

Decision Notice
& Finding of No Significant Impact

Wilson Creek Wild and Scenic River
Comprehensive River Management Plan

USDA Forest Service
Grandfather Ranger District, Pisgah National Forest
Avery and Caldwell Counties, North Carolina

Decision and Rationale for the Decision

Decision

Based upon my review of the alternatives, I have decided to select **Alternative 2** (Selected Alternative) of the Wilson Creek Wild and Scenic River – Comprehensive River Management Plan (EA – see Chapter 2, page 13) on the Grandfather Ranger District, Pisgah National Forest. The Selected Alternative will:

- Serve as the the Comprehensive River Management Plan (CRMP) for the Wilson Creek National Wild and Scenic River.
- Amend the Nantahala-Pisgah Land and Resource Management Plan (Amendment 18) by updating Management Area (MA) 15 standards and guidelines to emphasize the “enhancement” of Wilson Creek’s Outstandingly Remarkable Values. (Direction and Standards are listed below.)
- Adopt the interim corridor boundary, approximately ¼ mile from each creek bank, as the management boundary for the corridor and MA 15.
- Provide programmatic direction for management of the *wild segment* of the river corridor with a focus on protecting and preserving natural processes with minimal human influences. Recreation management will be designed to provide the most primitive, natural, and remote setting possible. Access to the area is limited to roads outside of the corridor.
- Manage the *scenic segment* of the river corridor with a focus on maintaining and enhancing the near-natural environment. The riverbanks will be largely undeveloped and primitive, but may be accessible in places by roads. Recreation management will be designed to provide a natural-appearing setting with limited improvements.
- Manage the *recreational segment* of the river corridor with a focus on providing river-oriented recreation in natural-appearing or culturally-influenced settings. The river may be readily accessible by roads and trails. Recreational improvements such as trailheads and river access points will be available in some locations.
- Manage all river segments for a variety of non-motorized recreation opportunities throughout the watershed. These activities will be dispersed as much as possible in order to alleviate potential overcrowding or use conflicts. Access points such as trailheads and parking lots will be strategically located in the corridor and watershed to aid in the dispersal of recreation use and enhancement of the Outstandingly Remarkable Values of the Wilson Creek corridor.

General Direction and Standards

(Adjustments to General Direction and/or Standards based on public comments are included below and are underlined.)

Direction for Wilson Creek National Wild and Scenic River		
General direction and standards shown for this management area are only those additional to or more specific than forest-wide direction, MA 15, MA 18, and/or MA 6. Refer to forest-wide direction, MA 15, MA 18, or MA 6 for all activities and practices not addressed here.		
ACTIVITIES	GENERAL DIRECTION	STANDARDS
General	1. Protect and enhance all Outstandingly Remarkable Values for the Wilson Creek Corridor.	a. Manage for the following classifications: Scenic (headwaters to the confluence of Little Wilson Creek); Wild (Little Wilson Creek to the confluence of Crusher Branch); and Recreational (remainder of corridor).
	2. Manage the Wilson Creek corridor according to experience classifications.	
	3. Evaluate the effect of water resources projects on the river's free-flowing condition, water quality, and Outstandingly Remarkable Values. Refer to agency policy for evaluation procedures (under WSRA Section 7 authority).	
Visual Resource Management	1. Manage to maintain the unique characteristics and scenic values of the river corridor.	a. Meet a Visual Quality Objective (VQO) of Preservation in Wild Segments. Meet a VQO of Retention in Scenic Segments. In Recreational Segments, meet a VQO of Retention in Variety Class A landscapes and meet a VQO of Partial Retention in Variety Class B or C landscapes.
	2. Provide opportunities to view the scenic features without detracting from the visual quality of the feature.	a. Maintain existing vistas, and consider opening new vistas where appropriate.
Dispersed Recreation Management	1. Emphasize river oriented non-motorized recreation opportunities favoring hiking, fishing, boating, viewing wildlife and scenery, and nature observation.	a. Manage for the following experiences in each river segment: <i>Scenic:</i> Roaded Natural 2 (RN2); <i>Wild:</i> Semi-Primitive Non-Motorized (SPNM); <i>Recreation:</i> Roaded Natural 1 (RN1) and RN2.
		b. Provide for hunting and fishing consistent with established game laws and river values.
		c. No motorized watercraft will be allowed on all sections.
	2. Provide no opportunities for Off-Highway Vehicles apart from those allowed on system roads.	
	3. Provide facilities as needed for public safety, resource protection, and enhancement of the recreational experience.	

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
	4. Allow primitive camping at designated areas only.	a. Allow evidence of use to be noticeable but not dominant.
	5. Manage use to provide a level of contact among visitors and impacts to the Outstandingly Remarkable Values that is consistent with the river classification. Use the Limits of Acceptable Change (LAC) concept to monitor levels of use within the river corridor.	a. Conduct a site condition inventory to determine use patterns, site conditions, and their specified limits to be monitored.
		b. Rehabilitate degraded sites and if necessary, relocate or restrict use at those sites.
		c. Prioritize rehabilitation of impacted sites with over 200 square feet of exposed soil in the Recreation Segment, and over 100 square feet of exposed soil in the Scenic and Wild Segments.
Developed Recreation Management	1. Expansion or renovation of existing facilities will be considered before development of new facilities.	
	2. New facilities will be developed only if use levels indicate additional developed site capacity is needed and facilities are compatible with management area objectives.	
	3. New development will be designed to minimize disturbance of wildlife and move use away from sensitive riparian areas to the extent possible while still providing access to the river at designated locations.	
	4. Barrier-free facilities will be provided in accordance with applicable federal, state, and local laws and regulations.	
Cultural Resource Management	1. Manage historic and prehistoric sites consistent with forest-wide standards.	a. Consult with the Forest/Zone Archeologist prior to implementing any ground disturbing activities.
	2. Identify areas with highest potential for interpretation and enhancement.	
	3. Stabilize and protect existing sites.	
	4. Allow research if all Outstandingly Remarkable Values are protected.	
Trails Management	1. Manage for a variety of trail uses compatible with the Outstandingly Remarkable Values of the corridor.	a. Permit bicycles, horses, and llamas on designated trails only.
		b. No off-road or off-trail, cross country travel by bicycles, horses or llamas will be allowed on public lands within the river corridor.

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
	2. Manage and construct trails for a variety of difficulty levels dependent on the desired recreation experience.	a. Manage trails for the following difficulty levels: Recreational Segment: "Easiest" to "Moderate" Wild and Scenic Segments: "Easiest" to "Most Difficult"
	3. Provide access for use and enjoyment of the rivers consistent with the river classification.	a. Favor access that provides viewing opportunities in scenic sections. Design trails for resource protection and some user comfort. b. Manage for more concentrated use in recreation sections. Provide for user comfort, safety, and resource protection. c. Rehabilitate or relocate degraded access trails and steps.
	4. Maintain and construct trails consistent with river classification.	a. Maintain trails to the following standards in each river segment: <i>Wild</i> – Maintenance Levels 1-3 <i>Scenic</i> – Maintenance Levels 2-3 <i>Recreational</i> – Maintenance Levels 3-5.
Wildlife and Fish Resource Management	1. Manage streams for self-sustaining fish populations where conditions are favorable. Provide conditions for the large group of game and non-game animals that are dependent on aquatic and riparian systems. Emphasize habitat for specific Management Indicator Species which represent this group.	a. Manage habitat primarily for raccoon, pileated woodpecker, trout, and smallmouth bass.
	2. Manage streams for wild trout where conditions are favorable. Identify trout streams using designations by the North Carolina Wildlife Resources Commission or where population inventories indicate self sustaining populations.	a. Improve habitat of wild trout streams as a first priority. <u>b. Improve stability of stream banks and native riparian vegetation.</u>
	3. Retain suitable cavity trees, well dispersed throughout the area.	
	4. Manage to enhance and interpret the Outstandingly Remarkable Fish and Wildlife Values of Wilson Creek.	
	5. Maintain appropriate stream temperatures and stream environment, and protect stream banks.	

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
Land Adjustment and Rights-of-Way	1. Pursue opportunities for acquisition of private lands within river corridors whenever made available to protect and enhance the Outstandingly Remarkable Values of the corridor.	a. Consider scenic or conservation easements to protect river values only when acquisition of fee simple title is improbable.
Transportation System Management	1. Manage existing roads as necessary to maintain or enhance the Outstandingly Remarkable Values of the corridor.	a. Decommission roads, if necessary, to maintain or enhance the Outstandingly Remarkable Values of the corridor.
	2. Provide parking where possible to support an appropriate level of river corridor use. Avoid over-concentration of parking areas.	
Road Planning, Construction and Maintenance	1. Allow no new road construction which would be open to public motorized vehicles except to access facilities such as put-in/take-out areas, developed recreation sites, or other similar recreation facilities.	
Wildfire Management	1. Suppress wildfires using techniques which will have the least impact on special features in the corridor.	a. Emphasize hand tool construction of fire lines. Permit machine use only when a fire line constructed with hand tools would be ineffective for fire control.
Prescribed Burning	1. Use prescribed burning as necessary to maintain or enhance the unique resource values of the area.	
	2. Use only prescribed fire that does not kill the shade provided by a forest canopy or expose mineral soil by consuming the duff and humus layers.	
Interpretation and Education	1. Interpretive programs will be designed to improve public awareness and understanding of the Outstandingly Remarkable Values of Wilson Creek and the National Wild and Scenic River System, <u>including emphasizing Leave No Trace principles.</u> The size and type of program may vary with the recreational setting of each segment.	a. Provide cooperative interpretive opportunities with other agencies and organizations as appropriate. <u>Incorporate river stewardship as the unifying educational message.</u>
		b. Wildlife interpretation will focus on habitat protection, species that wildlife viewers will have a high likelihood of seeing, and educating the public in the importance of wetlands, meadows, snags, and other unique habitats.

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
Vegetation Management	1. Manage the river corridor as not suitable for timber production.	a. Refer to Forest-wide Direction for a list of tree cutting practices appropriate to land not selected for timber production.
	2. Generally allow natural processes to determine the composition and distribution of plant species.	
	3. Use native plant species where possible when restoring impacted sites.	
	4. Allow for vegetation management in order to treat noxious weeds, insects and disease, infested trees, and/or for salvage operations.	a. Minimize the use of mechanical equipment that would disturb the stream environment. b. Use of herbicides/pesticides would only be allowed after proper environmental analysis has occurred and only those chemicals suitable for the river environment.
Minerals Management	1. Allow no new commercial mineral activities.	
	2. Allow mineral permits in existence prior to August 2000 to continue operation until the permit expires. Once the permit expires, the site will be rehabilitated and no new permits will be issued for the site.	
Special Uses	1. Issue permits for new special uses only when compatible with special values of the area.	a. Allow no more than two commercial, non-instructional boating outfitter permits within the Recreational section of the River. Allow no more than <u>120</u> commercial boaters per day (<u>not including guides</u>), in groups of 6-15 from the date the CRMP is signed. Commercial groups of 5 or less (<u>not including guides</u>) are not included in the <u>120</u> boater limit. No commercial, non-instructional boating outfitter permits will be issued in either the Wild or Scenic sections.

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
		<p>b. Limit commercial guided angling permits, instructional boating permits or other water-based activity permit not already mentioned to groups of five or less (<u>not including guides</u>), from the date the CRMP is signed. Existing permits will be amended upon renewal.</p> <p>c. Limit land-based permits to groups of no more than 15 (<u>not including guides</u>) from the date the CRMP is signed. Existing permits will be amended upon renewal.</p> <p>d. Stipulate in every commercial permit provisions for adequate dispersal of use throughout the day and season to prevent overcrowding. Commercial boating <u>launch intervals will be specified in outfitter permits.</u></p> <p>e. Allow camping by commercially outfitted groups, or other groups under permit, only in designated areas.</p>
	2. Issue permits for research activities only when compatible with the Outstandingly Remarkable Values of Wilson Creek.	a. Mark test plots in a temporary and inconspicuous manner not visually evident to the casual observer.
	3. Educational programs which promote understanding of river ecosystems will be given preference when issuing new special use permits.	
Soil and Water	1. Maintain soils in a natural undisturbed state except for trail construction and maintenance, watershed restoration projects, wildlife improvement measures, wildfire suppression measures, recreation and site rehabilitation projects.	a. Stabilize dispersed recreation sites within the riparian area that have exposed and/or highly compacted erodible mineral soil.
	2. Continue to cooperate with and encourage enforcement of State water quality standards and environmental protection regulations on private lands within the Wilson Creek watershed.	
Gathering Forest Products	1. Issue no permits for the commercial removal of forest products.	
	2. Allow collection of plant products (nuts, berries, cones) for personal use.	

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ACTIVITIES	GENERAL DIRECTION	STANDARDS
	3. Allow collection of specimen plants for research only with Forest Supervisor approval. This requires a special use permit.	
Private Lands	1. Work with landowners to increase or improve existing streamside vegetation to reduce stream temperatures and provide high quality fisheries habitat through the reduction of runoff and sedimentation and the introduction of organic matter.	
	2. Work with landowners to assure compliance with applicable federal, state, and county clean water laws.	a. Any structures that could affect the flow of water, i.e. bridges, bank improvements or docks, require an Army Corp of Engineer permit and potentially a Section 7 evaluation by U.S. Forest Service.
	3. Work with landowners to accomplish fuel reduction around homes.	
	4. Work with National Forest visitors to increase awareness of private land along the corridor to reduce trespass and resource damage caused by such trespass.	
	5. Work with landowners to increase public access points to National Forest lands.	
	6. Work with landowners to prevent the spread of noxious weeds and non-native species onto Forest Lands.	
	7. Develop awareness among government and private agencies and develop stewardship roles and responsibilities.	

Rationale

As stated in Chapter 1 of the EA, the purpose and need (objectives) for the proposal is to fulfill the requirements of Section 3(d)(1) of the Wild and Scenic Rivers Act that states that “the Federal agency charged with the administration of each component of the National Wild and Scenic Rivers System shall prepare a comprehensive management plan...to provide for the protection of river values. The plan shall address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the purposes of this Act. The plan shall be prepared, after consultation with State and local governments and the interested public within three full fiscal years after the designation.”

I believe the Selected Alternative will accomplish this objective by providing direction that will protect and further enhance the outstandingly remarkable values of Wilson Creek while addressing the public's concerns. (See Appendix A for public comment highlights and the Agency's response.)

In reaching my decision, I began by once again reviewing the purpose and need for the project and all of the alternatives presented in the Environmental Assessment (EA). I then weighed the effects analyses of the alternatives analyzed in detail and the public comments received on the EA. The Wilson Creek Interdisciplinary Team (IDT) validated existing field surveys and conducted database queries in order to develop programmatic direction to further enhance and protect the Outstandingly Remarkable Values of Wilson Creek. During their analysis, they took a hard look at past, present, and reasonably foreseeable future actions that could be combined with expected effects from the Wilson Creek proposal. I believe they provided me sufficient analyses and conclusions to make a reasoned decision.

The Selected Alternative will affect approximately 17 percent of the 44,000-acre Wilson Creek watershed.

Other Alternatives Considered

In addition to the Selected Alternative, I considered one other alternative in detail: Alternative 1. (EA, page 10)

Alternative 1

Under Alternative 1, the existing goals, standards, and guidelines that are present in the Nantahala and Pisgah National Forests Land and Resources Management Plan would be applied to the Wilson Creek Corridor. The direction for Management Area 15 (Designated National Wild and Scenic Rivers) would remain unchanged and *Wilson Creek* would be added to the list of applicable rivers. I did not select this alternative because it presented actions that would only protect, but would not further enhance the Outstandingly Remarkable Values of Wilson Creek. I believe it is important these actions be implemented to move the area towards the Forest Plan's desired future condition.

Other Alternatives Not Considered

Page 20 of the EA disclosed one alternative (no action) that I considered but eliminated from detailed study. This alternative would not fulfill the requirements of Section 3(d)(1) of the Wild and Scenic River Act. Since it was not considered in detail in the EA, it was not considered in the range of alternatives for my decision.

Public Involvement

The National Forests of North Carolina began the CRMP process on February 25, 2002, when a letter was mailed to approximately 400 individuals and/or organizations, soliciting comments concerning the

development of the CRMP and advertising a March 19, 2002, public meeting. This same information was used to develop a news release that was sent to area newspapers and posted on the Forest website.

Approximately 100 people, representing a variety of interests, attended the March 19, 2002, public meeting at the Collettsville School in Caldwell County. Approximately 40 questions and comments were captured and utilized to shape the issues for this project. Response to the CRMP process, overall, was very positive and supportive. An invitation to provide written comments was made and most attendees took a comment form with them.

Throughout 2002 and 2003, information concerning the status of the CRMP was included in the Grandfather Ranger District's Outdoor Update which is circulated to area media, outdoor businesses and chambers of commerce. An open house was hosted for the landowners along the corridor in May 2003 to provide an update on the project. Updates were provided to the Caldwell County Commissioners upon request.

A 30-day period of the pre-decisional Wilson Creek Wild and Scenic River EA was initiated on March 31, 2005, and was completed on April 30, 2005. Information was distributed using three methods, direct mail-out of the EA and draft CRMP to 140 people who provided comments during the initial scoping period and required agencies; direct mail-out of a summary newsletter to 175 Wilson Creek landowners, outfitters and guides and meeting attendees who did not provide scoping comments; and posting of the documents on the National Forests in North Carolina website. Eight letters, e-mails and/or oral comments were submitted by members of the public during this period. A summary of the interests is attached to this decision notice in Appendix A. Following review of comments received, the March 2005 EA and Comprehensive River Management Plan (CRMP) were slightly modified to respond to public comments and new information (40 CFR 1503.4). These edits are presented in this decision in the above table or members of the public may request a copy of the updated CRMP or access it from our web site at: <http://www.cs.unca.edu/nfsnc/>.

Findings Required by Laws and Regulations

1. This amendment does not change any Forest Plan land allocation, timber suitability, or type or amount of outputs of good or services provided. Neither the timing of this decision, the location, nor size of the area affected of the area affected are grounds for considering this to be a significant amendment, since this amendment has no impact to forest resources (EA, Chapter II). Therefore, this would not be a significant amendment to the Forest Plan.
2. This amendment will meet all requirements of the Endangered Species Act and all agreements with the State Natural Heritage Program, in that there would be no impacts to Threatened, Endangered, and Sensitive species or critical habitat for these (EA, Chapter IV).
3. The amendment is reasonable and feasible. Implementation of some new monitoring for maintaining the Outstandingly Remarkable Values of Wilson Creek will be needed; however, the Forest has the requisite expertise and access to additional external expertise.
4. There are no irreversible or irretrievable resource commitments and no loss of long-term productivity since this is a programmatic amendment to the Forest Plan and has no ground disturbing effect (EA, Chapter I).
5. The decision to implement the Selected Alternative is consistent with the intent of the long-term goals and objectives required by Section 3(d) (1) of the Wild & Scenic Rivers Act (EA, Chapter 1).

Finding of No Significant Impact

I have determined that this Plan Amendment is not a major federal action, individually or cumulatively, and will not have a significant impact on the quality of the human environment. Since all elements of the alternatives are entirely programmatic in nature, no adverse effects on biological or archeological resources would result from incorporation of the CRMP in the Forest Land and Resource Management Plan (EA, Chapters I and IV). Therefore, an environmental impact statement will not be prepared. I have considered both context and intensity in my determination, based on environmental analysis documented in the Environmental Assessment.

Context

This Plan Amendment adds direction to ensure the ability to maintain and enhance the Outstandingly Remarkable Values of Wilson Creek. The outcomes anticipated from this amendment are: there would be clear direction in the nature of projects proposed and the environmental assessments for projects; and there would be changes in the amounts and types of field data collected for monitoring purposes (EA, Chapter I and IV). It would not have direct, indirect, or cumulative effects on any forest resource.

Intensity

Both beneficial and adverse impacts are considered. There will be no significant effects as a result of the action. The nature of the impacts of this decision has to do with the ability of maintaining and enhancing the Outstandingly Remarkable Values of Wilson Creek and the type of monitoring activities that will occur in the future (EA, Chapter I).

The action will have no discernible effects on the public health and safety. Any activities related to the changes in monitoring will be similar to other forest related outdoor activities such as hiking or nature study.

The action will not have any detrimental effects on any unique characteristics of the geographic area such as historical and cultural resources, prime farm lands, rangelands, parklands, wetlands, wild and scenic rivers, or ecologically critical areas (EA, Chapter IV).

Based on public involvement and analysis, the effects on the quality of the human environment are not highly controversial.

The action does not involve highly uncertain, unique, or unknown environmental risks to the human environment. No direct, indirect, or cumulative effects would occur to any forest resource.

This amendment will change the nature of future projects and activities, and will change some monitoring activities (EA, Chapter I). These changes should provide additional baseline information for Forest Plan revision.

The cumulative effects of the proposed action have been analyzed and no significant effects are anticipated (EA, Chapter IV).

This action does not adversely affect cultural resources listed or eligible for listing in the National Register of Historic Places and will not cause loss or destruction of significant scientific, cultural, or historical resources.

This amendment will have “no effect” on Threatened or Endangered Species and “no impacts” on Sensitive Species. The amendment will not result in a trend to federal listing or cause a loss of viability of any Sensitive species (EA, Chapter IV).

This action does not lead to violation of federal, state, or local laws imposed for the protection of the environment, since there will be no direct, indirect, or cumulative effects on any natural resource (EA, Chapter IV).

Administrative Review and Contacts

This decision is subject to appeal pursuant to 36 CFR 217.3(1). A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to:

USDA Forest Service
ATTN: Appeals Deciding Officer
1720 Peachtree Road, N.W., Suite 811 N.
Atlanta, Georgia, 30309-9102.

Appeals may be faxed to (404) 347-5401. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals must meet content requirements of 36 CFR 217.9. Appeals may also be mailed electronically in a common digital format to: appeals-southern-regional-office@fs.fed.us.

For further information on this decision, contact Steve Hendricks, Planner/Landscape Architect, National Forests in North Carolina at 828-257-4200.

Implementation Date

As per 36 CFR 217.10, unless a stay is granted, implementation of this decision may begin after seven calendar days following publication of the legal notice.

/s/ Monica J. Schwalbach

September 30, 2005

MONICA J. SCHWALBACH
Acting Forest Supervisor
National Forests in North Carolina

Date