

# Bankhead National Forest Liaison Panel (BNFLP)

## October 14<sup>th</sup> Meeting Summary

Bank Building - Double Springs, AL

[www.ces.ncsu.edu/NRLI](http://www.ces.ncsu.edu/NRLI)

### Liaison Panel Members:

Randy Feltman, *Logger and Local Resident*  
Mike Henshaw, *Alabama Cooperative Extension Service*

Quinton Humphries, *Winston Co. Commission*  
Lori McNease, *U.S. Fish & Wildlife Service*

Vince Meleski, *Wild Alabama*

Bill Snoddy, *Treasure Forest Landowner*

Keith Tassin, *The Nature Conservancy*

Faron Weeks, *Warrior Mountain Cultural and Historical Society*

Mary Lee Ratcliff, *Recreation Advocate*

Johnny Warren, *Resident / Hunter*

### USFS Personnel:

John Creed, *Bankhead District*

Glen Gaines, *District Ranger*

### Facilitators:

Mary Lou Addor, *Natural Resources Leadership Institute*

Marci DuPraw, *RESOLVE*

### Interested People/ Other Attendees:

Judy and Ken Freeman

Don and Nancy Casey

Ben and Pat Vail

Verbon and Eloise Adair

Ricky and Shirley Boden

Bobby and Deon Parrish

James Rhodes

Chuck Bakke

Kay Bakke

Jim Cowan

Della and Paul Williams

Owens Taylor

Paul Housel

Harlan Cornelius

Cliff Borden

Libby Borden

Carl and Sandra Hood

Bill Bustin

Jeff Still

Judy Woodard

Gwen W. Warren

Patsy Robinson

Peggy Cobb

Randy Speakman

G.E. Bagwell

Scott Johannes

Bobby Ayers

Talmadge Riddle

Yolanda Riddle

Troy and Pernie Smith

Keith Hill

Richard Linholm

Sue Sparks

Rory Fraser

### **October 14, 2003 Meeting Agenda**

**6:00 - 9:30 pm.**

- 6:00-6:30: Open House- Double Springs Bank Building
- 6:30-6:40: Welcome by the Facilitators  
Review Agenda  
Review Ground Rules for the Meeting
- 6:40-7:10: Update on the Status of Bankhead Forest Health and Restoration Project
- 7:10-7:40: Forest Health Open Discussion
- 7:40-9:00: Upcoming Topics and Issues
- 9:00-9:15: Next Steps
- 9:15: Adjourn
- 9:15-9:30: Informal Question and Answers

### **October 14<sup>th</sup> Handouts Provided**

- None provided on site (prepared but unavailable due unforeseen travel circumstances)
- See attached USFS presentation materials regarding status of Forest Health and Restoration Initiative

## **Key Points:**

- USFS affirmed plans to move forward in establishing five monitoring work groups.
- Next Liaison Panel meeting will be Tuesday, December 2nd from 6:00 pm – 9:30 pm. (While originally this meeting was going to be held in Moulton, the meeting room there was unavailable. Thus, the December 2nd meeting will be in Double Springs at the Trader and Farmers Bank, upstairs.)
- The December 2<sup>nd</sup> Liaison Panel meeting will focus on organizing the monitoring work groups.

## **I. WELCOMING REMARKS**

### **A. Welcome**

1. Welcome: Mary Lou Addor (Natural Resources Leadership Institute), and Marci DuPraw (RESOLVE), introduced themselves, welcomed the Liaison Panel members, and other guests present. Liaison Panel members then introduced themselves.

### **B. Meeting Agenda Objectives**

The meeting objectives were to:

1. Regroup / take stock of ground covered in recent months;
2. Hear from USFS and Liaison Panel about how the Liaison Panel and other public input has been incorporated into the formal decision-making documents about the Forest Health and Restoration Initiative;
3. Address participant questions; and
4. Begin to articulate next steps for the Liaison Panel and monitoring work groups

## **C. Review of Liaison Panel Ground Rules:**

The facilitators reviewed the ground rules of the Liaison Panel adopted at the February 11, 2003 meeting:

1. Only one person will speak at a time and no one will interrupt when another person is speaking.
2. Each person will express his or her own views rather than speaking for others at the table.
3. No one will make personal attacks or issue statements blaming others for specific actions or outcomes.
4. People will avoid extended comments and questions to allow everyone a fair chance to speak and to contribute.
5. Each person will try to stay on track with the agenda, to respect time limits, and to move the deliberations forward.
6. People should expect, respect, and try to accept different interests, perspectives, and opinions.
7. Everyone will limit sidebar conversations.
8. Members will engage actively – share information ideas and concerns.

9. To decide, the Liaison Panel will operate by consensus. Consensus means there is no dissent by any member. Granting “consent” means that each member can live with the decision and support its implementation.
10. With the right to offer consent or express dissent as a Liaison Panel member, comes the responsibility of making clear the reasons for dissent and try to offer an alternative proposal satisfactory to other members.
11. Members should remain at the table during deliberations to hear the full discussions so their judgments are informed when decision making occurs. Members may also choose not to consent on a decision, but to abstain without offering dissent.
12. Absence will be equivalent to abstaining.

## **II. UPDATE ON THE STATUS OF BANKHEAD FOREST HEALTH AND RESTORATION PROJECT**

U.S. Forest Service District Ranger Glen Gaines provided a presentation on the current status of the Forest Health and Restoration Initiative. (A copy of his presentation is attached.) A formal decision approving Alternative 5 from the Draft Environmental Impact Statement has been made; the Record of Decision, or “ROD,” will be available within a few weeks. Following publication of the ROD in The Northwest Alabamian, there will be a 45-day period during which the decision may be appealed; appeal procedures will be described in the ROD. Assuming the decision stands, the Liaison Panel and other members of the public will be invited to

provide periodic input regarding implementation of the initiative.

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**Format Key: Questions (Q), Responses (R) Comment (C), Liaison Panel (L.P.) United States Forest Service (USFS)**

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## **III. FOREST HEALTH OPEN DISCUSSION**

Q: Were there any significant changes in the DEIS as a result of public comments?

USFS R: We tried to explain more clearly the effects of various options on management indicator species. We corrected the number of acres of shortleaf on one particular chart.

Q: Is the DEIS in compliance with USDA Directive Number 9500-6 on Sustainable Development?

USFS R: We don’t believe that directive is applicable because this decision applies just within the National Forest.

Q: What impacts does the Forest Health and Restoration Initiative have on private property within or around the Bankhead National Forest (or other National Forests)? And what impacts of this sort could it lead to? I’m worried about setting the stage for more interference with private land in the long run.

C: I have been involved with forest planning discussions since the days of the monument. The current Forest Health and Restoration Initiative has good pieces. However, I am worried about the long-term. I’ve heard of cases where private property owners had good intentions for managing their property wisely, but ended up running afoul of a regulatory agency and getting restrictions imposed on how

they used their property. Is that likely to happen here?

USFS R: This initiative deals only with National Forest land – I know of no impacts on private property from this initiative. The United States Forest Service is not a regulatory agency; we can only govern National Forest property.

L.P. R: We are trying to prevent Southern Pine Beetle infestation; by doing so on the National Forest land, it could help protect private property from the beetle as well. Similarly, by increasing habitat for game species such as deer, turkey, and game birds on National Forest land, it could lead to increased numbers of these animals on nearby private lands as well.

USFS R: I know of no way in which the Forest Health and Restoration Initiative will impact anyone's ability to pass land along to their heirs.

L.P. R: I don't think the United States Forest Service will be interfering with private property, unless endangered species are found on that property. What I would like to focus on is ensuring things are good for generations hence.

Q: What has been the bigger problem for the Bankhead National Forest – the Southern Pine Beetle or environmental interference with U.S. Forest Service management efforts?

USFS R: There is no point in placing blame. We need to deal with where we are and move forward.

Q: Did the Liaison Panel read the Forest Plan, the Forest Health and Restoration Initiative, the "Blue Book," etc.? Has the

Panel read the documents it signed off on? Is this process a snow job?

L.P. R: Our work focused on the Forest Health and Restoration Initiative, so we focused on that particular paperwork. I feel comfortable with my familiarity with those materials, and feel good about the Liaison Panel's efforts.

USFS R: The Panel doesn't sign anything.

C: I'm concerned that some people on the National Forest mailing list didn't hear about the Forest Health and Restoration Initiative.

Audience Member R: I have attended Liaison Panel meetings for years as a private citizen, have read about them in the press, am on the mailing list, and have often driven 50 miles to get to the meeting. From my perspective, the United States Forest Service has tried hard to get public input.

L.P. R: I have seen these meetings advertised in several papers, including "Northwest Alabama," "Moulton Advertisers," and Decatur papers.

Q: Can we see the mailing list?

R: That is administered by the Montgomery office of the U.S. Forest Service.

Q: Why couldn't we have an extension on the public comment period?

R: Because we have been working on this for years already.

Q: Where can I find the "Blue Book" and the three "White Books"?

USFS R: At the USFS office or on our website. The final EIS will be sent to the local Bankhead mailing list; you can be added to that if you'd like.

Q: Is there a "lay" version of these documents? They don't seem to be written in very understandable terms.

USFS R: If you have any questions, please just drop by the U.S. Forest Service office, and we'd be happy to answer them.

Q: If the USFS is not a regulatory agency, which agencies are regulatory?

R: Alabama Department of Environmental Management; State Agencies; United States Fish and Wildlife Service; and Wildlife and Freshwater Fisheries.

L.P. R: Landowners are their own regulators, in a sense; landowners can manage as they see fit on their land.

Q: Are there any protocols that we should read to educate ourselves about the regulations of environmental, state, or other regulatory agencies?

L.P. R: You might want to contact the U.S. Fish and Wildlife Service to learn more about their regulations. Try their website at [FWS.gov](http://FWS.gov). As a Liaison Panel member, I have found that it is good to get involved, to educate ourselves and to check out our assumptions.

USFS R: The United States Forest Service plans apply only to National Forest land.

Q: What assurances do we have of the success of the Forest Health and Restoration Initiative? What happens if we fall short?

L.P. R: We don't have any assurances -- no one knows the future.

L.P. R: The monitoring work groups are a key assurance, in a sense. The United States Forest Service has done an excellent job communicating with Liaison Panel's about cultural resources. Community involvement is key, and open public forums like this. We need to sustain the Liaison Panel and keep things on track.

USFS R: We will monitor progress -- if there is a problem, we will adjust. As our understanding evolves, we will adjust.

Q: Why have there been no timber sales since 1996 (other than salvage sales)?

USFS R: The circuit court ruled against the U.S. Forest Service on management indicator species and on threatened and endangered species, and said we were out of compliance. So there was an internal administrative decision to halt timber sales.

Q: Why has there been no selective cutting? Why are you going to plant hardwood stands? As I understand it, you don't plan to sell the timber; if you are not going to harvest the hardwoods, why plant more? What is your objective? How did the Liaison Panel determine what was natural -- by survey records from the 1700's?

USFS R: For the next five years, we are focusing on addressing forest health; however, that is not the end of the road.

Q: I am worried that the Forest Health and Restoration Initiative could result in creating conditions that are attractive to the red cockaded woodpecker.

USFS R: If so, it would be on the scale of around 100 years down the line. We are not seeking to attract red cockaded woodpeckers. If they do come in 100 years down the line,

hopefully they will have recovered and won't need protection at that point.

L.P. R: The Liaison Panel did discuss the red cockaded woodpecker and concluded that if there was no program to intentionally introduce it onto the Bankhead National Forest, it was unlikely to come here.

C: I'm worried about a potential partnership between the United States Forest Service and The Nature Conservancy resulting in a buy-out of private property.

L.P. R: The Nature Conservancy only buys from willing buyers, and isn't in the business of taking actions specifically to make buyers "willing."

C: I'm worried that the Forest Health and Restoration Initiative protects wildlife to the detriment of people.

R: The Forest Health and Restoration Initiative encourages people to be on the Bankhead National Forest, and provides for timber cutting. It doesn't involve any change to the goals of the current forest management plan.

L.P. R: The Forest Health and Restoration Initiative strives to increase game species for hunters. It also seeks to strengthen conditions for management indicator species so that they are less vulnerable to lawsuits to stop timber harvests.

Q: If timber harvest were halted on other national forests or in other states, would it affect our ability to harvest timber on the Bankhead National Forest?

USFS R: I don't know; we can't control what others do.

Q: What happens if private property owners' activities affect threatened or endangered species on federal land?

L.P. R: If the U.S. Fish and Wildlife Service determines that this "take" is incidental, that agency can work with the private property owner to develop a cooperative agreement under which the activity can continue.

Q: Is the United States Forest Service going to use commercial logging to clean up the Bankhead National Forest?

R: We are trying to thin / cut green trees commercially to reduce the Southern Pine Beetle problem.

Q: Will you use commercial logging to remove trees that are over 40 years old and might be rotting?

USFS R: Show me the stands you are talking about out in the Forest; I'm not sure they would be marketable, but I'll take a look.

Q: Are the "Blue" and "White" books in compliance with "Agenda 21"? The Liaison Panel should delve into the topic of sustainable development and learn more about linkages between some of these topics.

USFS R: The Forest Health and Restoration Initiative is not linked to Agenda 21.

Q: What is "Agenda 21"?

USFS R: A United Nations plan with broad environmental goals.

C: I'm concerned that this Initiative is heading toward the same results as the effort to get the Bankhead National Forest declared a "monument."

USFS: The Forest Health and Restoration Initiative is not intended to achieve the type of result associated with the monument issue.

C: I am concerned about road maintenance on the National Forest; I want the Forest Service personnel to be responsive when I notify them of a road maintenance problem.

R: We can put road maintenance on the agenda for future Liaison Panel meetings.

#### **IV. UPCOMING TOPICS FOR LIAISON PANEL'S CONSIDERATION**

- Road maintenance / access
- Property rights / watching over the implementation of the Forest Health and Restoration Initiative to safeguard private property rights over the long run;
- Sustainable development / economic development;
- Addressing expanded horseback riding needs; and
- Managing invasive exotic species
- Expanded community outreach.

#### **V. NEXT STEPS**

In addition to continuing the Liaison Panel meetings, key next steps focus on establishing five monitoring work groups.

##### **A. Monitoring Work Groups' Overall Duties:**

- Monitor progress and performance of the Forest Health and Restoration Initiative;
- Attend meetings/ field trips;
- Document learnings and monitoring observations;
- Follow through on action items; and
- Establish operating structure for accountability, follow through, and maintaining a focus on monitoring.
- Members may come from Liaison Panel and beyond.

**B. Monitoring Work Groups and Interested Parties.** Please see below for a brief description of each of the four monitoring work groups and a list of individuals who have indicated an interest in participating in that work group. The USFS, in consultation with the Liaison Panel and other parties who indicate an interest, still needs to establish procedures for determining the final composition of work groups and other aspects of work group operations. The Panel will discuss how best to organize the work groups at its Dec. 2<sup>nd</sup> meeting.

- 1. Timber and Thinning Performance Work Group.** Will work with USFS to ensure thinning takes place in accordance with best management practices and contract specifications; will help develop approaches to overcome challenges / achieve least environmental impacts. Interested Parties: Bennie Kryle, Jason Nelson, Mike Henshaw, Anthony Hood, Pat Vail, Randy Feltman, John Tidwell, Vince Meleski.
- 2. Recreation Work Group.** Will work with USFS to monitor restoration work's impact on recreation sites and users; will help notify recreational users of restoration work; will help develop approaches to mitigate any negative impacts on recreation users and sites. Interested Parties: Jeff Still, Mary Lee Ratliff, Gwen Warren, Anthony Hood, Pat Vail, and Jason Nelson.
- 3. Cultural and Historic Work Group.** Will assist USFS with survey work; will help monitor impact of restoration activities on cultural and historic sites. Interested Parties: Faron Weeks, Peggy Armstrong, Gwen Warren, Anthony Hood, Pat Vail, and Jason Nelson.

**4. Wildlife Work Group.** Will work with USFS to monitor impact of restoration work on wildlife; develop approaches for protecting wildlife and enhancing habitat. Interested Parties: Sue Sparks, Peggy Armstrong, Gwen Warren, Anthony Hood, Pat Vail, and Jason Nelson.

**5. Desired Future Conditions Work Group.** Will work with USFS and academic partners to monitor restoration activities, burning impacts, pest and disease treatment areas, health of plantings, and success of oak forest and woodland transition. Interested Parties: Mike Henshaw, Randy Feltman, Gwen Warren, Anthony Hood, Pat Vail, Ben Vail, Peggy Armstrong, Jason Nelson, Vince Meleski, and Bill Snoddy.

## **VI. NEXT MEETING**

- The next Liaison Panel meeting will take place on December 2nd, 2003, from 6:00 p.m. to 9:30 p.m. (While it was originally thought that this meeting would take place in Moulton, the meeting room there was unavailable. Thus, the December 2<sup>nd</sup> meeting will take place in Double Springs at the Trader and Farmers Bank, upstairs.) The meeting will focus on organizing the monitoring work groups.