

BANKHEAD LIAISON PANEL MEETING

April 17, 2003

Moulton Recreation Center – Moulton, AL

Approved for general distribution, 5/6/03.

Attendance

Bankhead Liaison Panel Members:

Randall Lou Allen, *Lawrence Co. Commission*
Charles Borden, *Resident, Recreationist, and Wild
Alabama Board member*
Ron Eakes, *Ala. Div. of Wildlife & Freshwater
Fisheries; Area Manager, Black Warrior WMA*
Randy Feltman, *Logger and Local Resident*
Vince Meleski, *Wild Alabama*
Mary Lee Ratliff, *Recreation*
Jim Hughes, *Treasure Forest Landowner*
Rob Hurt, *US Fish & Wildlife Service*
Keith Tassin, *The Nature Conservancy*
Faron Weeks, *Warrior Mtn. Cultural and
Historical Society*

Interested People/ Other Attendees:

Peggy Armstrong
Jack Armstrong
Rory Fraser
Maria McDougall
Raphael Soto

Representatives of Alabama National Forests

Allison Cochran, *Bankhead District*
Tom Counts, *Bankhead District*
John Creed, *Bankhead District*
Glen Gaines, *District Ranger*
Jim Goode, *US Forset Service*
Jorge Hersel, *US Forest Service*
Cynthia Ragland, *US Forest Service*
Kent Schneider, *US Forest Service*
Earl Stewart, *US Forest Service*
Gary Taylor, *US Forest Service*
Tony Tooke, *US Forest Service*
Kathy Wallace, *Bankhead District*

Facilitation Staff:

Mary Lou Addor, *Natural Resources Leadership Institute*
Juliana Birkhoff, *RESOLVE*

April 17th, 2003 Meeting Agenda

5:30 p.m. - 9:30 p.m.

- I.** Welcome & Introductions
 - A. Meeting Agenda
 - B. Meeting Summary
- II.** Closure to Bankhead Wildlife and Plant Ecology Discussion
- III.** Impacts of Bankhead Forest Restoration Health and Initiative on Cultural and Historical Resources
- IV.** Review Five Health and Restoration Initiative Alternatives and Discuss How They Meet Panel
- V.** Decision-Making Criteria
- VI.** Next Steps- May 6 Meeting Agenda

Handouts Provided

1. Meeting Summary: March 27, 2003
2. Wildlife Presentation for the Bankhead Liaison Panel Handouts
3. Wildfire Smoke and Your Health
4. Panel Contact Information (rev. 4/17/03)
5. Handouts from past meetings: Consensus Decision Making; Operating Agreement; Meeting Ground Rules; Training materials.
6. Meleski Matrix

Action Items:

- a) 1. Meeting Summaries and other presentations are being loaded on the Natural Resources Leadership Institute website at: www.ces.ncsu.edu/depts/agecon/nrli/bankhead.html
- b) 2. Myra Ball will provide Internet links and/or journal articles on the topic of private landowners, fire, and the spread of SPB.

Parking Lot Items:

- c) 3. *Equity of bids* for commercial harvest or contract in Alternative 3 & 6 was brought up and tabled until the desired future condition is chosen.

Modifications to the Alternatives.

I. WELCOME, AGENDA, AND MEETING GROUND RULES

Welcome and Introductions

Mary Lou Addor and Juliana Birkhoff welcomed those present. US Forest Service Representatives from each of Alabama’s District Forests observed the first half of the meeting.

Several students from Alabama’s A&M University were in attendance as well, to observe the facilitative process.

A. Agenda

Mary Lou reviewed the agenda and listed four objectives for the meeting:

- 1). Review Forest Composition and Desired Future Conditions Pie Charts and Matrix Comparing Alternatives.
- 2). Learn about the Potential Impacts and Mitigation Measures of the Health and Restoration Initiative on Culture and Historic Resources and Sites.
- 3). Discuss Liaison Panel Members Interests about the Health and Restoration Initiative.

B. Meeting Summary Approval

The March 27 meeting summary was reviewed with the Liaison Panel and approved without changes.

- T Ron Eakes submitted a clarifying draft paragraph for page 8, section G. for the March 8th Meeting Summary. Unless there are additional concerns from Liaison Panel members who attended the March 8 meeting, the summary will be loaded on the Natural Resources Leadership Institute web site at:

www.ces.ncsu.edu/depts/agecon/nrli/bankhead.html

II: BANKHEAD WILDLIFE AND PLANT ECOLOGY PRESENTATION AND DISCUSSION CONTINUED

A: Presentation

Tommy Counts (District Wildlife Biologist) continued discussion on the Future Desired Conditions from the March 27 presentation on potential impacts to wildlife.

The presentation reviewed:

1. regulations regarding protection, mitigation, and management of native wildlife and plants;
2. migratory and residential species and their associations with different forest community types throughout their lifecycle;
3. current conditions and desired future conditions (forest community type) of the Bankhead;
4. respected treatments (thinning, burning, site preparation of southern pine beetle, and artificial and natural regeneration) required to achieve the forest community type (desired future condition), and;
5. how the respected treatments affect wildlife habitat and native plant areas.

The presentation provided an opportunity to look at:

6. the long-range vision of the desired future conditions as described in the Pie Charts, and;
7. the immediate site-specific areas of each Desired Future Condition that will require attention in the next 5-year plan (as described in the *Meleski Matrix*).

Vince Meleski, a Liaison Panel member compiled a single-page matrix in order to compare the six desired future conditions and the three respected treatment areas, in particular southern pine beetle treatment acreage and site preparation techniques that apply to those areas). Copies of the presenters' handouts are available online at the NRLI website or from the facilitators.

During the April 17th meeting, the Liaison Panel focused on pages 7-10 from the handout on *Potential Effects of the Health and Restoration Initiative on Native Wildlife and Plants*. The Liaison Panel did not have time to cover these pages during the March 27th presentation and discussion. Key parts of the presentation are summarized here.

Currently the Bankhead is composed of 36% upland hardwood and 35% loblolly pine. It will take time to remove the loblolly and replace it with a desired forest community type. The dominant forest community type for each Alternative including other distinctions are:

- a) Alternative 1: no action –remains 35% in loblolly and 36% in upland hardwood and hardwood pine. Has 1% fire dependent communities.
- b) Alternative 2: Has most treated areas and least hardwood area, with large percentage of fire dependent communities in both short and long-leaf pine.
- c) Alternative 3: 72%- Upland Hardwood and Hardwood Pine with ability to sell merchantable timber (timber sale money goes back into maintenance of area for wildlife improvement, reforestation, and stream-side management). Has 10% fire dependent communities in both short and long-leaf pine.
- d) Alternative 6: 72%- Upland Hardwood and Hardwood Pine with ability to contract for removal of trees (contractor removes trees but may not market timber). Has 10% fire dependent communities in both short and long-leaf pine.
- e) Alternative 4: 81% - Upland Hardwood and Hardwood Pine with activity for expanded upland hardwood and hardwood pine, and no short-leaf pine. Has 3% fire dependent community in long-leaf pine.
- f) Alternative 5: 68% - Upland Hardwood and Hardwood Pine with activities for expanded oak woodland in Area 1 to maximize early successional habitat, and short-leaf pine. Has 10% fire dependent communities in short and long-leaf pine.

Activities prescribed for the desired future condition are aimed at achieving and maintaining that desired future condition.

Another perspective by which to look at the distinctions between the desired future conditions are:

- Most treated acres: Alt. #2,
- Least treated acres; Alt. #4
- Most woodland acres: Alt. #5
- Least woodland acres: Alt. #4
- Most Shortleaf-Longleaf acres: Alt.#2
- Least Shortleaf-Longleaf acres: Alt. #4
- Most hardwood acres: Alt: #4
- Least hardwood acres: Alt #2.

Presentation summary:

1. No detrimental effects to threatened and endangered species and/or rare communities would occur due to project mitigations and protection mechanisms;
2. Amount of optimal habitat available for groups of species will vary by the desired future condition that is chosen, and
3. Individual treatments (thinning, burning, site prep, and regeneration) will affect the lifecycles of residential and migratory wildlife.

B: Key Discussion Concerns and Comments:

(1).With respect to commercial and non-commercial interests, historically, economics has driven the decision-making which excluded other factors (values) such as cultural, aesthetic, social, recreational, wildlife and plants.

(2). *Equity of bids* for commercial harvest or contract in Alternative 3 & 6 was brought up and tabled until the desired future condition is chosen.

III: POTENTIAL IMPACTS AND MITIGATION MEASURES OF THE HEALTH AND RESTORATION INITIATIVE ON CULTURAL AND HISTORICAL RESOURCES.

A: Presentation

Kent Schneider, the US Forest Service Regional Archeologist, Atlanta, Georgia.

Kent has extensive supervisory and technical training and experience in all aspects of heritage and archeological management, including environmental assessments and communication and interpersonal skill training. Kent presented on current protection measures available to the cultural and historical resources of the Bankhead and potential impacts from the Health and Restoration Initiative.

To contact Kent:

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B. Presentation Agenda:

1. Protections afforded cultural and historic resources with respect to policy.
2. Protections afforded cultural and historic resources with respect to management strategies with tandem with community.
3. Potential impacts to cultural and historic resources.
4. Mitigation of impacts to cultural and historic resources.

1. Policy Protections:

(a) Preserve America (www.preserveamerica.gov)- Executive Order 13287, signed by President Bush authorizes federal agencies to improve their management of historic properties and to foster heritage tourism in partnership with local communities. Characteristics of Preserve America are to:

- (1) provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and will promote intergovernmental cooperation and partnerships for the preservation and use of historic properties.
- (2) direct Federal agencies to increase their knowledge of historic resources in their care and to enhance the management of these assets.
- (3) encourage agencies to seek partnerships with State, tribal, and local governments and the private sector to make more efficient and informed use of their resources for economic development and other recognized public benefits.
- (4) better combine historic preservation and nature tourism by directing the agencies to assist in the development of local and regional nature tourism programs using the historic resources that are a significant feature of many State and local economies.

This can be accomplished and recognized by:

- Being selected for a Preserve America Presidential Award
- Designation as a Preserve America Community.
- Federal Support
- Preserve America Information Clearinghouse

b. National Historic Preservation Act (NHPA)–

www.achp.gov/aboutachp.html

The goal of the NHPA, through the Advisory Council on Historic Preservation (ACHP), is preservation of historic sites. Federal Agency Programs administers the National Historic Preservation Act's Section 106 review process and work with Federal agencies to help improve how they consider historic preservation values in their programs. The NHPA act drives the archeology programs for all federal agencies. Each federal agency must undertake surveys (inventories of local terrain) to preserve and keep track of these historic sites.

(1) Section 106 applies when two thresholds are met: 1) there is a Federal or federally licensed action, including grants, licenses, and permits, and 2) that action has the potential to affect properties listed in or eligible for listing in the National Register of Historic Places.

Section 106 requires each federal agency to identify and assess the effects of its actions on historic resources, in consultation with appropriate State Historic Preservation Officer and Federally Recognized Indian tribes. During the public scoping process required of federal agencies, applicants for Federal assistance, or any entity using federal funds that might affect archeological or historic sites, the views and concerns of members of the public about historic preservation issues are considered when making final project decisions.

Effects are resolved by mutual agreement, usually among the affected State's State Historic Preservation Officer and the Tribal Historic Preservation Officer, the Federal agency, and any other involved parties. ACHP may participate in controversial or precedent-setting situations.

(2) Sec 110 of the NHPA - preserve and use of sites in partnerships with others (example: heritage tourism). Sec 110 is similar in use to the Preserve America Exe Order - 13287.

Any activity that may affect any place eligible for the national historic register will require that a survey or an inspection is conducted on the area.

- (a) Does not take into account traditional cultural properties, or sacred areas which fall under executive order 13007 (areas used by federal tribes are recognized sites and impacts need to be minimized and/or reduced).
- (b). Event based sites: highly visited sites such as Kinlock Shelter and Indian Tomb and historic trails.

2. Management Strategies:

Bankhead heritage management strategies should be linked in tandem with community needs. Every forest has a map of site locations to identify protected areas or areas that may need protection for future archeological work.

- a. **Maps/Plans:** The Bankhead archeologist, Jean Allan, uses site predictive models or lay outs survey patterns to determine historic sites. Can overlay these site predicted models over the treatment areas to identify any potential areas of concern.
- b. **Surveys:** Potential adverse impacts: for example for drum/chopping disturbance method would need to conduct a survey prior to using this method.
- c. **Monitoring:** Monitoring of sites in tandem with management and community.

3. Potential Impacts

Depends on:

- a. Kinds of disturbance and frequency and what is already known about historic or prehistoric uses of the project area: for instance will need to conduct a survey based on a predictive model for drum/chopping or roll-cut methods or prescribed burns.

- b. Impact of recreational uses: the activity and number of people that visit sites or that may damage sites by building campfires in them.
- c. Buffers provided to the area.

Alternatives:

Potential impacts resulting from the six desired future conditions:

- a. Discuss/review Bankhead predictive/site model surveys and compare to treated areas where possible. Jean Allan, the District Archeologist, uses site locational models and follows Alabama's guidelines to ensure compliance with archeology laws.
- b) Discuss/review Bankhead predictive/site model surveys and compare to treated areas where possible.
- c) Considerations of the desired future conditions potential impact:
- d) Alt. 6 – if contracting out will need to monitor.
- e) Thinning of loblolly areas and the site preparation method used.
- f) Southern Pine Beetle restoration areas and site preparation method used.
- g) Wildlife habitat – mitigate critical habitat need. . If planning to deeply plow, may need survey first
- h) Recall can make minor changes to the desired future conditions treatments but not change the overall treatment itself (example of modifications: can extend stand to 60 basal area to open to early successional wildlife development or could move some of the proposed woodland areas in Alt.#5. Example of major changes that cannot be made would be setting back time-frame or a major treatment change such as splitting an area one into half Virginia pine and half oak woods).

4. Mitigation Measures

To offset impacts - 3 types of mitigation:

- a. on the ground archaeological site: evaluate and if site values are removed

through excavation, the area may no longer be considered significant.

- b. trade-offs: protect a more valuable site in lieu of another area considered less valuable. Trade-offs also occur in tweaking treatments - to achieve positive consequences later, may need to work with negative consequences in the immediate term.
- c. engineer site protection from potential adverse activity, for example by putting fill over a site so visitor traffic doesn't impact it.

C. Questions and Responses on the Cultural and Historic Presentation

1. What kinds of treatments would be allowed within a local culture site?

Depends on the kind of area as to what would be of concern. At Kinlock Shelter for example, can't change the character (natural setting) of the area. Can use hand tools for limited vegetation management but not burns in order to protect integrity of viewshed as well as site. Also could work out a system to drag the trees out without scarring the ground so there are also other management practices available. The site is eligible for the national register.

2. Can you give us examples of significant site and non significant sites?

Archeologists got themselves into quite a mess over the "significance or non significance" of a site. A federal agency has a list of 4 criteria to work through to determine eligibility. These criteria are published by the National Register of Historic Places. The costs to formally list a prehistoric site are often enormous largely because a great deal of data needs to be collected to support assumptions of significance. So sites can be determined eligible for listing by consensus between the federal agency and the SHPO without a lot of excavation. This is called a consensus determination of eligibility and doesn't require as much data to formally list it as a National Register site. . In general, a site is considered to be significant due to its

condition, age, the information it has in it, and/or if an important person used the site. The National Register of Historic Places lists the criteria used to determine if a site is important enough to be called a National Register site. It used to be that a site could be: (1) eligible or not eligible, (2) potentially eligible, (3) eligibility unknown. Potentially eligible is no longer a category used in the southern region - a site is either eligible or not or its not been evaluated. If the State Historic Preservation Officer and Federal Agency concur--then the site can be considered significant by signing an eligibility determination form (reduces some of the lengthy requirements) and the site then receives protections.

For instance, Kinlock Shelter is designated by State as Historic Area (and is interpreted) and protected under state laws and acknowledged on state maps but is not listed on the national register – a consensus determination for its National Register status is pending.

3. What about Bluff Lines and Shelters?

Located on the Bankhead and in the Daniel Boone National Forest and its Red River Gorge area, these are important rock shelter sites. Preserving these sites is difficult due to recreational activity of some users that threatens the integrity of the information in the sites.. There is a balance in trying to preserve these areas and allow for recreational use such as rock-climbing. Mitigation then enters the overall management strategy as to what can be done – do you evacuate the site and remove the most important artifacts? Choose among the sites for the most valuable sites in order to spend limited resources on what can be saved and preserved? Do what you can do to protect the area so the activity will not affect the site and can be worked around the area? What compromises can we make that allow site protection and recreation use? We don't know until we know where the sites are, their condition, and how they are impacted by recreation use. So we need to find and evaluate them first.

4. How are traditional cultural properties treated?

Traditional cultural properties may or may not be listed on the register. They are places important to a group of people because the beliefs about a place or the cultural activities they carry out there, such as feasts, sweats, are deeply rooted in history and are important to their cultural identity today. Traditional Cultural Properties are afforded protection by a federal agency and their locations are not published.

5. Checking assumptions here:

If one finds a mortar, this could signal a possibly significant area (since mortars are used for primitive food preparation and could signify a basecamp) but finding an arrowhead on the ground does not signal a possibly significant site.

Yes, surface finds are certainly one way to look for what could be considered significant.

6. How do you deal with the unknown areas in this 5-year plan?

Management and community cannot deal with all the unknowns due to limited time and resources, and prioritization of interests. Instead, the archeologists use: (1) public input through cultural resources area maps, anecdotal stories about what people know of the area, or histories and records of land use patterns to determine some of the potential areas; (2) dig test holes; (3) technology for testing sites such as ground penetrating radar (cannot know what radar anomalies mean though until it is dug); (4) visual indicators such as a mortar; and (5) judgment calls. Often – site selection is based several of these indicators and best judgment calls. Even cutover areas, replanted in loblolly pines might hide significant historical resources so one continues to look on the surface in order to

determine if it makes sense to dig. Usually for prehistoric sites, one digs in the area, one cannot tell whether it will be significant or not.

IV: STAKEHOLDER INTERESTS

- A. **Nature Conservancy:** adaptive management approach in order to provide for incremental learning and create natural communities not available on private lands.
- B. **Wild Alabama:** return as much as possible to natural communities, keep in mind the need for wildlife, recreational, cultural, and hunting use. Use the return to natural communities as an opportunity to develop and document new management techniques and research.
- C. **Recreational Interests:** maintain visual aesthetics and overall forest health and management in compatibility with recreational use. Financial support should be available to support these interests.
- D. **Local Resident:** recognize other forest values other than commercial (recreational, cultural, wildlife, hunting) in conjunction with ecosystem management. Build on the trust being established within the Liaison Panel for a meaningful future for this forest community.
- E. **Tribal- Historical:** interest in return of the American Chestnut, maintaining a sense of place, and in meeting interests of others without promoting one interest over the other (balance all competing interests – cultural, wildlife, tribal, loggers, hunters, commercialization, recreational).
- F. **County Government:** act as a conduit to the public, an outreach arm that will work with all the interests in order to move forward, including public health and safety interests. Allow for all interests represented by the panel members to be taken into consideration, including increasing economic benefits to the area due to visitation to the Bankhead.

- G. **US Fish & Wildlife Service:** ensure wildlife (game and non-game species) is afforded the health and protection to flourish.
- H. **State Game:** maintain and enhance non-game and game species areas.
- I. **Logging Community:** protect and enhance wildlife, allow for economic considerations to local residents, and recognize that different kinds of coverage protect and enhance various species and afford other kinds of recreational interests.
- J. **Treasure Forest Community:** mixed forest composition and what is best for the land/soil not necessarily any specific interest.

- 3. Qualified decision-making: way of thinking behind decisions is transparent, clear, and documented.
- 4. Meets interests of the panel members.
- 5. Adaptive – allows for incremental learning through monitoring.
- 6. Collaborative problem-solving – allows for partnerships and sharing of resources.
- 7. Base use of prescribed fire on fuel load and/or timeframe.

V: DECISION-MAKING CRITERIA

Decision-making criteria: may need to develop two kinds of decision-making criteria (one for site specific treatment (what, when, how, where, why) and another list for the desired future condition (what and why). Both site specific (the 5-year plan) and the desired future condition may be based on the same criteria but the Liaison Panel will need to test this assumption and come to an agreement on both prior to the decision-making process.

For instance - it was mentioned to think about the use of prescribed fire based on fuel load in conjunction with a scheduled timeframe, or simply based on fuel load. This criteria, if agreed on, may be suitable for the site specific treatment choices due to its specificity and the immediate timeline (5-year plan) but not necessarily as criteria for the desired future condition as it is too specific (long-term plan). The Liaison Panel may want to reframe the latter criteria differently to assist with decision-making for the long-term plan.

- A. Criteria for good decisions for Liaison Panel review, changes, additions, and approval:
 - 1. Future users will say a good job was done by the Liaison Panel.
 - 2. Liaison Panel used the best science available at the time.

VI: NEXT STEPS – MAY 6 MEETING AGENDA

- A. Review any additional info needed by the panel for cultural and historic information.
- B. Determine decision-making criteria.
- C. Search for Desired Future Condition
- D. Provide Recommendations for the Site Preparation.

Meeting adjourned @ 9:30pm.