

Appendix A – Summary of Public Scoping Comments

This report summarizes the public scoping process for the Clarion River Comprehensive River Management Plan Environmental Assessment (EA) and presents analyses based on the comments received.

SI = significant issue

NI = non-significant issues, which include:

1. Issue is beyond the scope of the proposed action
2. Issue has already been decided by law, regulation, or Forest Plan.
3. Issue is irrelevant to the decision to be made.
4. Issue is conjectural and not supported by scientific or factual evidence.
5. Non-issue or may be addressed in the analysis.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Protect the ORVs through educational programs.						X	Education and interpretation is an important part of the Clarion River WSR management strategy to protect and enhance the rivers' ORVs.
Erosion and sedimentation problems- over timbering on steep terrain; bank erosion.			X			X	Implementation of ANF Forest Plan standards and guidelines should minimize or avoid impacts within the Clarion River corridor on NFS lands. Additional standards and guidelines for NFS lands have been developed in this analysis for Alternatives 1 and 3 (see Appendix B).
Drilling into Marcellus shale and water quality.		X					This is beyond the scope of the proposed action.
Farmington Township plans to develop a water treatment facility at Gravel Lick.		X				X	This is beyond the scope of the proposed action.
Trail project planned to connect Clear Creek State Park and Cook Forest State Park. This would destroy the enjoyment of those traveling River Road for bird watching. There are also safety issues due to the steep terrain and fire concerns.		X					Comment noted; however, this is beyond the scope of the proposed action.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Clarion River from Clarington to Cooksburg bridge has become too commercialized. Hope this doesn't happen from the Cooksburg bridge down.						X	Comment noted.
Reconfigure the boundaries of the Clarion River Corridor, designated as MA 8.1. Propose this MA include the watersheds of Clyde, Church, Painter, Elliott and Lappin Runs.			X			X	<p>The boundary of the Clarion River WSR corridor is designed primarily to protect the scenery and recreation ORVs and also considers free flow and water quality. Evaluation of Clyde Run, Church Run, Painter Run, Elliot Run and Lappin Run watersheds occurred during the proposed boundary development and proposed river corridors include the lower portions of these watersheds to varying degrees; however, including the entire watersheds would exceed the allowable average of 320 acres per river mile mandated in the Act. Parts of these watersheds are located within MA 2.2, which focuses on managing their late structural forest habitat.</p> <p>This was an alternative considered but eliminated from detailed study in this EA.</p>
The land along the river should be posted as to whether camping is permitted or not.		X					Selection of alternative 1 or 3 would establish MA 8.1.1 with standards that camping be allowed only at designated sites which would be signed appropriately. Camping would be prohibited on all other National Forest lands.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
<p>The nine mile stretch of the Clarion River between Hallton and Belltown is designated recreational, but contains many of the qualities for scenic designation. Protect and enhance the scenery on public lands within the WSR corridor</p>			X			X	<p>Protection and enhancement is the primary purpose of this analysis and the concern will be addressed in the Clarion River CRMP. The 1996 Clarion River Eligibility Report investigated all segments of the Clarion River in detail to determine if they possessed ORVs and met the classification criteria for wild, scenic or recreational. The study identified the ORVs of scenery and recreation for all of the segments that were ultimately classified. Given the extent of developed features along the Hallton to Belltown segment the study determined that it better met the recreational classification. Scenery remains as an ORV on all segments regardless of their classification.</p>
<p>Purchase critical pieces of private land, two for scenic qualities and one for wildlife protection.</p>			X			X	<p>Section 6 of the Act details land acquisition and explains that there are two ways, purchase and condemnation, to acquire lands in the corridor to maintain ORVs;. The Secretary of Agriculture (the River Manager through the ANF) has a limited authority to purchase lands only through a “willing seller” transaction. Transactions are limited to no more than 100 acres per river mile. Condemnation cannot be used along the Clarion River since more than 50 percent of the land within the boundaries is already in public (including state and local) ownership. The CRMP will detail how and if land acquisition will be administered on the Clarion WSR.</p>

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Is two weeks ample time to allow for response to the WSR CMRP?						X	Comment noted. See public involvement section of the EA.
It is crucial that the significance of the “State Road Ripple” site not be overlooked.						X	Comment noted; however, this is outside the scope of this project as this site lies on private land outside of the ANF proclamation boundary.
The pre-historic and historic records for this area present many unique qualities that I would like to see discussed while evaluating the Clarion WSR CRMP.						X	Forest wide standards and guidelines for heritage resources in the ANF Forest Plan adequately protect heritage assets within the river corridor. Heritage concerns were included as one of the criteria for mapping the boundary in Alternative 1. As part of the CRMP process, heritage resource values were assessed. It was decided to consider heritage resource values within the CRMP as "substantial". There may be potential to elevate the heritage resource values to "outstanding" in a future decision.
Protect and enhance the WSR corridor.			X			X	Protection and enhancement is the primary purpose of this analysis and the concern will be addressed in the Clarion River CRMP.
Landowners adjoining the corridor must be given an open airing.						X	Comment noted. Public involvement is an integral part of the NEPA process.
Will the Comprehensive Management Plan be flexible or defined?						X	Flexible, as it will provide direction for management of the river corridor on NFS lands.
Recreation segments should be evaluated according to their targeted audience. More information about this can be found in the recreation plan for State Parks and Forests in the PA Wilds report.						X	Comment noted.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Recommendations already found in published reports such as the Allegheny Recreation Interpretive Plan and the Clarion River Recreation Assessment could prove useful.						X	The Clarion River Recreation Assessment and many other documents that have been published about the use and management of the Clarion River provided much of the background information for the development of the CRMP. References to these documents can be found in the bibliography or references section of the EA.
Include an evaluation strategy to determine if implemented parts of the plan are meeting expectations and provide a timeline for evaluation to be done.							The NEPA adaptive management model used for this project includes monitoring environmental conditions following implementation of the action. Through monitoring, implementation or mitigation is adapted as appropriate. Under this approach, actions are adjusted to foster desired outcomes and reduce undesired ones.
Boundaries should be reflective of the designations already in place on the river. For example, the sections of the river designated scenic should use the viewshed as a boundary.	X						The boundary delineation for the alternatives used an interdisciplinary approach and applied multiple criteria that were guided by the protection of ORVs and significant issues. In Alternative 1, viewshed was used as one of the primary criteria for the boundary in the scenic sections.
Facility planning and development should consider the visitor experience and be planned in a way that makes the most sense as used by the visitor.		X				X	Comment noted. This will be considered in future site-specific proposals.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
<p>Private land should not be included in the one quarter mile buffer zone. Buffer zone should stay within the confines of the river bank.</p>	<p>X</p>						<p>Establishing a WSR boundary that includes identified river-related values is essential as a basis from which to provide necessary protection. Where private lands are involved, the boundary marks the area within which the manager will focus work with local communities and landowners in developing effective strategies for protection. The boundary also defines the area in which the managing agency has land acquisition authority. Existing land ownership, whether federal or nonfederal, should not be a factor in determining boundaries.</p> <p>Landowners are often concerned about which lands will be included in a WSR boundary, in part due to a fear of government land acquisition and regulation. The Act does permit fee acquisition of up to an average of 100 acres per mile and easement acquisition on any land within the boundary. It does not provide the federal administering agency the authority to regulate nonfederal lands.</p> <p>The concerns about federal land acquisition and regulation have led to proposals for “bank-to-bank” boundaries. A “bank-to-bank” boundary may be considered, but it is unlikely that a managing agency will be able to demonstrate that adoption of such a boundary will provide necessary protection and, therefore, compliance with the law.</p>

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Private land should not be included in the one quarter mile buffer zone. Buffer zone should stay within the confines of the river bank. (Continued)	X						<p>In <i>Sokol v. Kennedy (8th Cir. 2000)</i> the District Court rejected the plaintiff's contention that a bank-to-bank alternative be considered in detail under the NEPA, deferring to the NPS's contention that the intent of the Act is not merely to protect the water column.</p> <p>In consideration of private lands, Alternative 1 utilized private land boundaries and readily identifiable features (such as roads, railroads, utility corridors, etc.), where possible, as primary criteria to delineate the corridor boundary, while still protecting the river's ORVs.</p> <p>Alternative 3, the minimal width to protect the river's ORVs, was designed to address the concerns of private land owners.</p>
If private land turned to public land, an equal amount of public land should be sold back to the private sector.						X	Comment noted. This is beyond the scope of the proposed action.
In favor of ¼ mile boundary.						X	Comment noted
The management plan needs to be prescriptive – black and white so there is no question as to its intent or scope. However, there needs to be a process in place to allow for variance to accommodate unique circumstances or changing conditions.						X	The Clarion River CRMP will provide direction for management of the Clarion River WSR corridor and design criteria will be incorporated to protect ORVs.
Oppose camping or canoe launches particularly near Blyson Run on Millcreek Twp. Side of the river.		X					Comment noted; however, this is beyond the scope of the proposed action.
Please keep us informed on this project as it proceeds.						X	Comment noted.

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
<p>Private property rights must not be infringed upon in any way in future policies regarding the Clarion River. Zoning ordinances must not become any more restrictive. State and federal policies should be limited, and if enacted, must not place additional burdens on landowners.</p>	<p>X</p>						<p>Land acquisition is part of the WSR Act and can be a tool to manage the perpetuity of the ORVs. In general, land uses and developments on private lands within the river corridor, which were in existence when the river was designated, may be permitted to continue. New land uses must be evaluated for their compatibility with the purposes of the Act. For more information see: http://www.rivers.gov/publications/wsr-act.pdf</p> <p>Managing agencies may implement land acquisition principles to the fullest extent possible under their general statutory authorities and existing federal, state and local laws. Implementation of the principles may differ among and within components of the system depending on ownership of the land areas involved. River managers will work with local authorities to abate activities within the river area, which have the potential to degrade free-flow, water quality, or established ORVs.</p> <p>Existing patterns of land use and ownership should be maintained, provided they remain consistent with the purposes of the Act. Where land use controls are necessary to protect river values, the managing agency may utilize a full range of land-use control measures including zoning, easements and fee acquisition.</p>

Comment	SI	NI 1	NI 2	NI 3	NI 4	NI 5	Explanation
Any type of vegetation management or tree harvesting restrictions must not be allowed to be implemented.						X	Current ANF Forest Plan (forest-wide and MA 8.1) standards and guidelines provide direction for vegetation management within MA 8.1. New or changes in current ANF Forest Plan standards and guidelines will require amending the ANF Forest Plan.
People need more places to drop off and pick up their canoes around Belltown and Millstone Creek. Parking is also needed in this area.		X					The information submitted by the commenter will be considered during the development of the plan to assist in the design of standards and guidelines for recreation developments such as parking areas and access sites. However, site specific recreation development is beyond the scope of this project.
Analysis of any possible impacts to the North Country Trail, as well as any impacts to the recreational experience of trail users, where the trail is located within the project area should be conducted. Request that you consider and analyze the impacts of possible future construction of additional trail segments in this corridor as part of your overall management plan.		X					<p>The North Country National Scenic Trail (NCNST) is located solely within State Gamelands along the Clarion River. The adoption and implementation by the Pennsylvania Game Commission and the Pennsylvania Bureau of Forestry of the ANF LRMP standards and guidelines for the NCNST would address the commenter’s first concern.</p> <p>The ability to analyze “impacts of possible future construction” is beyond the scope of this document since nothing is known about the location of segments of trail that don’t currently exist.</p>

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