

Over 110 responders provided comments during the second scoping period in 2004. These comments followed a similar pattern of forms, though website and email responses were slightly more frequently used than during the first analysis period.

Those commenting during the second period in 2004 were doing so for the first time. Only 10 percent of respondents during the second comment period had participated in the first comment period. This low rate of replication could be largely due to the second scoping letter assuring the public that public comments during the first analysis would be considered for the second analysis.

B. General Results

- Responders generally kept their comments brief and focused on a few key points.
- Most responders were individuals, less than 5 % were organizations.
- No form letters were received, though a large number of responder’s statements were similar enough to suggest many responders were reacting to a common source of secondary information such as an advocacy website or newsletter.
 - A large number of responders simply advocated for three actions: *Ban motors, ban fish stocking, and designate the lake as an Outstanding Resource Water.*
- Responders also shared comments on recreation issues outside the scope of the analysis.
 - A majority of these actions revolved around the developed campgrounds, facilities improvements and other recreation activities (*e.g., mountain bikes, horses*).

C. Specific Results

1. Only about 32 percent of respondents declared their support for one of the alternatives in the analysis. Because the current set of alternatives is substantially different from the initial alternatives, these preference results are no longer valid. The new alternative set only considers restrictions on boat motors, floatplane access, and public use of chainsaws and generators at dispersed sites. The new analysis set also has a fifth alternative which responds to public comments advocating for a seasonal restriction on boat motors.

2. The following shows where respondents focused their attention among the seven resource issues originally discussed by the Waldo Subcommittee, along with two other issues consistently mentioned in public comments**.

- a. Boat Motors -- **84.0%** of respondents
- b. ROS or recreation setting -- **30.9** ***
- c. Dispersed Campsites -- **11.1**
- d. Outfitter/Guide Permits -- **3.7**
- e. Snowmobile Access -- **9.5**
- f. Charlton Tie Road -- **4.9**
- g. Non-native Fish -- **11.9**
- h. Water Pollution -- **79.8**
- i. Noise -- **37.4**

** Results reflect responders sharing thoughts on more than one issue.

*** This does not include a large number of responders who wanted to "...keep Waldo Lake clean and pristine". Such statements seemed focused on water quality and recreation setting, though it would be difficult to separate the two in many peoples' minds.

3. The following lists actions supported by respondents. These actions respond directly to resource issues within the project's original purpose and need for action. Many of these actions do not meet the current purpose and need for this project.

- a. Ban Boat Motors -- **64.6%** of respondents *
- b. Ban only 2-stroke Motors -- **4.5**
- c. Change Lake ROS -- **8.2**
- d. Restrict Dispersed Camping -- **7.2**
- e. Restrict O/G Permits -- **2.1**
- f. Restrict Snowmobiles -- **6.2**
- g. Charlton Tie Road Mgt -- **2.1** **
- h. Ban Fish Stocking -- **7.0**
- i. No management changes -- **3.7** ***

* - Focused on banning gasoline motors, but also includes requests to ban all motors.

** - This percent includes both reduced maintenance and more development.

*** - This percent focused almost exclusively on boat motors.

4. Other suggestions by respondents included:

- a. Ban motors immediately, no transition period
- b. Start with a trial period (electric motors or better only) first
- c. Invest in more visitor education to deal with user conflicts
- d. Invest in better enforcement of existing regulations
- e. Ban motors above a certain horsepower (e.g.. 10hp)
- f. Limit motors to certain hours of day (e.g. 10am to 5pm)
- g. Allow gas-motor exceptions for sailboats, elderly, physically-challenged visitors.

5. A handful of respondents made comments about NEPA process, the original analysis, or legal issues around the proposed action.

- a. Three respondents challenged the Forest Service’s legal right to regulate boat use on Waldo Lake; claiming instead this right belongs to the State of Oregon.
 - b. One respondent challenged the adequacy of the analysis in showing that user conflicts were significant enough to justify management change and claimed the proposed action was excessive for the current situation.
 - c. Another respondent claimed that the proposed action would not meet resource objectives for the Semiprimitive, Nonmotorized lakeshore management area.
 - d. One respondent challenged the accuracy of dispersed campsite data, and therefore its adequacy as a monitoring benchmark for supporting a dispersed site strategy.
 - e. One respondent questioned the Forest Service’s legal basis for regulating floatplanes on Waldo Lake, since planes fall under the jurisdiction of the FAA.
6. Finally, respondents offered suggestions on issues outside the scope of the project:
- a. Designate Waldo Lake as Outstanding Resource Water
 - b. Improve sewage facilities in campgrounds
 - c. Improve campground management to deal with camper behavior
 - d. Ban chainsaws, generators, RV’s
 - e. Ban long-term sailboat moorage on lake
 - f. Use stay limits for campers
 - g. Use campfire restrictions to control dispersed camping impacts around lake
 - h. Ban further facilities expansion around lake
 - i. Close roads
 - j. Designate areas surrounding Lake as wilderness
 - k. Ban mountain bikes
 - l. Remove outlet dam and reestablish old channel
 - m. Invest in more research
 - n. Install battery charging stations in campgrounds for electric motors
 - o. Ban all snowmobiles in basin
 - p. Ban all motorized use in basin
 - q. Provide stock water at Harrelson Horse Camp

D. Response to Substantive Comments

This segment responds to scoping comments that were judged to be substantive, defined as meeting one of the following descriptors:

- Raises an issue not discussed in the environmental analysis
- Challenges the validity or adequacy of some part of the analysis
- Challenges a part of the NEPA process followed

Most comments simply expressed a preference for a certain alternative or action(s) along with rationale explaining the responder’s position. Submitted comments offered useful information to the Interdisciplinary Team (IDT) and decision maker about public attitudes and preferences, but they were not necessarily substantive comments.

A number of respondents made suggestions (listed above in C-4) around stated issues that were not seen as part of any action alternative. Two such suggestions...increase visitor education, and increase enforcement efforts are inherent parts of all action alternatives.

Other suggestions listed in C-4 were originally considered by the Waldo IDT when defining the project's purpose and need for action, but ultimately did not meet the stated purpose and need for action or were considered too difficult to administer successfully. These suggestions were not analyzed as part of any alternative.

Three respondents, including the Oregon State Marine Board, claimed that regulation of boating on Waldo Lake was the jurisdiction of the State of Oregon because Waldo Lake was meandered in the 1800's and therefore considered a navigable state waterway. Navigable waterways are considered by these three respondents to be State owned. The USDA Forest Service claims legal authority over public lands and waters within the boundaries of National Forests and Grasslands, unless such authority has been adjudicated differently in Federal Court.

Another respondent claimed that data describing dispersed recreation sites was inaccurate and therefore not sufficient to implement the proposed dispersed recreation strategy described under the action alternatives. The Middle Fork Ranger District has completed periodic inventories of dispersed campsites around Waldo Lake and identified all "established" campsites. Inventories collect a number of parameters describing the physical conditions at these sites. Other locations around the lake may have been used in the past, as the respondent claims, but they did not qualify as "established" due to the absence of tangible conditions (e.g. barren core area, fire ring, vegetation loss, man-made structures) created by repeated human use over time.

One respondent challenged the ability of the proposed action to meet **ROS** setting standards conditions for the Semiprimitive Nonmotorized lakeshore. The respondent' claim was mostly based on the belief that allowing electric boat motors violates **ROS** standards. The range of alternatives is designed to move setting conditions closer toward **ROS** standards for the lakeshore while addressing other issues. The most difficult **ROS** standards to meet for a *Semiprimitive* setting will be Remoteness and Access. The current analysis compares how each alternative affects attainment of these two setting standards.

One respondent challenged the legal authority of the Forest Service to regulate floatplane access to Waldo Lake. A representative of the Federal Aviation Administration (FAA) stated during a 2005 phone conversation that a floatplane on the water is considered a boat and the FAA claims no jurisdiction over the regulation of boats.

Finally, a substantial number of respondents suggested other actions (described above under section C-6) to manage recreation use around Waldo Lake. The IDT considered most of these suggestions to be outside the current scope of this project analysis. Two of these suggestions were within the scope of this project analysis. Restricting chainsaws and generators at dispersed sites has been added to the proposed action. Additionally, the installation of battery charging stations could be a connected to the proposed action, which restricts boat motors to electric models only. The IDT chose to delay a decision on battery charging stations until after project implementation and the magnitude of public demand for such stations is more fully understood.