



United States  
Department of  
Agriculture

Forest Service

Eastern  
Region



# Response to Comments Appendix to the Final Environmental Impact Statement

January 2006

## 2006 Land and Resource Management Plan



**Wayne  
National  
Forest**

*Caring for the Land and Serving People*

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# Response to Comments Appendix to the Final Environmental Impact Statement

for the

Wayne National Forest 2006 Land and Resource  
Management Plan (2006 Forest Plan)

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## Content Analysis of Responses to Release of the Draft EIS and Draft Forest Plan

### Introduction

This appendix includes a description of the formal public comment analysis and response to comment process, and a list of public concerns and our agency responses for the Proposed Revised Forest Plan and Draft Environmental Impact Statement. This appendix also includes scanned copies of the city, county, state, federal and tribal agency letters received during the formal 90-day comment period.

### Content Analysis Process

All letters, e-mails, faxes, and comment forms received as public comment on the Proposed Revised Forest Plan and the Draft Environmental Impact Statement (DEIS) were compiled, organized, read, and analyzed by a government contractor, Jones & Stokes, using a process developed and overseen by the U.S. Forest Service Content Analysis Team (CAT), a unit of the Washington Office Ecosystem Management Coordination branch.

Agencies have a responsibility under the National Environmental Policy Act (NEPA) to first “assess and consider comments both individually and collectively” and then to “respond . . . stating its response in the final statement.” The content analysis process used by Jones & Stokes considers comments received “individually and collectively” and equally, not weighting them by the number received or by organizational affiliation or other status of the respondent.

This content analysis process is designed to systematically manage large volumes of information while capturing the full range of public viewpoints and concerns. Content analysis is intended to facilitate good decision making by helping the agencies involved clarify, revise, or incorporate technical information to prepare the Final Environmental Impact Statement (FEIS). All submissions (letters, emails, faxes, and other types of input) are included in this analysis.

The content analysis process is comprised of three main components: a topical coding structure and standardized process for its application, a comment database and mailing list, and a set public concern statements. In the content analysis process, each letter, postcard, fax, email, response form, or other document (collectively referred to as “response letters” in this appendix) is assigned a unique tracking number. Each author or signatory to a response is called a “respondent.” All respondents’ names and addresses are entered into a project specific database program to produce a complete mailing list. Each respondent is also assigned a unique identifier number for tracking purposes. All respondents

are linked to their individual responses and comments in the database using these identifying numbers. Project specific demographic information is also recorded in the database, such as any self-identified organizational affiliation or whether the response letter submitted is part of an organized response campaign.

Staff analysts then read all public response letters in their entirety and proceed to identify discrete comments within them that relate to a particular concern, resource consideration, or proposed management action. Every effort is made to keep each comment within sufficient context that it is a stand-alone statement. Analysts look for not only each action or change requested by the public, but also the reason(s) behind each request in order to capture the full argument of each comment. Therefore, paragraphs within a response letter may be divided into several comments because multiple arguments are presented, or alternatively, several paragraphs that form one coherent statement may be coded into one comment. While simple statements of opinion without a rationale are captured in the process and entered in the project database, it is the strength of each rationale as a complete argument that provides the interdisciplinary team a substantive comment to consider.

Once stand-alone comments are identified, analysts assign each comment to a numerical code that identifies the overall subject area. They used a systematic numerical categorization, or coding structure, that has been specifically tailored to revision of the Wayne National Forest Land and Resource Management Plan (Forest Plan). The specific coding structure is a tool to help sort comments into logical groups by topics. The coding structure and other supporting documentation are available in the administrative record at the Supervisor's Office in Nelsonville, Ohio.

After being coded, each response letter's set of coded comments is entered verbatim into the database. This database serves as the complete project record and allows analysts and planning team members to run specialized reports, identify public concerns, and determine the relationships among them.

The content analysis process also identifies response letters that are submitted as part of an organized response (or "form letter") campaign and therefore contain identical text. These are grouped by campaign, and all mailing information for each respondent is entered into the project database, as well as an identifier code for the campaign. Analysts also code a master campaign letter and enter all comments verbatim into the project database so that they are considered alongside all non-campaign comments. If respondents add original comments to the organized response letter they submit, these comments are identified, separately coded, and entered into the database.

The third phase of content analysis includes the composition of summary statements of public concern. Analysts review the entire comment database sorted by topic area, and then write public concern statements to summarize comments

that present similar arguments or positions. Each public concern is worded to capture the action that one or more members of the public feel decision-makers should take, and often includes a set of subconcerns that indicates the reason for this request. Because each public concern statement is a summary, it can represent one or many comments, depending on the actual comments submitted. Concern statements range from extremely broad generalities to extremely specific points because they reflect the content of verbatim public comments.

Public concern statements are not intended to replace actual comment letters. Rather, they can help guide reviewers to comments on the specific topic in which they may be interested. They also make it possible to systematically respond to large numbers of comments because like comments have been grouped together. All of the original response letters in their entirety are in the administrative record at the Supervisor's Office in Nelsonville, Ohio.

It is important to note that during the process of identifying public concerns, all comments have been treated equally—they are not weighted by organizational affiliation or status of respondents, and it does not matter if an idea was expressed by thousands of people or a single person. Emphasis is placed on the content of a comment rather than who wrote it or the number of people who agree with it. Relative depth of feeling and interest among the public can serve to provide a general context for decision-making. However, it is the appropriateness, specificity, and factual accuracy of each comment that provides the basis for modifications to planning documents and decisions.

Therefore, consideration of public comment is not a vote-counting process in which the outcome is determined by the majority opinion. The National Environmental Policy Act (NEPA) encourages all interested parties to submit comment as often as they wish regardless of age, citizenship, or eligibility to vote. Respondents may include businesses, people from other countries, children, and people who submit multiple responses. Analysts did not attempt to tabulate the exact number of people in favor of or opposed to any given aspect of the Proposed Revised Forest Plan and DEIS.

Database reports by topic area allow systematic review of all public responses by subject area. Given the rapidly expanding volume of responses during comment periods due in part to increasing public interest in public lands management issues and the widespread use of e-mail, this content analysis process greatly enhanced our methodical review of comments and has helped to meet our goal to continually improve decision-making and responsiveness to the public. For more information on the content analysis process, the reader may contact the Forest Service Content Analysis Team in Salt Lake City, Utah.

## Post-Content Analysis

Once the public concern statements were developed, the planning team prepared an agency response for each public concern. In some cases, more than one public concern statement is answered with one agency response. At the end of this appendix, the reader will find the letters received from governmental agencies in their entirety. Their comments are represented in the public concern statements.

## Responses Received After the Formal 90-day Comment Period

The formal 90-day public comment period for the Proposed Revised Forest Plan and DEIS ran from April 1, 2005 through July 1, 2005. Some responses were received after the close of this comment period. Although these responses could not be included in the content analysis process, we did review the late responses for any new information not already addressed by responses that arrived prior to the public comment deadline. These responses are on file in the administrative record in the Nelsonville, Ohio office.

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## Public Concerns and Forest Service Responses

This section includes all of the Public Concern (PC) statements and the agency responses. The PCs and agency responses are organized by general subject areas.

### I. Planning Process, Policies and Laws

#### 1. General

**1: The Wayne National Forest should allow the opportunity to appeal the final decision of this revised Forest Plan.**

**Response (1):** The Record of Decision for the 2006 Forest Plan provides that the decision may be appealed.

**2: The Wayne National Forest should make the decision on what types of multiple uses are appropriate for a national forest in Ohio.**

**Response (2):** We agree. The Record of Decision for the 2006 Forest Plan documents this decision. Appendix A of the FEIS documents how the public has been involved in arriving at this decision.



Under the Multiple-Use Sustained Yield Act the Forest Service has wide discretion to weigh and decide the proper uses of any area. The Act is drafted in general terms and does not place concrete limits on the agency's discretion. Multiple use management does not require that every use occur on every acre. Instead, the agency has discretion to choose the appropriate uses of various areas. The interdisciplinary team carefully weighed the relative values of the various uses of particular areas, and this balancing of uses was taken into consideration in reaching the decision for the 2006 Forest Plan.

**3: The Wayne National Forest should include an explanation of why Alternative E provides the best management direction for the Forest in the Final EIS or Record of Decision.**

**Response (3):** The rationale for the selected alternative is included in the Record of Decision.

**4: The Wayne National Forest should emphasize restoration, reclamation, and recreation as the key programs for the Wayne National Forest.**

- a) Including non-chemical invasive species removal.
- b) Including protection of interior forest species.
- c) To preserve wild forests.
- d) To ensure the benefits of forests are available to both present and future generations.
- e) To foster a just, conservation based economy creating and sustaining family- wage jobs within the capacity and resiliency of healthy forest ecosystems.

**AND**

**5: The Wayne National Forest should revise Forest Plan (Chapter 2) Goals 9 -18.2 to give priority to resource protection and restoration.**

- a) To exclude commercial harvesting, new road construction and expanded mineral resource extraction.

**AND**

**6: The Wayne National Forest should be used as a treasure for wildlife habitat, environmental benefit and public enjoyment.**

**Response (4, 5, and 6):** We agree that resource protection and restoration, wildlife habitat, and public enjoyment are important goals for the Wayne National Forest, and this is reflected in the goals, objectives and standards and guidelines in the 2006 Forest Plan. We believe it is possible to provide goods and services to the public while protecting and restoring our natural resources. Chapter 3 of the FEIS explains how timber harvest is used to produce desired wildlife and plant habitat conditions.

Federal laws such as Multiple Use Sustained Yield Act, Forest Land Management Planning Act, and the Mineral Leasing Act indicate that it is Congress' intent that the National Forests be available for wise use of natural resources. Excluding these uses is not mandated by law. The Forest has expended considerable effort in developing a balanced framework for future decisions which allows, but does not mandate, some level of management activity after further environmental analysis. We listen to the divergent views of the public regarding the proper uses of the Forest and struck a balance which allows gives priority to protecting wildlife and recreation values, allowing sustainable use of the Forest, maintaining resource values for future generations. (See Relationship of the Plan to Laws and Other Documents in Chapter 1 of the 2006 Forest Plan and Minerals and Geology in Chapter 3 of the FEIS). A no commercial timber harvest alternative was considered, but eliminated from detailed study (please see response to PC 198).

**7: The Wayne National Forest should use the proper [2005] 36 CFR 219 regulations, not the outdated 1982 regulations which no longer exist.**

**a) Including the current definitions of "guidelines" and of "objectives".**

**AND**

**8: The Wayne National Forest should use the definitions from the current version on 36 CFR 219 (2005 Planning Rule)**

**a) For "guidelines"**

**b) For "objectives"**

**Response (7 and 8):** We are following the 2005 planning regulations; 36 CFR 219.14 (e) states that "Plan development, plan amendments, or plan revisions initiated before the transition period may continue to use the provisions of the planning regulations in effect before November 9, 2000 ... [i.e. the 1982 planning regulations]." The revision of the Wayne's Forest Plan was initiated in 2002. We believe it best serves the public interest to complete the revision following the provisions of the 1982 rule, as is provided for in the 2005 planning rule.

**9: The Wayne National Forest should analyze and disclose in the EIS the effects of the U.S. Highway 33 Bypass project, including effects on water resources, economic impacts, and cumulative effects.**

**Response (9):** U.S Highway 33 extends from southwest Michigan to Richmond, VA, serving as the primary northwest to southeast route between Fort Wayne, IN, Columbus, OH and Charleston, WV. The highway's section through the town of Nelsonville is the last unimproved link left in southeast Ohio. The Ohio Department of Transportation (ODOT) and the Federal Highway Administration (FHA) were analyzing alternative routes for a Highway 33 bypass around Nelsonville when the Proposed Revised Plan and DEIS were released for public review on April 1, 2005. A final decision on the selected route for the bypass was announced in a Record of Decision by ODOT/FHA in June 2005. The selected route for the bypass lies within the Forest's proclamation boundary over its entire 8.5 mile length with the easement encompassing 325 acres of national forest land.

Impacts from the U.S. Highway 33 Bypass on affected national forest lands have been fully analyzed in the Highway 33 Bypass FEIS and Record of Decision, which can be reviewed at the Wayne National Forest Headquarters in Nelsonville, Ohio. The Wayne National Forest is a cooperating agency working with FHA and ODOT throughout the planning and implementation phases of the proposed project. ODOT and FHA are the lead agencies for the bypass project, while the Forest Service's role is to assist FHA and ODOT in addressing and mitigating effects on the Forest.

A section has been added to the FEIS (Appendix K) that supports to the 2006 Forest Plan to summarize the effects of the Nelsonville Bypass on the Wayne National Forest. The selected route for the Nelsonville Bypass is indicated on the map of the selected alternative for the 2006 Forest Plan. About 500 acres allocated to the Historic Forest Management Area between the current highway alignment and the new bypass has now been allocated to the Diverse Continuous Forest Management Area in the selected alternative. Smoke management concerns adjacent to the bypass led us to change the management area allocation from the Historic Forest which emphasizes use of prescribed fire to Diverse Continuous Forest with a less intensive fire management regime.

**10: The Wayne National Forest should halt the Nelsonville Bypass project until it has prepared an EIS and the public has had an opportunity to and the right to appeal under the National Forest System's appeal process.**

**AND**

**11: The Wayne National Forest should not allow the U.S. Highway 33 Bypass project to be constructed across the Forest. This means developing an enforceable standard in the Revised Forest Plan that prohibits land transfers, leasing, renting, or swapping to other agencies.**

**Response (10 and 11):** As noted in the previous response, the Forest Service is not the lead agency for the U. S. Highway 33 Bypass. There is a national Memorandum of Understanding between the Forest Service and the Federal Highway Administration calling for these two agencies to cooperate to develop roads and facilities that would provide the greatest good to the American people. This means that when necessary, national forest lands may be allocated for use as a highway right-of-way when analysis by the Federal Highway Administration indicates that such use maximizes net public benefit.

Throughout the U. S. Highway 33 Bypass analysis process, the Forest Service has worked closely with the Federal Highway Administration and the Ohio Department of Transportation in the analysis and mitigation of impacts on affected national forest lands. We have also assisted in the development and review of that project's FEIS and Record of Decision. The U. S. Highway 33 Bypass FEIS and Record of Decision are not subject to Forest Service appeal regulations or Forest Service National Environmental Policy Act regulations.

**12: The Wayne National Forest should apply adaptive management in the revised forest plan, maintaining the flexibility to adjust standards and guidelines as more is learned during implementation of this plan.**

**a) Because some management techniques, such as prescribed fire, may be another in a long line of passing fads.**

**Response (12):** We believe that Forest Service planning regulations and the 2006 Forest Plan (or "Revised Forest Plan") incorporate the concept of adaptive management. The reason for monitoring and evaluation, and for plan amendments and revisions, is to determine how current direction is working and change it as monitoring results and new information indicate the need to do so. See the Forest Plan Amendments section in Chapter 1 of the 2006 Forest Plan.

We acknowledge that there will always be emerging scientific information to consider in management of the Forest. The decision embraces the concept of adaptive management, for the 2006 Forest Plan is a dynamic document that changes in response to new information and circumstances. We agree with the commentor that adaptive management is a sound approach to resource management.



**13: The Wayne National Forest should continue to coordinate with the U. S. Department of the Interior (USDI) to ensure that impacts to resources of concern to the department are adequately addressed.**

**Response (13):** The Forest Service has coordinated closely with USDI agencies--Fish and Wildlife Service, Bureau of Land Management and the National Park Service--throughout the revision of the Forest Plan. We will continue to coordinate closely with these agencies during Forest Plan implementation. The consultation process with the U.S. Fish and Wildlife Service is documented in the Biological Assessment found in the FEIS (Appendix F). Please refer to the letters received from USDI on the DEIS and Proposed Revised Plan at the end of this Response to Comments document.

**14: The Wayne National Forest should revise the Forest Plan to manage for long-term sustainability as the primary priority.**

**Response (14):** We agree that the Forest Plan must provide for long-term sustainability, which is required by the National Forest Management Act (2006 Forest Plan – Chapter 1), and the Forest Service Strategic Plan (FEIS – Chapter 1). Indeed, long-term sustainability is the keystone of the 2006 Forest Plan. We have been careful to consider the special niche of the Forest in the ecosystem and its role in the economy of southeastern Ohio. Protection of the special areas, listed species, unique opportunities presented by the Wayne National Forest are all part of our approach to sustainable resource use. For example, the 2006 Forest Plan includes programmatic management direction to restore the oak and hickory tree component of the Forest which is gradually being lost to more shade-tolerant tree species. There are many examples in the 2006 Forest Plan of long-term consideration of effects of possible management alternatives; sustainable management is the common thread weaved throughout the selected alternative.

**15: The Wayne National Forest should be actively managed to provide a healthy, diverse forest that can be passed on to future generations.**

**Response (15):** We agree. We also believe it is appropriate to allocate some of the Wayne National Forest to management areas with prescriptions that emphasize an essentially custodial management strategy (see response to PC 81). Forest health and sustainability were paramount concerns in the development of the programmatic management direction of the selected alternative. As described in the record of decision, the direction developed

for plan revision allows future decisions that will enhance biological diversity and protect forest health. Where the land is still recovering from past use prior to national forest ownership, the 2006 Forest Plan strives for programmatic direction which facilitates and allows that healing to continue. Multiple use resource management involves a balancing of uses across the Forest. The choice of appropriate use of particular areas is delegated to the Forest under Multiple Use Sustained Yield Act and National Forest Management Act.

**16: The Wayne National Forest should revise the Proposed Revised Forest Plan to reestablish sustainable human connections to the land, creating quality restoration jobs and encouraging conservation-based economies.**

**Response (16):** We believe the 2006 Forest Plan does address this concern, including Goal 1.1 on collaboration with partners.

**17: The Wayne National Forest should bring community forestry and conservation groups together with the goal of committing to thoughtful, science based restoration.**

**a) To ensure future generations can experience and enjoy intact, diverse forested landscapes.**

**Response (17):** We agree. Goal 1.1 in the 2006 Forest Plan addresses this concern. The 2006 Forest Plan was developed with considerable public participation, as document in the planning record. We listened to what the public had to say about past management and their desire for the future of the Forest, and made a special effort to understand the comments submitted on the Draft EIS. We understand that not everyone will be happy with all aspects of the 2006 Forest Plan. This is not surprising given the contentious nature of resource management. We have strived to reach out and work with all interests to develop a balanced plan that allows the ecological healing which began in 1935 to continue. And, as noted in the comment, we have acknowledged and incorporated scientific information, especially published, peer-reviewed science addressing local management and resource conditions. Continued collaboration in the development of site specific projects is of keen interest to the Forest. We look forward to working with our partners and anyone that is interested in sustainable use of the Forest to bring about our shared vision for what the Wayne National Forest has to offer residents of southeastern Ohio and beyond.

**18: The Wayne National Forest should revise Goal 1.1 on page 2-3 of the Proposed Revised Forest Plan to include non-profit, non-governmental organizations as partners.**

**Response (18):** The recommended change has been incorporated in the 2006 Forest Plan.

**19: The Wayne National Forest should describe the forest on a human scale with the objective to describe a collectively remembered forest against which to measure the forest's present condition, and to articulate the implications of forest change for the region.**

**Response (19):** Humans have had a profound influence on the landscape of the Wayne National Forest, and their influence continues today. We have described the history of the Native American cultures, early European settlement, and African American history in the assessment of Social and Economic Effects (Chapter 3 of the FEIS), and summarized how settlement and industry shaped the environmental condition of our forest today (Chapter 1 of the FEIS). Throughout Chapter 3 of the FEIS, we have displayed how various management activities would affect the environmental and socioeconomic conditions, including activities that promote a return to more historic forest conditions.

**20: The Wayne National Forest should include a statement in the revised forest plan that indicates that significant variations may occur at the project level depending on local conditions.**

**Response (20):** This concern is addressed in Chapter 1 of the 2006 Forest Plan (section “Site-specific Projects”). The key to understanding the 2006 Forest Plan (or “revised plan”) is understanding the nature of the plan decision. As noted in the comment, the programmatic revised plan does not authorize any ground-disturbing activity. To the contrary, the plan simply sets forth a framework for future management activity. As the Supreme Court noted in Norton v. Southern Utah Wilderness Alliance, a land use plan such as this describes, for an administrative unit, allowable uses, goals for future condition of the land, and next steps. Land use plans are part of the overall process of managing public lands; they are not ordinarily the medium for affirmative decisions that implement the agency’s projects. Land use plans such as this are tools by which present and future use is projected. The Court properly noted that a land use plan such as this is not a final, implementable decision for on the ground actions.

Although the plan contemplates that various management and emphases will occur over the 10-15 year of the plan, it does not dictate that any particular

action occur on the ground. Another stage of decision making, the project level, introduces site-specific information, analyses, and additional public participation, prior to any ground disturbance. The revised plan plays a key role in providing standards - essentially mitigation measures - which act as constraints to control and mitigate the effect of future management decisions. Many federal courts, as well as the Supreme Court, have acknowledged that forest plans do not make final site-specific determinations on management actions such as timber harvest method or location. Such determinations better made at the site-specific level using local resource information and analyses.

*See also* Chief's Decisions on Administrative Appeals of the Wayne National Forest Plan #2313 and #2309 (*e.g.* discussion of the nature of forest plans with regard to timber harvest levels, timber harvest methods, diversity of plant and animal communities, range of alternatives in a programmatic EIS, and limits on disclosure of effects in a programmatic EIS). The Chief's discussion of the legal requirements of NFMA and the nature of forest plans, as well as our experience in resource management under the 1988 Plan, provide an important foundation for this revised plan. The Chief's decisions on the 1988 Wayne Forest Plan are included as part of the planning record.

**21: The Wayne National Forest should develop documented desired future condition specifications for each designated forest management area and its associated forest types, as well as, a list of key indicator species to monitor for each management area designation to meet the requirements of an adaptive.**

**Response (21):** The desired future condition for each management area is stated in Chapter 3 of the 2006 Forest Plan. Management indicator species are monitored on at a Forest-wide level rather than by individual management areas, although certain management indicators may be more associated with some management areas than others. For instance, we would expect to find more yellow-breasted chats in the Forest and Shrubland Mosaic Management Area than in the Future Old Forest Management Area.

It is important to note that a species does not have to be listed as an MIS to be part of the Forest's monitoring strategy. The comment does not provide any evidence as to why additional MIS would be of benefit to the Forest. Clearly there will always be additional wildlife species that could be monitored. However, the critical inquiry is whether additional MIS are necessary to fulfill the purpose of 36 CFR 219.19. FEIS Appendix E describes the process by which the MIS were chosen for the 2006 Forest Plan, and describes the trade-offs involved. We have considered the suggestion in the comment, but have concluded that a "list of key indicator species for each management area" is neither required by law, nor consistent with good scientific management of the Forest. Neither would such an approach be practical, given the cost



associated with monitoring. NFMA regulations (36 CFR 219.19(a)(1)) provide considerable discretion in the choice of MIS, based upon local needs and conditions.

**22: The Wayne National Forest should clarify that management area descriptions are written as proposals for the future.**

**Response (22):** This concern is addressed in Chapter 1 of the 2006 Forest Plan (section “Goals, Desired Future Conditions, and Objectives”). The descriptions of each management area are laid out in a “Desired Future Condition” section for each individual management area in Chapter 3 of the 2006 Forest Plan.

The management area direction in the 2006 Forest Plan is indeed programmatic and forward-looking. Nothing in the Plan mandates any particular site specific action. Instead, the standards in the 2006 Forest Plan function as constraints on future development actions (site specific projects) that may be proposed over the 10-15 year life of the plan. NEPA compliance is required prior to any site-specific decision, at which time the adequacy of the plan direction for particular site is evaluated, and, if necessary, amended.

**23: The Wayne National Forest should revise the standards and guidelines so they are measurable, deadline driven, enforceable, understandable and legal.**

**a) To be in compliance with NFMA regulations**

**Response (23):** We believe the standards and guidelines in the 2006 Forest Plan are consistent with National Forest Management Act regulations. The commenter does not specify which standards are guidelines he/she believes are not in compliance, or what changes would be necessary to bring them into compliance.

**24: The Wayne National Forest should distill the management guidance from the EIS and Forest Plan into implementation guidance for Wayne National Forest staff to utilize in conducting management activities on the forest.**

**Response (24):** The 2006 Forest Plan is the implementation guidance for management activities on the Wayne National Forest. For further

information, please see Chapter 1 of the 2006 Forest Plan (sections “Purpose of the Forest Plan” and “Implementing the Forest Plan”).

There is no legal requirement for the development of “implementation guidance” beyond that in the forest plan, nor does the comment provide any evidence that such guidance would be beneficial. The 2006 Forest Plan was developed using the best available information, with public participation, by a local interdisciplinary team. Numerous district-level employees have contributed to and reviewed various documents during the plan revision process. We do not see a need for additional implementation guidance.

**25: The Wayne National Forest should include information on all resources in the management area information for all management areas [Forest Plan – Chapter 3].**

**AND**

**26: The Wayne National Forest should add a Lands section on Page 3-10 (Historic Forest), Page 3-16 (Forest and Shrubland Mosaic), Page 3-22 (Grassland and Forest Mosaic), and Page 3-33 (River Corridors).**

**Response (25 and 26):** These recommendations have not been implemented. The introduction to Chapter 3 in the 2006 Forest Plan states, “If a specific resource is not addressed in the MA [Management Area] prescription, then the Forest-wide standards and guidelines provide management direction.”

The commentor does not indicate what specific information is lacking in the management areas. All multiple use resources have been considered on a Forest-wide basis. There is no legal requirement (*e.g.* Multiple Use Sustained Yield Act or National Forest Management Act) to provide every multiple use resource on every acre. The Forest has considerable discretion as to which uses are appropriate on particular areas of the Forest. All multiple use resources have been considered for each management area.

## **2. Public Involvement**

**27: The Wayne National Forest should work to build public trust in its managers.**

**Response (27):** We agree that trust between the public and public servants is essential. We believe that the public involvement process for revision of the Forest Plan, outlined in Chapter 1 and Appendix A of the FEIS, have contributed to this relationship.

**28: The Wayne National Forest should continue collaboration, cooperation, and consultation with the most knowledgeable sources must continue even after the revised plan is implemented, with the good of the Forest as the uppermost goal.**

**Response (28):** We agree. This is reflected in Goal 1.1 in the 2006 Forest Plan.

**29: The Wayne National Forest should revise the Proposed Revised Forest Plan to require that a transparent public monitoring and evaluation process be planned and funded before restoration projects can proceed.**

**Response (29):** We believe that Chapter 4 of the 2006 Forest Plan lays out a transparent monitoring and evaluation process. The Wayne National Forest annually releases a monitoring and evaluation report for public review. The relationship of annual budget, plan implementation, and site-specific projects is addressed in Chapter 1 of the 2006 Forest Plan.

**30: The Wayne National Forest should not ignore the views of those who understand the complexities of forest ecology and conservation biology; to do so is a violation of NEPA, ESA and other federal mandates.**

**Response (30):** We believe the 2006 Forest Plan is based on the best available science. The Forest Service interdisciplinary team of resource specialists developed planning issues, management alternatives, and analysis of those alternatives based on the best available information from all sources, as is reflected in the EIS, the Analysis of the Management Situation, the Species Viability Evaluations, and the Biological Evaluation.

We considered the scientific information submitted to us by the public, State officials, and other resource experts during plan revision. We were particularly concerned about using high quality data and information. Peer reviewed, published scientific information dealing with local conditions and circumstances were, of course, of great interest to us. The commentor does not indicate what particular information was not used, or what effect such information would have had on the outcome of plan revision. We acknowledge that there will be new scientific developments over the 10-15 year life of the plan. We will adapt this plan to these changes. Waiting for complete knowledge would lead to analysis paralysis, not good decision making. Based upon our experience in implementing the previous forest

plan, and guided by the help of numerous researchers and scientists, in addition to our own resource professionals and scientists, we developed a balanced framework for future management. Most importantly, the Forest did not “ignore” any credible scientific information submitted to the interdisciplinary team.

**31: The Wayne National Forest should not ignore what the American public wants, as displayed in the Forest Service's own pamphlet "The American Public's Values and Objectives Regarding Forests and Grasslands".**

**Response (31):** The public has been extensively involved in the revision of the Forest Plan, as is described in Appendix A of the FEIS. Public involvement in forest planning should not, however, be confused with voting. Comments were considered irrespective of the number of times they were made.

All multiple use resources were considered in plan revision. The broad range of alternatives analyzed reflects the divergent public views of how the Forest should be managed. We understand from more than a decade of experience with National Forest Management Act (NFMA) forest planning that resource management, despite the efforts of the drafters of NFMA, remains a contentious and often litigious undertaking. It is an impossible task to try to please everyone all the time. We devoted considerable effort towards collaboratively working, and listening, to anyone who was interested in shaping the development of the plan. Public participation played a role in the shaping and molding of the selected alternative. Generally speaking, the 2006 Forest Plan is a balanced framework, reflecting the trade-offs inherent in such a complex undertaking. The comment does not present any information that was “ignored” by the interdisciplinary team, nor explain how such information might have changed the decision. The record does indicate that there were many opportunities to submit information to the Forest, and many people took advantage of those opportunities.



*Members of the public take part in a discussion at the Alternative Development Workshop in Akron, Ohio, 2003.*

**32: The Wayne National Forest should add a forest-wide goal to the proposed revised forest plan on "Public Involvement and Outreach".**

**Response (32):** Goal 1.1 in the 2006 Forest Plan addresses this concern.

**33: The Wayne National Forest should provide an open, inclusive and transparent decision-making process.**

**Response (33):** We agree. The National Environmental Policy Act mandates public involvement in the decision making process of federal agencies, and we believe we have met that intent in revision of the Forest Plan, and we intend to continue to involve the public in decisions for site-specific projects as we implement the 2006 Forest Plan. The record documents that the forest plan revision process was open, transparent, and inclusive. The comment does not explain what more could have been done. Indeed, the Forest not only met legal requirements (e.g. National Environmental Policy Act, National Forest Management Act) for public participation, but exceeded those requirements. The 2006 Forest Plan is an example of a collaborative planning effort.



*Forest Plan revision open house held at the Frontier High School, Washington County, Ohio, 2005.*



### 3. Use of Science

**34: The Wayne National Forest should address each principle in the paper titled Citizens' Call for Ecological Forest Restoration: Forest Restoration Principles and Criteria, and either include the principles as a plan standard, not a guideline, or explain why it is not a plan standard in the response to comments.**

**Response (34):** The best available scientific information, and public input as well as experiences and monitoring data from other agencies and organizations presently involved in ecological restoration in Ohio, was used in developing the alternatives. The 2002 Citizens' Call appears not to have received any peer review, nor has it been published (to our knowledge) by any scientific journal. We have given its general, broad views consideration in the formulation of issues and alternatives. We note, however, that the document was not written specifically for unique ecological conditions found presently on the Wayne National Forest. Moreover, in the years that have passed since the Citizens' Call was developed, new information and science regarding ecological restoration has emerged.

Although Citizens' Call was taken into consideration in the development of the alternatives, we also used and relied more heavily upon recent, published (peer reviewed) scientific information. Management direction in the 2006 Forest Plan in many instances reflect the principles of the Citizens' Call, but is tailored to meet local resource conditions. The Citizens' Call reflects the views of some as to how the national forests (generally) should be managed. We reviewed this information, along with other scientific information, and considered it in the context of over a decade of on-the-ground experience and monitoring information with other information submitted by the public. In many instances, the principles of Citizens' Call simply were in conflict with what others desired for the management of their national forests. Published, peer-reviewed science addressing resource concerns and based upon research data from Ohio and nearby central hardwoods forests was given the greatest weight by the interdisciplinary team.

**35: The Wayne National Forest should consider the information provided by commenters during the development and analysis of the alternatives.**

**Response (35):** A few commenters sent in references to or actual copies of letters, articles, and books with their formal comments on the DEIS and Proposed Revised Forest Plan. We also received maps for consideration. All of these items or the references to the information are not listed here, but are filed in the administrative record located at the Nelsonville office. The

Council on Environmental Quality's regulations for the implementation of the National Environmental Policy Act state that "NEPA documents must concentrate on the issues that are truly significant, rather than amassing needless detail". With this in mind, the planning team members reviewed the items that were sent in during the formal comment period. We considered their applicability to the issues we were addressing, and assessed whether the information contributed to the deciding official's ability to make an informed decision on the selected alternative. Because a submission is not cited in the 2006 Forest Plan or not specifically mentioned should not be misconstrued as neglect of this information.

**36: The Wayne National Forest should encourage in the Revised Forest Plan, cooperation in projects undertaken by valid researchers and institutions.**

**Response (36):** Goal 1.1 in the 2006 Forest Plan has been edited to better address this concern.

**37: The Wayne National Forest should include a list of current, ongoing research in Special Areas listed on page 3-41 of the Proposed Revised Forest Plan.**

**Response (37):** This recommendation was not adopted because any published list of ongoing research on the Wayne National Forest would soon become outdated. This kind of information is included in the Forest's annual monitoring and evaluation report. There is no legal requirement to specify research in particular areas of the Forest in the revised plan. It is not clear how having such a list (soon outdated) would contribute to the ongoing management of the Forest. However, current information regarding research in Special Areas is always available from the Forest upon request.

#### **4. Editorial**

**38: The Wayne National Forest should correct typos in the standards and guidelines in Chapter 2.**

- a) Page 2.5 first set of bullets, the priorities are rather unusual and the one at the end would seem to me to be more important than the one above it, as well as, not being a parallel construction.**



- b) GFW-WSH-7 (page 2-4) and GFW-FH-11 (page 2-24) are identical.
- c) Page 2-31 SFW-MIN-10 in bulleted 2 "and" might better be "and/or" for clarity.
- d) Page 2-34 Objective 11.2h the semicolon suggests statements will follow, but they don't.
- e) Page 2-50 Objective 13.1b This is the language that might be suitable for inclusion for the biological and geological resources of the forest. The phrasing is good [and] the intent clear. Why not adapt it and reuse it.
- f) Page 2-52 SFW-HERT-9 Again, adapt the language to geologic and biologic specimens and objects) Page 2-57 GFW- TRANS-8 replace "trial" with "trail".

**Response (38):** These corrections have been made.

**39: The Wayne National Forest should revise SFW-FH-10 on page 2-24 of the Proposed Revised Forest Plan to include Michigan and Indiana as neighboring states.**

**Response (39):** The recommended change has been incorporated into the 2006 Forest Plan.

**40: The Wayne National Forest should correct and clarify information in Revised Forest Plan Appendix I – Scenery:**

- a) pg. I-1, [first ten bullets under Scenery Management Guidelines] none of this matches information on page I-13.
- b) The "Glossary" referred to on page I-2 does not exist in this document.
- c) There is no legend on the graph on page I-13.

**Response (40):** We have improved the explanations and legends with the items of concern, and have added a glossary to the 2006 Forest Plan.

**41: The Wayne National Forest should reorganize Chapter 2 of the Proposed Revised Forest Plan to make it more understandable.**

**AND**

**42: The Wayne National Forest should reorganize Chapter 1 of the Proposed Revised Forest Plan to make it more understandable.**

**AND**

**43: The Wayne National Forest should revise the Table of Contents in the Proposed Revised Forest Plan to better reflect what's in the document.**

**Response (41, 42, and 43):** We believe the organization of the 2006 Forest Plan is consistent with Forest Service planning regulations. The Table of Contents has been updated in the 2006 Forest Plan. Every effort has been made to involve the public and explain complex resource management in a straight-forward, plain-English way. We have balanced the need to include and explain the scientific foundation of the 2006 Forest Plan with the need to communicate to a broad public audience with varying degrees of understanding of such science. Based upon a decade of experience with NFMA forest planning, and considering other recently completed plan revisions nation-wide, we believe the 2006 Forest Plan clearly communicates complex science-based information. We met and exceeded NEPA and NFMA requirements by hosting many face-to-face meetings with the public to explain the Proposed Revised Plan and respond to the public. By making the 2006 Forest Plan more simplistic, we risked mis-communication of the myriad of scientific underpinnings of the plan. We received hundreds of good comments on the Proposed Revised Plan, a clear indication that people read and understood the principles and management direction involved.

**44: The Wayne National Forest should use a layout and design person, and an editor and proofreader before publishing the final documents.**

- a) **Because the draft documents are highly confusing.**
- b) **Because there are discrepancies in the documents.**
- c) **Because abbreviations and acronyms are not used correctly and consistently through the documents.**

**Response (44):** We appreciate the many suggestions and corrections provided in public comments on the Draft documents, and have striven to incorporate them into the Final documents. Forest plans and environmental impact statements are long and complex documents, but we have attempted to include information that is necessary for a well-informed decision on management direction for the Wayne National Forest.

**45: The Wayne National Forest should correct the spelling of Synandra in Chapter 3 of the Revised Forest Plan.**

**Response (45):** The correction has been made.

**46: The Wayne National Forest should revise Page E-21: Group selection 2nd line Replace "grater" with "greater".**

**Response (46):** The correction has been made.

**47: The Wayne National Forest should revise Page E-22: The date for Sander, Johnson and Watt should be included (1992).**

**Response (47):** The correction has been made.

**48: The Wayne National Forest should correct the typo in Appendix I Page 1-4, 1st full paragraph.**

**Response (48):** The correction has been made.

**49: The Wayne National Forest should revise Appendix I, [Page 1-4] fourth paragraph: Add Parkersburg, West Virginia across the river from Marietta.**

**Response (49):** The suggestion has been incorporated.

**50: The Wayne National Forest should revise Page I-13: The table should be fully explained as to what scenic class means and if HML are "high", "medium" or "low", as I would assume.**

**Response (50):** An explanation has been added for the table on this page.

**51: The Wayne National Forest should spell out abbreviations and acronyms.**

**Response (51):** A list of acronyms and abbreviations is provided in the glossary. We have attempted to spell out terms the first time they are used before using their acronyms.

**52: The Wayne National Forest should correct the misspelling of "Sioto" county, and give the proper address for the Regional Forester on the title page of the DEIS.**

**Response (52):** The correction has been made.

**53: The Wayne National Forest should revise Table F-6 of Appendix F to the DEIS. Correct spacing and alignment. Some Management Activity categories are without corresponding columns of information.**

**Response (53):** The corrections have been made.

**54: The Wayne National Forest should use both scientific and common names both for genera and for species throughout all the documents. When a whole section is written about a single species, the scientific name doesn't have to be used every time the common name is used, but the scientific name should be used early in the title or heading, not buried somewhere in the middle of the text.**

**Response (54):** An appendix to cross-reference common and scientific names has been added to the 2006 Forest Plan. National Environmental Policy Act documents and the 2006 Forest Plan are written for the general public, and while based on the best available science, do follow the same standards as peer-reviewed scientific literature, such as the use of scientific nomenclature.

**55: The Wayne National Forest should correct the information in the Draft EIS (page 3-213); the ODNR does not have a tree nursery near Chillicothe. The Division of Forestry's only nursery is near Reno, east of Marietta.**

**Response (55):** The correction has been made.

**56: The Wayne National Forest should correct technical issues with the Adobe Acrobat files (PDF files) they created (such as not being able to select text properly).**

**Response (56):** The Adobe Acrobat files for the 2006 Forest Plan and FEIS documents have been checked to ensure they are working properly.

**57: The Wayne National Forest should include a glossary in both the Forest Plan and the Final EIS.**

**Response (57):** A glossary has been added to the 2006 Forest Plan.

**58: The Wayne National Forest should improve the quality of the maps associated with this plan.**

- a) To show other public lands.
- b) To show the route of the North Country Trail.
- c) To show existing places with names, like Lake Vesuvius, Leith Run, Timbre Ridge Lake, etc. so one can readily locate places and other significant features.

**Response (58):** The map of the selected alternative incorporates suggestions B and C. Suggestion A has not been adopted. The relationship of national forest ownership to other public lands is well-displayed on the Wayne's Visitor Map, available for purchase at the Forest's offices in Athens, Marietta and Ironton. The 2006 Forest Plan maps emphasize the management areas. Adding information on public land ownership to these maps would make it harder to convey the primary information for which they were developed.

## **5. Analysis of the Management Situation**

**59: The Wayne National Forest should clarify, revise, correct, or improve information in the summary of the Analysis of the Management Situation, found in Appendix A of the Proposed Revised Forest Plan.**

**Response (59):** We received several comments on the summary of the Analysis of the Management Situation (AMS) we included as Appendix A of the Proposed Revised Forest Plan. The comments included content and editorial suggestions for all resources that were summarized. Many of the comments were editorial in nature, and some identified minor points in the AMS that were somewhat dated or incorrect. The AMS was one of the first documents prepared during the Forest Plan revision process (2001 - 2002) and its purpose was to identify the need for change from direction in the Forest Plan. Once completed, the AMS was posted on the Wayne National Forest website and filed in the administrative record. We feel comfortable that we used the best information available at the time the AMS was completed. Therefore, we have not made any of the suggested edits to the AMS summary. We have removed the summary of the AMS from the 2006 Forest Plan.

In summary, the AMS served the purpose for which it was developed: to provide the basis for public discussion of the need for change in the existing forest plan. Once this purpose was served, the AMS was only of historical interest to the planning process. Development of the Draft, and now Final EIS has overtaken the information provided by the AMS, so it was not revised pursuant to the comments noted here. There is no evidence that the AMS was inadequate at the time it was developed.

## 6. Alternatives

### **60: The Wayne National Forest should develop a broader range of alternatives**

- a) Because there doesn't seem to be a real choice among the alternatives**
- b) Because all of the alternatives have variable amounts of bad management which the public would be forced to accept if they want any of the beneficial aspects.**
- c) Including one that manages the Wayne National Forest as a wilderness.**
- d) Including one that would allow no vegetation management.**
- e) Including one that would create a natural forest, with no timber harvest, drilling, burning, fragmentation, or chemicals, emphasizing low impact and non-extractive activities.**
- f) Because the existing proposed revised forest plan would have a devastating effect on the wildlife in the area.**
- g) Including one that would work to benefit the forest, wildlife, and the community.**

**AND**

### **61: The Wayne National Forest should start all over again on developing alternatives.**

- a) Because all of the alternatives ignore what the public wants.**
- b) Because the current proposals do not show any vision or understanding of the trend of the last 15 years and our future needs.**
- c) Because the current proposals mistakenly try to provide things for all users.**
- d) Because logging and other exploitation activities don't have a place in national forests.**
- e) Because the plan's core direction is out-of-touch with scientific and economic reality.**
- f) Because they should develop and select a "no commercial logging" alternative.**
- g) Include an alternative that concentrates on restoration and protection of the forest to provide a refuge from city life and that would prohibit harmful activities such as road building, commercial logging, oil and gas development and off road vehicle use.**

- h) Include an alternative that will preserve the forest, the surrounding areas, and the communities; to support real forest recovery; to achieve large, intact areas of public forest areas; and to provide strong protection for the area.**

**Response (60 and 61):** These recommendations have not been adopted. We believe that the range of alternatives is adequate and covers a reasonable range of possible management emphases for the Wayne National Forest. Appendix A of the FEIS summarizes how the public has been involved in revising the Forest Plan, and Appendix B of the FEIS summarizes the process used to develop alternatives. Chapter 2 of the FEIS includes descriptions of a number of alternatives that were considered, but eliminated from detailed analysis, including a no commercial timber harvest alternative, and an alternative that would eliminate all OHV use on the Wayne National Forest.

The National Environmental Policy Act requires that a broad range of reasonable alternatives be considered, but does not mandate that any particular alternative be selected. An agency's discussion of alternatives must be bounded by some notion of feasibility. There is no requirement to consider alternatives that are impractical or infeasible. Guidance from the Council on Environmental Quality (46 Fed. Reg. 18026 (1981)) and many courts have stated that the range of alternatives is bounded by the purpose of the proposed action. The National Environmental Policy Act does not require agencies to consider alternatives that are inconsistent with the basic policy objectives for the management of the area, nor is there any requirement in NEPA that an environmental impact statement discuss a minimum number of alternatives. The Forest Service is required to set forth only those alternatives necessary to make a reasoned choice.

Equally important, Chapter 2 summarizes how alternatives submitted by the public were in fact considered and in some cases analyzed in the EIS. The interdisciplinary team did not ignore public input concerning the range of alternatives, but at the same time recognized that there were countless alternatives that could be analyzed. NEPA does not require analysis of every conceivable alternative, but simply analysis of a broad range of alternatives. The Chief's Decision on administrative appeal #2313 of the 1988 Wayne Forest Plan acknowledged as much: "there are virtually an infinite number of alternatives that could be evaluated in detail. Consideration of all these is obviously an impossible task. With this in mind, the [1982] planning regulations contemplate development of a reasonable range of alternatives." The alternatives are not intended to focus on specific outputs such as timber production or a specific form of recreation; instead, they are intended to provide different ways to address and respond to the public issues identified during development of this multiple use plan. The planning record documents that alternatives submitted during the planning process were given consideration and in some instances analyzed by the Forest.





*Wayne National Forest planners sort through the results of the Alternative Development Workshops held in 2003.*

**62: The Wayne National Forest should develop and select an alternative that focuses on ecological restoration that encompasses all natural ecological process and native fish, wildlife and plant species while enhancing the human connection to the natural world.**

- a) Because forests are among the most precious and beloved places on our continent.**
- b) Because forests provide pure air, clean, abundant water; climate control; and countless other ecosystem services that are vital to the survival and quality of human life as well as the fish and wildlife with whom we share the planet.**
- c) Because forests are critical to both our physical well-being and our spiritual renewal.**

- d) Because centuries of intensive resources extraction, development and shortsighted management activities, and invading exotic species have fundamentally altered most of America's forests and resulted in the loss of fish and wildlife habitat, reduced water quality, increased floods, the conversion of biologically rich old-growth and native forests to sterile tree plantations, failing ecosystems, and economic and social harm to the communities and workers who depend on forest resources.**

**Response (62):** We believe all of the alternatives that were considered in detail emphasize ecological restoration, particularly watershed restoration (FEIS, Chapter 3 – Watershed and Riparian Areas), and restoration of the oak-hickory ecosystem (FEIS, Chapter 3 – Plant/Animal Habitat Indicator 1). We agree that control of non-native invasive species is major challenge (FEIS, Chapter 3 – Plant/Animal Habitat Indicator 9). Thus, the record reflects how this suggested alternative was utilized during the development of the 2006 Forest Plan. The record is replete with discussion and analysis of ecological integrity, restoration of land harmed by management practices prior to government acquisition, and the arrest of invasive species and loss of biological diversity due to succession and lack of fire. This alternative was given consideration and is reflected in the selected alternative.



*Restoration of abandoned mine lands is an integral part of the 2006 Forest Plan. The restoration of the Jobs Gob Pile (top photo) eliminated a persistent source of acid mine drainage that was entering a nearby stream. Gob is a term used to refer to the waste coal; before the mining laws changed, gob was often left in large piles after the mining operation was completed. Capping the gob pile with clay and maintaining it in a grassy cover keeps precipitation from percolating through the pile and recharging the acid mine seep (bottom photo).*

**63: The Wayne National Forest should select Alternative A.**

- a) Because we don't need to diversify the Wayne.
- b) Because we don't need to do actions to encourage field and grassland species in the forest when that is occurring on so much private land.
- c) Because we know so little about bird use outside of the breeding season.
- d) Because it will give the most all-terrain vehicle miles of trails.
- e) But modify it to increase the total miles of new ATV trail construction to 175 miles

**AND**

**64: The Wayne National Forest should not select Alternative A.**

**AND**

**65: The Wayne National Forest should select alternative A or B.**

- a) Because they would allow the largest amount of trails to be developed for OHV/ATV/dirt bike use.
- b) But modify it to increase the total miles of new ATV trail construction to 150 miles.

**AND**

**66: The Wayne National Forest should select Alternative B**

- a) Because it provides the biodiversity needed in the forest
- b) Because it provides the most improvement for ruffed grouse habitat
- c) But shorten the rotation age from 120 years to 80-100 years for even-aged management
- d) Because it offers a good compromise for all forest users from the standpoint of mineral issues, especially on the Marietta unit
- e) But add the Timber Ridge Lake management area to this alternative
- f) But you need to fully implement creating early successional habitat
- g) Because of the decline in early successional forest habitat across the Central Appalachian region

- h) Because the statements by a few vocal individuals and groups that early successional habitat can be provided by non-industrial private forest lands is not supported by factual information.**
- i) Because this will maintain the forest for future generation to enjoy hunting**

**AND**

**67: The Wayne National Forest should not select Alternative B**

- a) Because it would be trying to force conditions on a landscape that will not support it.**

**AND**

**68: The Wayne National Forest should select Alternative B or E, or a combination of B and E**

- a) Because we need more early successional forest habitat in Ohio for grouse and woodcock**
- b) Because not managing the forests is mismanagement**
- c) Because this will maintain the forest for future generation to enjoy hunting**
- d) If Alternative E, shorten the rotation age from 120 years to 80-100 years for even-aged management**
- e) Because it is critically important to restore the wildlife habitat through active management. I would propose a 20-year timber cycle on 20% of the forest; a 30- year cycle on 20%; a 40-year on 20%; a 60-year on 20%; and a 80-year [cycle] on the remaining 1/5 of the land**
- f) Because they provide the best balance of management and meets the Forest Service motto "Land of Many Uses.**

**AND**

**69: The Wayne National Forest should select Alternative C**

- a) Because it has Grassland and Forest Mosaic management areas**
- b) Because it has some Historic Forest management area**

**AND**

**70: The Wayne National Forest should select Alternative E**

- a) **Because it provides a balanced multiple use approach to management.**
- b) **Because it provides the critical habitat for all plants and animals native to the Wayne including those dependant on early successional forest.**
- c) **Because it provides the best management direction for grassland dependant species.**
- d) **Because it improves the habitat for pine warbler.**
- e) **Because it would create young forests, yet leave large tracts of mature forest.**
- f) **And include 4 x 4 sized trails.**
- g) **But do a better job of dispersing management areas to avoid creation of isolated islands of habitat.**
- h) **But actively manage the forest using even-aged management techniques, including clear cuts and shelterwood cuts where appropriate to maintain viable populations of wildlife that requires early successional habitats.**
- i) **To create habitat for state endangered species such as the black bear and bobcat.**
- j) **Because the declining trends in early successional habitat that have occurred on the Wayne have also occurred throughout Ohio, therefore, we can not depend on private lands in Ohio to provide habitat for wildlife that need young forests.**
- k) **But shorten the rotation age from 120 years to 80-100 years.**
- l) **But the Forest Service needs to be allowed to implement the plan**
- m) **Because it would provide more tax revenues for the communities surrounding the Wayne National Forest.**

**AND**

**71: The Wayne National Forest should not select Alternative E**

- a) **Because it would allow commercial logging.**

**AND**

**72: The Wayne National Forest should select a combination of Alternatives E and F**

- a) **Using Alternative F on the Ironton unit**
- b) **Because it can best meet habitat and multiple use goals**

- c) **Because it provides the best spatial arrangement of management areas to meet the habitat needs on a landscape context**
- d) **Because it provides a solid design to measure management treatments within an adaptive management framework.**

**AND**

**73: The Wayne National Forest should select Alternative F**

- a) **But create more wetlands to help improve water quality**
- b) **Because it has the most Future Old Forest area**
- c) **Because it provides a more balanced and diverse spatial arrangement of habitat types, particularly on the Iron-ton Unit.**

**AND**

**74: The Wayne National Forest should select an alternative from the six alternatives presented in the DEIS.**

- a) **Because they consider a reasonable range.**

**Response (PC 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, and 74):** Many people wrote in and voiced an opinion in clear support of, or opposition to, one of the alternatives presented in the DEIS. Many of these opinions were offered with supporting reasons. Some were written as votes, stating a position, but lacking a substantive argument. It is important to note that comments are not reviewed as if they were votes. The Forest Plan revision process under the National Environmental Policy Act and National Forest Management Act, while open and inclusive, is not a legislative process. Each comment was individually read and reviewed for specific content.

These comments provide evidence that the Forest did in fact consider a broad range of reasonable alternatives that were responsive to the issues of concern to the public. The divergent views on the alternatives also reflect the contentious nature of resource management. There are many different views on how the Forest should be managed. Each view has its environmental consequences, both beneficial and adverse, to wildlife, water, soil, and other resources. Thus, the forest planning is by its very nature a process of weighing competing interests and values to arrive at a balanced decision for sustainable, long-term management. The range of alternatives reflects these competing interests, and the disclosure of effects discusses the consequences of the alternative approaches to management. One other observation is worth noting here: these numerous comments expressing a preference for various alternatives clearly prove that not everyone will be happy with our decision to select Alternative E-modified. Nearly two decades of experience with



NFMA planning has shown that it is impossible to please everyone all the time. The 2006 Forest Plan decisions were made collaboratively, involving the public at each step in the revision process. The record documents at length that a broad range of alternatives was analyzed, including suggestions from the public. However, in a contentious resource management environment it is impossible to choose an alternative that will satisfy all of the divergent interests which participated in plan revision.

**75: The Wayne National Forest should reduce the amount of Forest and Shrubland Mosaic management area in alternatives D, E and F.**

- a) **Because there is so much of this on private lands.**
- b) **Because it could deprive private landowners of the opportunities to promote hunting on their lands, either for pleasure or for profit.**

**AND**

**76: The Wayne National Forest should reduce the amount of Forest and Shrubland Mosaic management area in alternative E.**

- a) **Because this type was not a major component historically present in southeastern Ohio.**
- b) **Because it exists on adjacent private lands.**
- c) **Because it is more critical for the Wayne National Forest to provide other seral stages.**

**Response (PC 75 and 76):** These recommendations have not been adopted. As noted in Chapter 2 of the EIS, the National Environmental Policy Act requires the development and analysis of a broad range of alternatives that respond to planning issues and concerns. Alternatives A and C both allocate less of the Wayne National Forest to the Forest and Shrubland Mosaic Management Area than alternatives D, E, or F. Thus, the Forest did in fact analyze alternatives that respond to the suggestion here by the commentator that less Forest and shrubland mosaic be included in the plan. The consequences of the suggestion made here by the commentator were displayed in the EIS (Chapter 3, Plant and Animal Habitat, Habitat Indicators 3 and 4) discussing trade-offs between alternatives with more, less Forest and shrubland mosaic. Please also review the response to PCs 135/136.



**77: The Wayne National Forest should select an alternative that has significant amounts of Diverse Continuous Forest and Forest and Shrubland Mosaic management areas.**

- a) **Because of the need for early-successional habitat for ruffed grouse and related wildlife species.**
- b) **Because a mix of these management areas is needed to avoid creation of isolated "islands" of good wildlife habitat.**

**Response (77):** A range of alternatives was developed to address the needs for a variety of wildlife species, as discussed in Chapter 3 of the EIS, and summarized in the following table.

Percent of national forest land in the DCF and FSM management areas (rounded to the nearest whole percentage point)							
	A	B	C	D	E	E modified	F
<b>DCF</b>	84%	17%	60%	48%	32%	32%	29%
<b>FSM</b>	0%	67%	10%	18%	24%	23%	15%

The Regional Forester has identified in the Record of Decision the selected alternative (Alternative E modified) which provides the best balance in meeting the wide range of public desires evident in the comments. Please also review the response to PCs 135/136.

**78: The Wayne National Forest should change to locations of the Future Old Forest areas to put them in the heart of the largest intact portion of all three units.**

- a) **To protect wildlife.**

**Response (78):** This recommendation has not been adopted. This management area was located so as to incorporate parts of the Wayne National Forest that were allocated to the 6.2 Management Area in the 1988 Forest Plan. The management prescription for the 6.2 Management Area is equivalent to Future Old Forest in the 2006 Forest Plan. We do not believe it would be consistent with the intent of Future Old Forest to keep moving this management area around on the landscape (e.g. permitting timber harvest and road construction one decade and then precluding it the next)

The locations of the 6.2 management areas in the 1988 Forest Plan were developed with a working group of citizens representing a broad range of

interest groups, and based on those areas of the Wayne National Forest with the highest proportion of national forest ownership and most mature stands. The location of these areas was not an appeal or litigation point raised when the Forest Plan was approved in 1988.

**79: The Wayne National Forest should select Alternative G proposed by the Buckeye Forest Council.**

**Response (79):** The mapped alternative submitted by the Buckeye Forest Council titled “Alternative G” was reviewed and considered. This proposal would allocate a much larger area to the Future Old Forest Management Area than any of the alternatives considered in detail. This recommendation has not been adopted because as noted in response to PC 61, we believe that the range of alternatives is adequate and covers a reasonable range of possible management emphases for the Wayne National Forest. The alternative generally would not meet the purpose and need of the revised plan because it would not provide a diversity of wildlife habitats or a range of recreation opportunities, and would not provide for the harvest of timber or the production of energy minerals on the Forest.

**80: The Wayne National Forest should drop the Diverse Continuous Forest and the Diverse Continuous Forest with OHVs management areas and make all those areas into Future Old Forest thereby eliminating commercial timber harvesting and OHVs in these areas.**

**Response (80):** These recommendations have not been adopted. As noted in Chapter 2 of the EIS, the National Forest Management Act requires the development and analysis of a broad range of alternatives that respond to planning issues and concerns. (See also response to PC 61).

We agree that it is appropriate to allocate parts of the Wayne National Forest to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest (FOF) and Future Old Forest with Minerals (FOFM) management areas (see Chapter 3 of the 2006 Forest Plan). The DEIS identified Alternative E, with 10% of the Wayne National Forest allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates approximately 3,000 acres to FOF (adjacent the Morgan Sisters Special Area), or total of 11% of the Wayne National Forest to the FOF and FOFM Management Areas.

**81: The Wayne National Forest should modify the preferred alternative to increase the acreage providing Semi-primitive Non-motorized (SPNM) recreation opportunities to levels roughly equivalent to that proposed in Alternatives C and F, which provide the most acreage in the SPNM category.**

**AND**

**82: The Wayne National Forest should set aside much greater acreage as Future Old Forest.**

- a) To increase the likelihood that parts of the Wayne can become wilderness in the future,**
- b) Because minimal attention is given to the welfare of the forest in any of the existing alternatives.**

**Response (81 and 82):** These recommendations have not been adopted. As noted in Chapter 2 of the EIS, the National Forest Management Act requires the development and analysis of a broad range of alternatives that respond to planning issues and concerns.

We agree that it is appropriate to allocate parts of the Wayne National Forest to a management regime where natural processes predominate, and the SPNM recreation opportunities are provided. Semi-primitive non-motorized recreation opportunities are prescribed in the Future Old Forest and Timbre Ridge Lake management areas (see Chapter 3 of the 2006 Forest Plan). The DEIS identified Alternative E, with 5.7% of the Forest allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates an additional 2,982 acres to FOF (adjacent the Morgan Sisters Special Area), or total of 7.2% of the Forest to the FOF and TRL management areas.

**83: The Wayne National Forest should consider changing the allocation of the Forest and Shrubland Mosaic Management Area at the head of Symmes Creek on the Ironton unit to Future Old Forest, Diverse Continuous Forest, or Historic Forest.**

- a) To protect the headwaters of Symmes Creek.**

**Response (83):** This recommendation has been adopted. Please review the response to PC 81.

**84: The Wayne National Forest should retain the text describing the Future Old Forest with Minerals on pages 3-26 to 3-29 for any alternative selected.**

**AND**

**85: The Wayne National Forest should keep the Future Old Forest with Minerals on the Marietta unit regardless of which alternative is selected.**

- a) Because the area could never achieve a Future Old Forest (the former 6.2 management area) condition.**

**Response (84 and 85):** The Future Old Forest with Minerals Management Area is included in the selected alternative, but has not been included in Alternatives A or C. We believe this is consistent with planning regulations that require that a range of alternatives be considered.

**86: The Wayne National Forest should consider allocating Pine Creek on the Ironton Ranger District to a River Corridor Management Area.**

**Response (86):** Creating a River Corridor Management Area along Pine Creek was considered but not adopted. This management area does not permit motorized recreation, and therefore would fragment the Pine Creek OHV Trail Area. It must be pointed out that the direction in the 2006 Forest Plan allows for and encourages the restoration of Pine Creek and the riparian corridor associated with it (see Goals 2.1-5.2 in the 2006 Forest Plan).

**87: The Wayne National Forest should not have a "general forest" management area.**

**Response (87):** We agree. A "general forest" management area was not included in any of the alternatives considered in the EIS.

## **7. Monitoring**

**88: The Wayne National Forest should include the following key points in their monitoring plan:**

- a) Identification of key Potential Natural Vegetation (PNV) types and species whose viability is essential to ecological sustainability of National Forest System lands;**
- b) Identification of desired conditions and ecological sustainability objectives for each ecosystem or species;**

- c) **Interpretation of ecological models and historical or natural ranges of variability;**
- d) **Identification of key ecological attributes of each PNV type and species; -identification of performance measures (indicators) for each ecological attribute;**
- e) **Modification of objectives and treatments according to monitoring results.**

**Response (88):** The aim of monitoring is adaptive management – the ability to respond to current conditions or make appropriate changes based on new information or technology (see Chapter 4 of the 2006 Forest Plan). The monitoring questions found in Chapter 4 are all tied to Forest Plan goals and objectives so that we can answer the basic questions: (1) did we do what we said we were going to do?; (2) did it work how we said it would?; and (3) is our understanding and science correct? We have included a discussion of natural vegetation communities in the FEIS (Appendix D – Range of Natural Variability and in Chapter 3 – Plant and Animal Habitat Indicators). Chapter 3 of the 2006 Forest Plan contains management area descriptions, which includes a description of desired conditions and habitat composition objectives.

It should also be noted that the DEIS (p. 1-11) stated “Forest Service managers recognize that natural ecosystems, and their interactions with social and economic systems, are too complex to be entirely understood or predicted. Management decisions cannot be postponed until understanding is perfect, however. Complete knowledge will never occur, and deciding to do nothing is still a management action that will have consequences.” Because the issue of decision-making in the face of uncertainty was raised regarding several aspects of the Proposed Revised Forest Plan, this discussion has been expanded in the FEIS (Chapter 1).

The NFMA and its regulations provide considerable discretion to local land managers as to which of the myriad of factors should be monitored. There are many more resource elements that could be monitored than there is time, money, or people available to do the monitoring. In developing the plan, we collaborated with scientists and the public to choose the proper resource elements to monitor, to avoid overloading our monitoring strategy with more things than we could reliably, consistently, and accurately monitor. There are other things that could be monitored, as the suggested list indicates, but there is no evidence in the comment or otherwise that suggests that management will not be appropriate as a result of an inadequate monitoring strategy.

**89: The Wayne National Forest should make monitoring and evaluation of population levels of native plants and animals a priority to measure impacts from management actions in the forest.**

**Response (89):** Management indicators are identified in Appendix C of the 2006 Forest Plan. Information on monitoring of these indicators is laid out in Appendix C and Chapter 4 of the 2006 Forest Plan. Monitoring is intended to measure the effectiveness of management, and indicate changes that may be needed to better meet Forest Plan goals and objectives. See also the responses to comments on Management Indicator Species in Section II of this Response to Comments document.

**90: The Wayne National Forest should include additional monitoring;**

- a) For species of global concern**
- b) For invertebrate species**
- c) For white-tailed deer**

**Response (90):** In addition to the monitoring activities outlined in Chapter 4 of the 2006 Forest Plan, the Forest Service would coordinate and cooperate with experts from other agencies, universities and organizations to monitor Regional Forester sensitive species (see Appendix D of the 2006 Forest Plan). These are species with global ranks of G1-G3, or are considered globally vulnerable to critically imperiled by NatureServe and its natural heritage member programs.

Some of these Regional Forester sensitive species include invertebrate species (i.e., insects, mollusks). Long-term aquatic ecological monitoring sites will be established (see Chapter 4 of the 2006 Forest Plan, Question 3.1b) this physical habitat and biological community monitoring will include invertebrate community monitoring.

The Ohio Division of Wildlife has a well-established white-tailed deer monitoring program, and the Division shares this information with the public and the Forest Service. In addition, the Northeast Forest Experiment Station has been funding a deer exclosure study in southern Ohio that is addressing the effects of deer browsing on the height, density, and composition of woody regeneration in oak-hickory forests (see FEIS, Chapter 3 - Habitat Indicator 8).

Over the life of the 2006 Forest Plan, it is likely that new emerging resource issues will arise, but it recognizes the need to adapt management based on monitoring. Because of this, the first Forest-wide Goal (1.1) calls for us to work with in a collaborative effort with our partners to promote scientific study of Wayne National Forest resources, conservation, and sustainable ecological management practices.



*(Left) Members of the Ohio Bryological Society assisted the Forest Service by cataloguing the lichens and mosses in the Lake Vesuvius Recreation Area. (Right) Ironton-area educators participate in a stream monitoring training course hosted by the Forest Service and OUS-Nature Center where they learn monitoring techniques and identification of aquatic invertebrates.*

**91: The Wayne National Forest should include examination of existing databases used in the annual monitoring plans, to determine which information could be collected that would best supplement what is known at the review interval. There are significant gaps in the knowledge of the forest and these annual- monitoring plans could be used to make progress towards filling in the gaps [page 4-5 PRLRMP].**

**Response (91):** We agree that databases, like all information, only remain valuable to the extent that they are maintained so as to be current. We have developed protocols to keep our databases current as a standard information management practice, and we do not believe it is necessary to reflect this approach in the 2006 Forest Plan. The interdisciplinary team did examine existing sources of data, and endeavored not to duplicate existing monitoring efforts. NFMA and its regulations allow considerable discretion in what is included in a forest plan monitoring strategy. However, the annual monitoring and evaluation report will include information on significant improvements in our databases as they are accomplished.



**92: The Wayne National Forest should place more emphasis on recruiting and soliciting partners for monitoring.**

**Response (92):** We agree that partners can make great contributions to the Forest's monitoring program. This is reflected in Goal 1.1 in the 2006 Forest Plan. We look forward to increased participation of partners in our monitoring program as we move into implementation of the Plan.



*Through a partnership with the Ohio Division of Natural Areas and Preserves, noted amphibian expert Ralph Pfingsten conducted a follow-up survey of Little Muskingum River habitats for the eastern hellbender (a giant aquatic salamander). The river was last surveyed for this Regional Forester sensitive species in the mid-1980s.*

**93: The Wayne National Forest should include monitoring of "Budget and Appropriations" as a reporting item in Chapter 4 of the Revised Forest Plan.**

**Response (93):** This recommendation was not adopted, although the Forest's budget is reported in the annual monitoring and evaluation report.



**94: The Wayne National Forest should add another bulleted statement to the monitoring of law enforcement program (Proposed Revised Forest Plan -page 4- 22, 18.1a) as follows: "Provide for public reporting of problems through multiple media."**

**Response (94):** We agree that public information needs to be an integral part of the Forest's law enforcement program. This is reflected in 2006 Forest Plan standards SFW-SAFE-2, SFW-SAFE-6 and SFW-SAFE—8, and Objective 18.2b. Law enforcement information is available upon request. Such information is carefully tracked and documented by law enforcement personnel, and does not need to be included as part of a monitoring plan. We pay close attention to law enforcement issues, and monitor them carefully.

**95: The Wayne National Forest should clarify or include more information in the Monitoring chapter of the Revised Forest Plan.**

- a) On page 4-10, Section 3.1d - Define the term "treated", it can mean different things to different people
- b) In Section 4.1 - Define desirable non-native species
- c) In Section 4.1d - Add that the success of treatments should be evaluated
- d) In Section 4.1g - Evaluate whether the desired wildlife are using the openings, and the general conditions of the openings over time
- e) In Section 4.1h - Clarify that this would not lead to emergency dynamiting holes to meet a quota at review time
- f) On page 4-6 - Clarify whether the last bullet on this page means that the person doing the analysis may not be the same person who collects the data? If these are different persons than the data must be in a format easily accessed and interpreted.

**Response (95):** The terms "treatment" and "desirable non-native species" have been added to the glossary.

During implementation of the 2006 Forest Plan, project-level analysis will identify the need and scope for site-specific evaluation of habitat management techniques. Results from such project-level monitoring would supplement monitoring information gained from Forest-level monitoring of management indicators. The management indicators were selected to aid in evaluating 2006 Forest Plan goals, objectives, and desired resource conditions (see 2006 Forest Plan, Appendix C).

The commenter was concerned specifically about monitoring question 4.1h, which relates to waterholes and ephemeral wetlands. Appendix B of the Forest Plan and Table 2-4 in the Final EIS estimate the management activities that are proposed during the first decade. These activities, when implemented, will help achieve goals, objectives, and desired resource conditions outlined in the Revised Forest Plan. Up to 15 acres of waterholes or ephemeral wetlands may be constructed during the first decade to provide drinking sources and habitat for a variety of wildlife species, including the Indiana bat. The public will continue to be invited to participate in the implementation of the Revised Forest Plan, during project-level analysis. For example, concerns about the methods for construction of waterholes, or the rate at which they are being constructed would be valid points to bring forward at the implementation phase after review of the project's purpose and need and proposed action.

The item of interest in this comment falls under the heading of "Annual Monitoring Plan of Operations" in Chapter 4 of the Revised Forest Plan. Because it is likely different people will be monitoring and reporting over time, we recognized the need to prepare a monitoring plan each year to identify specific items for monitoring as well as the methods to be used in this same section.

**96: The Wayne National Forest should revise or clarify the monitoring chapter of the Forest Plan.**

**Response (96):** A number of comments were received on the Monitoring Plan in Chapter 4 of the Proposed Revised Forest Plan. In some cases, there may have been some confusion on the purpose of the Monitoring Plan. In the introduction to Chapter 4, we explain that we monitor and evaluate the results to determine how well the Forest Plan is working. We developed a series of questions that would help us answer how well the plan is being implemented, whether objectives helped achieve goals, how well standards and guidelines are applied, and whether the assumptions and predicted effects used to formulate goals and objectives are valid.

Many of the comments we received about the monitoring chapter were actually suggested changes to the Forest Plan Goals, Objectives, Standards and Guidelines. We did not address those in the monitoring chapter, but instead considered them in our review and editing of Chapter 2 of the Proposed Revised Forest Plan. Some comments applied to monitoring site-specific projects that might be implemented under the 2006 Forest Plan. As always, the public is invited to participate during the project-level implementation of the Forest Plan, which includes establishing site-specific monitoring plans.

We did make changes to the monitoring chapter based on the comments we received. For example, we deleted references to the 1982 minimum monitoring and evaluation requirements established through National Forest Management Act regulations (36 CFR 219). All of the questions in the monitoring chapter now directly correspond to the Forest-wide goals and objectives. We added some monitoring questions, including those that address the newly discovered running buffalo clover population, ginseng population characteristics, and response of non-native invasive species to prescribed fire.

## II. Natural Resource Management

### 1. Watershed

#### A. General

**97: The Wayne National Forest should clarify the difference between Timbre Ridge Lake and Timbre Ridge Lake Management Area in the Draft Environmental Impact Statement.**

**Response (97):** We believe the description of the Timbre Ridge Lake Management Area is clear in Chapter 3 of the 2006 Forest Plan, and the alternative maps accurately show Timbre Ridge Lake within the Timbre Ridge Lake Management Area.



*Timbre Ridge Lake*

**98: The Wayne National Forest should change the following guidelines to standards: GFW-WSH-1 through GFW-WSH-5, GFW-WSH-7 through GFW-WSH -9, GFW – ARR-5, GFW-WLF -15, GFW-WLF -16, ARR-18 through ARR – 22, ARR-29 through ARR – 32.**

**Response (98):** A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment while deviations from a “standard” require a Forest Plan Amendment. We have considered the commenter’s suggestion that watershed and aquatic and riparian resource guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

**99: The Wayne National Forest should write more complete watershed descriptions.**

**Response (99):** The Council on Environmental Quality’s regulations for the implementation of the National Environmental Policy Act state that “NEPA documents must concentrate on the issues that are truly significant, rather than amassing needless detail.... NEPA’s purpose is not to generate paperwork—even excellent paperwork—but to foster excellent action.” We do not believe that more complete watershed descriptions in the EIS would assist the Regional Forester in making a better decision regarding revising the Forest Plan, nor the public in understanding that decision.

**100: The Wayne National Forest should make the following changes to the “Road and Stream Crossings” standards and guidelines (page 2-8) in the Proposed Revised Forest Plan.**

- a) Remove SFW-ARR-7, GFW-ARR-8, GFW-ARR-9, and SFW-ARR-10 and insert with SFW-ARR-7: No roads, trails or log skidding will occur across any perennial, intermittent or ephemeral stream.**
- b) Remove SFW-ARR-11 and insert with SFW-ARR-8: As stream crossings are removed, restore banks and channel to a natural dimension and shape.**
- c) Rename GFW-ARR-12 to SFW-ARR-9.**

**Response (100):** We disagree. The dissected landscape of southeastern Ohio contains numerous streams, and road-stream or trail-stream crossings must occur in order to manage the forest resources. We have displayed the effects

of forest management activities on streams in the EIS (Chapter 3 – Watershed and Riparian Areas). Forest Plan standards and guidelines have been developed through monitoring and evaluation and research, including research conducted by the Forest Service research stations.

Forest Plan standards must be implemented. If a standard isn't implemented, a Forest Plan amendment is needed for each deviation. Forest Plan guidelines should be implemented in most cases. Guidelines may be deviated from with documentation and rationale. The guidelines identified for transportation are expected to be followed in most situations. However, the Forest Service is aware of enough exceptions to their implementation that they would warrant leaving them as guidelines.

**101: The Wayne National Forest should include the statement “stream crossings at right angles whenever possible” to the Road and Stream Crossings standards and guidelines (page 2-8) of the Proposed Revised Forest Plan.**

**Response (101):** No change is required here. Forest-wide guideline GFW-ARR-8 provides essentially the same direction as to what was suggested.

**102: The ODNR Division of Watercraft supports keeping GFW-ARR-22 unchanged between the draft and final document.**

**Response (102):** Forest-wide guideline GFW-ARR-22 was not changed in the 2006 Forest Plan.

**103: The Wayne National Forest should include Symmes Creek in Goal 2.1b Watershed Health.**

**Response (103):** This suggestion has been adopted in the 2006 Forest Plan.

**104: The Wayne National Forest should add the following to Chapter 2, page 2-4 of the Proposed Revised Forest Plan: "collaborate with Soil and Water Conservation Districts, Ohio EPA, local watershed groups, universities/colleges, County Solid Waste Districts, utility companies, and county residents in regards to enforcement of the Clean Water Act."**

**Response (104):** Forest-wide Goal 1.1 recognizes the importance of collaborating with other agencies and organizations in the promotion of

conservation and sustainable ecological management practices. Partnership opportunities that relate to the Clean Water Act would fall under this goal, and therefore it is not necessary to have a separate statement within the Watershed Health section of Chapter 2.

**105: The Wayne National Forest should document whether SFW-WSH-6, GFW-WSH-7, and GFW-WSH-8 protects or enhances soils.**

**Response (105):** The “Managing Disturbed Areas” section of Chapter 2 of the 2006 Forest Plan (WSH-6 through WSH-8) provides direction and guidance on the use of various revegetation and erosion control techniques. Project-level monitoring of these techniques and their ability to protect soil and water is appropriate and useful. For example, the Forest Service has been utilizing a specialized seed mix to revegetate disturbed areas for many years. Through project monitoring, we have developed different seed mixes that best protect soil resources in the various conditions we find on the Wayne National Forest.

**106: The Wayne National Forest should acknowledge that an inventory of degraded stream habitat conditions is essential for the improvement and monitoring of aquatic and riparian habitat in watersheds not affected by mining.**

**Response (106):** As pointed out in the DEIS (Chapter 3 – Watershed and Riparian Areas), the integrity of the watersheds on the Wayne National Forest has been degraded to a certain degree. We agree that it is important to assess degraded habitat and water quality in all watersheds, not just those affected by mining. Examples of large-scale assessments include the Pine Creek and Little Muskingum River watershed assessments we completed in 2001 and 2002, respectively. Smaller-scale work has involved the inventory of reference stream reaches that we relied upon when restoring the Bear Run stream channel in 1999.





*A 2004-2005 partnership with Otterbein College resulted in the inventory of fishes and mussels in the Symmes Creek and Pine Creek watersheds.*

## **B. Hazardous Materials**

**107: The Wayne National Forest should clarify the difference between hazardous materials and hazardous wastes on page 2-61 of the Plan.**

**Response (107):** A determination of when a product becomes a waste or a hazardous waste will be made when a product is determined to no longer be useful for the application its manufacturer recommends. At that time if the product must be treated as hazardous waste, by State or Federal law, it will be disposed of accordingly.

**108: The Wayne National Forest should consider giving an example of “non-federal wastewater” on page 2-61 of the Plan.**

**Response (108):** Non-Federal wastewater is either raw sewage or treated effluent produced by a community, industry or other third party at a non-Forest Service owned/operated facility.

**109: The Wayne National Forest should consider adding “conduct preliminary identification of potential human and ecological receptors” to page 2-61 of the Plan.**

**Response (109):** When using hazardous material or disposal of hazardous wastes, the Forest Service will follow the manufacturer’s recommendations and State and Federal law for use and or disposal of materials to protect potential receptors.

**110: The Wayne National Forest should consider mentioning on page 2-61 of the Plan that a hazardous waste site, including meth labs, could be something the public could unknowingly walk into.**

**Response (110):** Hazardous waste sites are a concern to both the public and Forest employees. There is always the potential to enter a site that is unknowingly contaminated, such as a chemical spill or meth laboratory. As soon as it is identified, the Forest Service will follow State and Federal reporting and notification procedures to protect human safety and the environment.



**111: The Wayne National Forest should consider adding the following standard or guideline to page 2-61 of the plan: “Inspect all facilities acquired through purchase, exchange etc. for hazardous materials and remediate, if necessary”.**

**Response (111):** The Forest Service is directed by National policy to examine properties that are to be acquired or conveyed for the presence of hazardous substances or petroleum products. The process, called Land Transaction Screening, involves a review of public records, a site examination by trained personnel, interviews with individuals familiar with the property, and an examination of adjacent properties. Under certain circumstances, it may be appropriate to acquire contaminated properties, such as land with acid mine drainage that can be corrected more efficiently as part of a larger Forest Service project. In such cases, the authorized officer will weigh the benefits of the acquisition against the cost of mitigation.

**112: The Wayne National Forest should clarify the direction in Chapter 2 of the Proposed Revised Forest Plan (Public Health and Safety section).**

- a) By developing an emergency response plan for transporting hazardous materials – one that addresses protecting human life and the environment, (i.e. in an event of a gas pipeline explosion).**
- b) By replacing the word facility with the word container in GFW-SAFE-20 in the Proposed Revised Forest Plan.**

**Response (112):** With respect to developing an emergency response plan for transporting hazardous materials, it is considered outside the scope of the Revised Forest Plan. However, the Forest Service will follow all applicable federal and state laws, as well as in accordance with the manufacturer’s recommendation for the use and transport of hazardous materials.

The word “container” will be inserted next to the word “facility” in Forest-wide guideline GFW-SAFE-20. We believe that both words would be appropriate when discussing the storage of hazardous materials.

## **2. Soils**

**113: The Wayne National Forest should increase soil resource protection.**

**AND**

**114: The Wayne National Forest should provide for better soil protection because GFS-WSH-8 and GFS-WSH-10 are weak. The guideline should be re-written and expanded in a new Supplemental Draft EIS.**

- a) The watershed guidelines are incorrectly numbered.**
- b) The soil surveys maps are vague and inaccurate for site specific projects.**

**AND**

**115: The Wayne National Forest should create a standard that makes the protection of soil quality a top concern across the entire forest.**

- a) Management activities that disturb soil are not properly documented in the draft plan or DEIS.**

**AND**

**116: The Wayne National Forest should discuss how they plan to maintain or enhance soil quality.**

- a) Timber harvest, road building, and the removal of coarse woody debris and other activities are harmful to soil quality.**

**Response (113, 114, 115 and 116):** We agree that soil protection is an essential aspect of management of the Wayne National Forest. We believe Goals 2.1 and 3.1 and their related objectives and standards and guidelines in the Revised Forest Plan (Chapter 2) provide adequate protection for the Forest's soil resource. If necessary, site-specific soil protection mitigation measures can be designed into Forest Plan implementation projects to further minimize impacts to soils. Such soil protection measures are derived from the best available science, including findings generated by the Forest Service research and technology development branches.

The guideline numbering problem has been corrected in the 2006 Forest Plan. The USDA soil survey maps are widely considered the best available soils information for landscape level programmatic analysis. Project-level analyses include field checking information such as soil survey maps.

We believe the DEIS/FEIS adequately documents the soil disturbance effects of forest management activities (Chapter 3 – Soils section). As noted in the DEIS, forest management activities have relatively minor effects on soils compared to other land uses such as agriculture, mining or residential or commercial development.

In addition to the objectives, standards and guidelines related to Goals 2.1 and 3.1, Forest-wide guideline GFW-WLF-14 addresses the concern about large woody debris. While it is true that timber harvest and fuels treatments remove

some woody debris, and trees that would eventually become large woody debris, it should be noted that much woody debris will still remain. Additionally, all the roots of harvested trees will remain. It is often estimated that half of a tree's biomass is in its root system.



*(Top) Markin Fork Timber Sale log landing showing growth of annuals that were seeded. Coarse woody debris is used along the contour to trap soil.  
(Bottom) Markin Fork Timber sale skid trail that was temporarily seeded with annuals.*

**117: The Wayne National Forest should define “fully support equipment” as used in SFW-VEG-5, and the emphasis should be to limit the number of skid roads.**

- a) Because logging is not possible without some rutting and compaction.**
- b) Because some moisture in the soil – not dry – makes reshaping and building waterbars more effective.**

**Response (117):** The recommendation was reviewed and we rewrote this clause. The intention of the clause is to protect the soil when it is saturated. In winter the soil is often saturated, but if the soil is frozen deep enough heavy equipment can operate without producing unnecessary damage.

**118: The Wayne National Forest should review Appendix F for missing Lawrence county soil types, and include them in the appendix. The Wayne National Forest should also consider sub-soils and spoil to limiting factors in Column 4 of Table F-2 in relation to prescribed fire and mechanized management.**

**AND**

**119: The Wayne National Forest should correct the graph in Appendix F of the Proposed Revised Forest Plan on page F-17, values under Limiting Factors and Degree of Limitation need to be switched.**

**Response (118 and 119):** We recognize that not all soil types for all counties were included in Appendix F of the Proposed Revised Forest Plan. In the 2006 Forest Plan, we have removed the soil limitation tables and will reference the USDA Soil Survey information directly; this will allow the 2006 Forest Plan to stay current with changes in soil survey information. Other limiting factors such as sub-soil and spoil are addressed during site specific analyses at the project level.

**120: The Wayne National Forest should consider the long-term effects of soil as a result of logging and should consider the results from “Logging for the 21st century: Protecting the Forest Environment (Smidt and Blinn, Dept of Forest Resources, Univ. of Minnesota).**

**Response (120):** We reviewed the above-mentioned article. The effects of forest management activities on soil resources were addressed in the DEIS (Chapter 3 – Soils). The publication also discusses alternative harvesting technologies. It is appropriate to evaluate alternative harvesting technologies at the project level so as to address site-specific soil conditions. For example, we have recently used a feller-buncher and forwarder on a timber harvest as an alternative harvesting technology.

### 3. Air Quality and Climate

**121: The Wayne National Forest should recognize air pollution adversely impacts trees and forest ecosystem health.**

- a) Nitrogen Oxide threatens Forests.
- b) Acid Rain- Sulfur emissions.
- c) Nitrogen Loading.
- d) Ozone and Greenhouse effects.
- e) Coal Combustion - Mercury Rain.
- f) Increased Co2 – Global Warming.

**Response (121):** We recognize regional and global changes in air quality and climate can affect the Wayne National Forest. The DEIS included a section on the effects of acid precipitation (Chapter 3 – Soils), and the FEIS includes an additional section on air quality. However, it should be noted that any of the management alternatives considered would have effects too small to measure on global or regional trends. It is also unclear how recognition of these global and regional changes helps inform the selection of a management alternative for the Forest.

As pointed out in the FEIS (Chapter 3 – Air Quality section), the Wayne National Forest lies within a region characterized by some of the highest levels of air pollution in the nation. As a result, this region also has some of the highest levels of acid rain and mercury deposition, which could contribute to a loss of ecosystem health. However, our analysis shows that Forest Service management activities would not have a significant effect on local air quality in any of the alternatives.

According to the U. S. Environmental Protection Agency, forestry practices hold considerable potential for offsetting greenhouse gas emissions. Because global vegetation and soils contain about three times as much carbon as the planet's atmosphere, terrestrial ecosystems offer an opportunity to absorb and store (sequester) a significant amount of carbon dioxide from the atmosphere. Responses to PC 123, 124, and 125 provide more information on carbon dioxide.

**122: The Wayne National Forest should address the additional impact of timber harvest, motorized recreation and fire on air quality.**

**Response (122):** We have added an air quality section to the FEIS (see Chapter 3).

**123: The Wayne National Forest should consider the economic and social benefits of carbon sequestration provided by an unmanaged forest, and have standards related to carbon sequestration, and overall air quality.**

**AND**

**124: The Wayne National Forest should consider the impact of proposed actions on carbon release and storage, and the impact on global climate change.**

**AND**

**125: The Wayne National Forest should recognize and document the benefits of standing, unmanaged forests, including the economic benefits from such carbon sequestration, and clean air and water, and the Wayne should document the effects of release of sequestered carbon from logging of mature trees.**

- a) Because carbon buildup in the atmosphere is one of the leading causes in global warming, and forests play a critical role in reversing carbon buildup.**
- b) Because sustainable management practices aimed at maximizing growth of sawtimber over the long term could increase carbon sequestration.**
- c) Because as climates change, there will be effects on the native plants and animals.**

**Response (123, 124, and 125):** We agree that the current scientific consensus is that global climate change has always occurred, but that the rate of change within the last 100 years has accelerated due to increasing levels of carbon dioxide and other “greenhouse” gases. This scientific consensus points to deforestation, conversion of carbon-rich soils to agriculture, and burning of carbon fuels as important factors in the carbon release/sequestration equation. Our assessment of this science is that it is not currently possible to measure the differences in the effects on global climate change of different management strategies of an individual national forest (e.g. the Wayne with no vegetation management vs. the alternatives considered in detail in the DEIS/FEIS).

We do believe current science supports some general observations regarding southeast Ohio and carbon sequestration. A substantial proportion of southeast Ohio’s above ground and below ground sequestered carbon was converted to carbon dioxide from about 1800 to 1940 through coal mining, oil and gas production, conversion of forested land to farming, and timber harvest, especially for fuel (see discussion in EIS Chapter 1 – Forest Profile). Since



1940, forest cover and forest biomass have been increasing across Ohio. This is because marginal farmland has been abandoned and is reforesting, and because growth exceeds harvest in Ohio's forests. Our understanding is that there is not scientific agreement on the question of whether old unmanaged forests sequester more carbon than do younger more rapidly growing forests. There is also some debate about the effect of timber harvesting on carbon sequestration: it would appear that carbon is still sequestered long-term in lumber, but how long it remains sequestered in paper products is more doubtful. The effects of prescribed burning on carbon sequestration appear to be minimal, given the fact that most fuel (leaves and down branches and twigs) consumed by prescribed fire would most likely go through biochemical oxidation through decomposition by fungi and bacteria, if they were not burned.

#### 4. Wildlife, Fish and Habitat

##### A. General

**126: The Wayne National Forest should include all seral stages in determining adequacy of representation.**

**AND**

**127: The Wayne National Forest should manage for a diversity of plant and animal species.**

- a) Because it is unreasonable to assume animal species requiring specific habitats could be supported on private land.**

**Response (126 and 127):** We agree. Managing for a diversity of plant and animal species and their habitats is reflected in:

- a) The National Forest Management Act which directs the Forest Service to provide for a diversity of plant and animal communities based on the suitability and capability of the land.
- b) The Forest Service Strategic Plan for 2004-2008, which states "The mission of the Forest Service is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations."
- c) Goal 4.1 and related Objectives 4.1a – 4.1i in the Revised Forest Plan.
- d) The Plant and Animal Diversity section of the Environmental Impact Statement (Chapter 3).

e) Appendix E, Plant and Animal Diversity and Management Indicators, of the Environmental Impact Statement.

While our analysis of plant and animal diversity (EIS Chapter 3 – Cumulative Effects for Habitat Indicators 2-6) does consider the habitats provided on ownerships other than national forest, we believe it is important to provide habitat for all native species on national forest land because changes in land use, with resulting habitat changes, are less predictable on privately-owned than on publicly-owned lands.

NFMA does not quantify a particular level of diversity, or require any particular measure of diversity. Indeed, the Committee of Scientists formed to advise the Secretary of Agriculture on the 1982 NFMA regulations concluded that it was impossible to write specific regulations which would provide a specified level of diversity. Providing for diversity of plant and animal communities was one of the most perplexing issues they dealt with in drafting their report. (*See* 44 Federal Register 26600-26601; *see also* the Chief's Decision on administrative appeals # 2313 and # 2309 of the 1988 Wayne National Forest Plan. This decision sets forth background on the NFMA diversity requirement which is an important foundation to this decision and is hereby incorporated by reference and will not be repeated.) NFMA requires that the Forest Service integrate diversity of plant and animal communities with other multiple uses in the development of forest plans. The diversity provision must be read together with other provisions of NFMA to promulgate a multiple use plan. Diversity is one of a multitude of factors that must be considered in the development of a plan. *See* Chief's Decisions on administrative appeals #2313 and #2309 of the 1988 Wayne Forest Plan.

NFMA does not require that diversity may be accomplished only by attempting to recreate natural forest conditions at a particular time in history. Congress carefully set the NFMA diversity provision, 16 U.S.C. Sec. 1604(g)(3)(B), in the context of multiple use management. Many federal courts have acknowledged that diversity of plant and animal communities is a complex scientific matter. For that reason, Congress provided discretion to the agency to provide for diversity in a multiple use management context.

NFMA diversity, in its multiple use context, was given considerable attention in the development of the 2006 Forest Plan. Desired future condition, management direction, monitoring - all aspects of the Plan consider and acknowledge the importance of diversity. It is important to remember that most of the Wayne National Forest is cut-over land that the government did not acquire until after it had been subject to the forces (clearing, farming, grazing, mineral development) for nearly 100 years. We recognize the role the Forest plays and have set aside large areas as mature forest and areas for forest-interior species. However, although we have analyzed and assessed private lands near the Forest, NFMA does not require the Forest to compensate for development or loss of diversity on these privately owned



lands. Courts have recognized that although it is key, NFMA diversity is not a over-riding or controlling principle in forest planning. It is an important goal that is to be pursued in the context of development of an overall multiple use plan; Congress made this quite clear in Section 1604(g)(3)(B). This involves balancing, compromise, trade-offs between species, and, unfortunately, some dissatisfaction among some groups or interests whose alternative and mix of uses (or the lack thereof) are not chosen. We have collaboratively developed a plan that is within the discretion delegated to the agency under NFMA Section 1604(g)(3)(B).

Considering the controversy surrounding National Forest planning, one observer noted that the Forest Service is faced with the nearly impossible task of serving many different interests in the development of a 10-15 year multiple use plan. Experience has shown that despite the best efforts of the Forest, some interests will simply not accept an alternative that is substantially different from the one they proposed. After considerable public involvement and analysis of NFMA diversity, the interdisciplinary team examined alternatives, and then evaluated a selected alternative that attempts to strike a reasonable balance between and among competing uses. Some will disagree with the Forest's balance of uses in this 10-15 year plan, but Congress has delegated this decision to the Forest Service. No where is this deference more distinct than in the NFMA requirement to "provide for" - not maintain, preserve, improve - but simply "provide for" plant and animal community diversity, 16 U.S.C. Sec. 1604(g)(3)(B). After much study, we have struck a balance that "provides for" diversity, focusing upon forest health and sustainability.

**128: The Wayne National Forest should promote scientific study of Forest biological resources.**

**Response (128):** We agree and have incorporated this explicitly into Goal 1.1 in the 2006 Forest Plan. It is Forest Service policy that the national forests be managed based on the best available science. This is reflected in the monitoring and evaluation process outlined in Chapter 4 of the 2006 Forest Plan; management is modified (with Forest Plan amendments or revisions) as monitoring results and new information indicates the need to do so. One of the items reported in the annual monitoring and evaluation reports is research needed by the National Forest System. It should be noted that regulations do not permit funds received by the national forests to be used for research.

## **B. Fisheries and Aquatic Habitat**

**129: The Wayne National Forest should add a third Objective under Goal 18.2 in the Forest Plan (page 2-59) as follows: "Compliance with ODNR-Division of Water standards and Federal Emergency Management Agency guidelines for dam safety will be met".**

**Response (129):** Chapter 1 of the 2006 Forest Plan includes a section called, "Relationship of the Plan to Laws and Other Documents". This section highlights that numerous laws and regulations provide direction for management of a national forest, but they are not restated in the Forest Plan.

**130: The Wayne National Forest should not allow the use herbicides, or gas and oil drilling.**

- a) Because these activities would affect aquatic species in surface streams.**
- b) Because these activities would affect subterranean species.**

**Response (130):** The 2006 Forest Plan includes Forest-wide direction on pesticide use, which includes herbicides (see Chapter 2, Forest-wide standards and guidelines SFW-FH-17 through GFW-FH-26). The Forest Service must follow label directions to ensure protection of humans, wildlife, and environmental safety. This would include using only those pesticides approved for aquatic use with riparian areas.

Because oil and gas exploration and drilling is an earth-disturbing activity, numerous protection measures have been incorporated into Chapter 2 of the 2006 Forest Plan to minimize the potential for affecting aquatic species. These measures include, but are not limited to the standards and guidelines found under the subsections entitled Filterstrips, Oil/Gas Pipeline Stream Crossings, and Federally and Privately Owned Minerals. Appendix H of the 2006 Forest Plan contains notifications and stipulations which are applied to any federal leases, some of which directly and indirectly provide protection to aquatic resources.

The Wayne National Forest does not have limestone karst resources like other national forests located in Kentucky, Indiana, or Missouri. There are open portals to abandoned underground mines here, but the environment in these subterranean chambers is often affected by poor air and water quality. As noted above, measures are incorporated in the 2006 Forest Plan to protect forest resources from potential adverse effects from pesticide application or oil and gas drilling.

The 2006 Forest Plan does not authorize the use of herbicides, or oil and gas drilling. The 2006 Forest Plan simply allows for future decision making that

may include the use of herbicides, after further site-specific environmental analysis (perhaps with the addition of more mitigation) and public participation. The potential effects on aquatic species in surface streams, as well as subterranean species, would be analyzed at the site-specific level prior to any use of herbicides or oil and gas development. The 2006 Forest Plan is just that: a plan. There is no certainty that herbicides will be used on the Forest, nor is it clear when or where oil and gas development may occur. These are site-specific determinations that may occur only after a site-specific proposal is made. The comment expresses a preference that certain actions not occur on the Forest, and we have taken that into consideration. There is no federal law prohibiting herbicide use, or oil and gas development on the Forest.

**131: The Wayne National Forest should identify the Forest's watersheds least impacted by acid mine drainage, and manage these watersheds to restore populations of aquatic organisms.**

**Response (131):** The Watershed and Riparian Areas section of the EIS (Chapter 3) identifies the 15, 5th level watersheds that contain national forest lands, including those five that are impaired by acid mine drainage (Monday Creek, Sunday Creek, Raccoon Creek, Pine Creek and Symmes Creek). We believe that all watersheds should be managed to restore and protect populations of aquatic organisms. It's for this reason we incorporated Forest-wide Goals 2.1 and 3.1 into the 2006 Forest Plan. These goals enable us to restore water quality and improve watershed health, and promote healthy riparian and aquatic ecosystems.

### **C. Terrestrial Wildlife and Habitat**

**132: The Wayne National Forest should adapt management techniques to promote oak over maple.**

- a) **Because oak forests produce food sources that are more useful to wildlife than maple forests.**
- b) **To slow the decline of the red-headed woodpecker and cerulean warbler.**

**AND**

**133: The Wayne National Forest should emphasize species other than oak-hickory such as beech and maples, even if their financial value is less than oaks.**

- a) Oak – hickories are mainly important to game species.**
- b) Other trees benefit other species.**

**Response (132 and 133):** The 2006 Forest Plan provides direction to increase active vegetation management (including timber harvest, prescribed fire, and pre-commercial treatments) to maintain and restore oak-hickory forests, however beech-maple forests and other forest communities will still be present on the Wayne National Forest. The best available science indicates that (1) oak-hickory forests were prevalent in southeastern Ohio for thousands of years prior to 17th/18th century settlement largely because of frequent use of fire by Native Americans, and (2) oak-hickory forests are valuable for a broad array of wildlife, including many non-game species (FEIS, Chapter 3 – Habitat Indicator 1).

Bird experts involved in the species viability evaluation process (see Appendix E of the EIS) acknowledged that the red-headed woodpecker may occur on the Wayne in small numbers. This is consistent with the Ohio Bird Records Committee Checklist of the Birds of Ohio which notes that the red-headed woodpecker is least numerous in the southeastern part of Ohio. In fact, we've observed only one red-headed woodpecker during our spring breeding bird survey since we started it in 2003. The Partners in Flight Bird Conservation Plan for the Ohio Hills, which includes southeast Ohio, identifies the red-headed woodpecker as being of high continental concern, but low regional responsibility. We have incorporated prescribed fire and timber harvesting prescriptions to open the understory and reduce the density of forest stands that, according to bird experts, should benefit the red-headed woodpecker.

The Partners in Flight Bird Conservation Plan for the Ohio Hills identifies the cerulean warbler as “the species of greatest concern within this physiographic area”. It favors large oaks on ridgetops and riparian bottomlands, but needs an uneven or broken canopy. As noted in the FEIS (Habitat Indicator 4), we have included active management prescriptions in the Historic Forest and Diverse Continuous Forest management areas to benefit the cerulean warbler.

The analysis of the alternatives, as well as development of Alternative E-modified and selection of it as the 2006 Forest Plan, did not turn on the financial value of oak trees. Although economic effects were considered in plan development (as required by federal law), the outcome of the Wayne National Forest plan revision process focuses upon what is left on the land, not what is taken from it. Our vision is a healthy forest, with appropriately balanced recreation opportunities, and sustainable multiple use management. The possible financial value of oak fluctuates and is uncertain. We considered socio-economic issues, but grounded our decision in science and what is best for the land, wildlife, and citizens.

**134: The Wayne National Forest should manage blocks of land at least 20,000 acres in size under a 100 year harvest rotation that emphasizes even-aged management including clearcuts, shelterwoods, and prescribed burning.**

- a) **Because 20,000 acres is large enough to support viable populations of all MIS stated in the Draft Plan.**
- b) **Over a 100 year period, adequate amounts of each successional stage will be provided at all times.**

**Response (134):** The Forest and Shrubland Mosaic Management Area was developed to provide a mixture of early-, mid-, and late-successional habitat in a landscape-level context. Even-aged management techniques would primarily be used in these areas to provide a continual supply of early successional or shrub habitat. With the exception of Alternative A (no action alternative), all alternatives allocate national forest lands to this management prescription. The selected alternative allocates 54,580 acres of national forest land to this management area. In addition, even-aged management can be used to a minor degree in other management areas to produce early successional habitat (see FEIS Chapter 3, Habitat Indicator 3).

We did not alter the 120-year harvest rotation prescribed for even-aged management. We believe that this longer rotation will not only provide a continual supply of early successional habitat, but will also be more favorable for oak mast production. Please refer to PC 218 and 222 for further information on rotation age.

**135: The Wayne National Forest should produce a mosaic of different successional stages, habitat types, and forest patch sizes.**

- a) **To provide habitats needed by all forest species for survival and reproduction.**
- b) **For songbird and non-game species not found in old growth forest.**
- c) **For the ruffed grouse.**
- d) **Hunting of game animals that use early-successional habitat, such as grouse and woodcock, adds recreational activities.**
- e) **To avoid creation of isolated pockets of good wildlife habitat for certain species.**
- f) **Because a variety of habitat/forest is a healthy way to sustain resources for generations to come.**
- g) **Because if the forest is less diverse, fewer people will use it, which impacts local economies.**

- h) Because the Wayne is large enough to embrace many activities, and maintain a diversity of habitats.**
- i) Because management of the Diverse Continuous Forest and Historic Forest will provide suitable habitat for mature forest-dependent species.**

**AND**

**136: The Wayne National Forest should not create any forest habitat to early-successional or grassland habitat, but should concentrate on providing old growth forests and the native species that it supports, and not trying to provide multiple-use.**

- a) Because early successional habitat of any significant size is not a natural landscape feature.**
- b) Because early successional habitat is created naturally by ice storms, tornadoes, wildfires, decay, and windthrow.**
- c) Because species that require edge habitat or forest openings already have an abundance of habitat available in southeast Ohio.**
- d) Because NFMA does not require maintaining minimum viable populations, so there is no need to create early successional habitat.**
- e) Because surrounding private lands do have early successional habitat, and it seems appropriate that national forest provide mature habitat.**

**AND**

**137: The Wayne National Forest should not provide (or place less emphasis on providing) early successional habitat (and instead concentrate on providing old growth forests).**

- a) Because such habitat is provided on private land.**
- b) Because natural disturbances provide this habitat.**
- c) There is no known old growth on private land within the national forest proclamation boundary.**
- d) With other forested lands being fragmented, the national forest could provide a recovery zone for forest communities and species in Ohio which were predominantly forested at the time of European settlement.**
- e) Because the Wayne NF has the largest land base, it has a responsibility to maintain ecosystems not being provided by other land managers.**

- f) Because many years would be needed to re-create the conditions that exist now.**
- g) Because early-successional habitat of any significant size is not a natural landscape feature.**
- h) Creating the amount of early-successional habitat would require a constant strain on the forest through road building, soil disturbance and erosion, tree felling and skidding, decking, and hauling.**
- i) Because there appears to be a bias towards more clearcutting and logging far and above the 1988 Plan that was challenged in Court.**
- j) The early-successional habitat only exists now because of continued logging, resource extraction, and rural development.**
- k) The primary MIS listed (yellow breasted chat and ruffed grouse) populations are no special concern.**
- l) Because a certain amount of early-successional habitat was created through past surfacing mining and timber harvests.**
- m) Because NFMA does not require maintaining minimum viable populations, so there is no need to create early-successional habitat.**

**Response (135, 136, and 137):** The National Forest Management Act directs the Forest Service to provide for a diversity of plant and animal communities. Some native species of plants and animals require early-successional habitat, so we believe it is incumbent on the Forest to provide enough of this habitat to provide for the viability of those species that require it. We recognize that some early successional habitat is created on privately-owned lands, but also realize that habitat creation on private lands may or may not occur in suitable patch sizes for some early successional area-sensitive species. In addition, it may or may not occur in a spatial context that is suitable for interaction with other breeders or with other habitat types that are essential for other aspects of a species life history. We do consider available early successional habitat on private and other lands when planning and implementing projects (see GFW-VEG-10).

As disturbance ecologist Craig Lorimer noted in a paper in the Wildlife Society Bulletin (2001, 29(2): pp. 425-439), “deciding on the optimal amount of early-successional habitat on public lands is a complex ecological and social issue that can be guided only in part by scientific evidence.” The diversity of perspectives expressed in the public comments reflects this complexity. To address this complexity, the DEIS considered six alternatives which allocated between zero and sixty percent of the Forest to management areas with an emphasis on providing early-successional habitat.

Comparisons of how the alternatives could provide early successional forest habitat are presented in Chapter 3 of the FEIS (Habitat Indicator 3). Despite our recognition of the importance of early-successional habitat, the Wayne National Forest would provide a mix of habitats in which late-successional forest predominates under all alternatives considered in detail (FEIS, Chapter 3 – Habitat Indicators 4 and 5).

The DEIS identified Alternative E, with 26% of the Forest allocated to management areas with an emphasis on early-successional and grassland habitat, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates 23% of the Forest to management areas with an emphasis on early-successional and grassland habitat.

We do not agree with the comments that the yellow-breasted chat and the ruffed grouse are of no special concern. The Partners in Flight Bird Conservation Plan for the Ohio Hills, which includes southeast Ohio, classifies the chat as a species of “high regional concern”, which they define as “species that are experiencing declines in the core of their range and that require immediate conservation action to reverse or stabilize trends.” Comments received clearly indicate that the ruffed grouse is a species of concern to a segment of the public, and to the Ohio Division of Wildlife.





*Herbaceous plants, shrubs, and tree seedlings are indicative of early successional habitat created within 1-3 years after an even-aged timber harvest.*

**138: The Wayne National Forest should do a better job of spatially orienting the management areas to allow for wildlife travel corridors.**

**Response (138):** It is unclear what changes in management area designation the commenter is proposing, however the planning team considered how to provide corridors for plant and animal dispersal with its scattered ownership pattern and in context with other public lands during the development of alternatives. Riparian areas are a prime dispersal corridor for plants and animals, and because of this we allocated lands to the River Corridor Management Area. This management area, combined with the improved Forest-wide aquatic and riparian direction, sets up a landscape pattern whereby terrestrial and aquatic species can move up and down the mainstem and into the headwater areas. We also identified isolated locations of species whose viability is a concern and placed management area prescriptions on the ground that could lead to the dispersal of individuals to a greater geographic area. A couple examples of site-specific scale considerations include Forest-wide guideline GFW-WLF-5 which provides direction for spatial arrangement of openings, and Forest-wide standard SFW-TES-7 which provides direction for providing habitat connectivity for the Indiana bat.

Fragmentation of mature forest habitat is addressed in the FEIS (Chapter 3, Plant and Animal Habitat, Habitat Indicator 4). Diversity of plant and animal

communities in a multiple use context was central in the development of the 2006 Forest Plan. We collaboratively developed a science-based plan - including consideration of wildlife corridor issues - that is intended to provide for NFMA diversity better than the previous forest plan. We will consider new information and scientific developments regarding wildlife corridors during the 10-15 year life of the plan, and are willing to continue to work collaboratively to monitor and protect wildlife corridors on the Forest.

**139: The Wayne National Forest should emphasize management for interior forest habitat.**

- a) To provide habitat for the Indiana bat, cerulean warbler, black bear, bobcat, pileated woodpecker, worm-eating warbler, Louisiana waterthrush, eastern puma, and bald eagle.**
- b) Because providing this habitat is compatible with increasing eco-tourism and low-impact activities such as hiking and bird-watching.**

**AND**

**140: The Wayne National Forest should be managed to protect large areas of relatively undisturbed forest.**

- a) For the benefit of all society and all species.**
- b) To help bring some of the lost diversity back to southeast Ohio.**
- c) Because the current management choices would destroy the area for future generations.**
- d) Because the Wayne National Forest represents the best opportunity in Ohio to restore and reconnect areas of forestlands and restore the health of our hardwood forests.**

**Response (139 and 140):** We agree. As noted in the response to PC 135, 136 and 137, the Wayne National Forest would provide a mix of habitats in which late-successional forest predominates under all alternatives considered in detail (FEIS, Chapter 3 – Habitat Indicators 3-5). In order to monitor the effects of management on a variety of specific habitat conditions within the general interior mature forest habitat, we have identified four management indicators: pileated woodpecker, cerulean warbler, worm-eating warbler, and Louisiana waterthrush.



*The Ohio State University School of Natural Resources is studying how forest management at different scales affects the cerulean warbler on its breeding grounds. This study is being conducted in southeastern Ohio, with some study plots located on the Wayne National Forest. Photos courtesy of Marja Bakermans*

**141: The Wayne National Forest should consider whether implementing the plan, including age-class distribution guides, will fragment the forest to adversely affect forest interior birds.**

- a) Interior birds would be harmed by parasitism.
- b) Increased nest predation.
- c) Decreased food supply.
- d) Alterations in territory size and reduction in number of territories.
- e) Decreased genetic diversity from isolation.
- f) Mixed mesophytic forest without fragmentation benefits interior species such as cerulean warbler.
- g) Ohio was originally 95% forested, but now it is just 30% forested; the continued expansion of cities threatens the ability of interior species to survive; the Wayne NF can provide such habitat since it has large land area.

**AND**

**142: The Wayne National Forest should consider patch size, characteristics, and landscape cover.**

- a) Because such factors are important to ovenbirds, and wood thrushes for example.
- b) Because larger patches tend to have greater diversity of niches, and greater richness.
- c) Because several other species such as cerulean warbler and Indiana Bat are affected.
- d) The larger the forest habitat, the more species it will support.
- e) Certain bird species avoid forest edges because of predation, and parasitism, desiccation from wind, insufficient food, and a higher susceptibility to fire, floods, and human intervention such as adjacent development.

**AND**

**143: The Wayne National Forest should take into account information from other areas related to bird habitat patch size.**

- a) The Illinois Department of Conservation management guidelines for forest and grassland birds, Herkert et al. (1993) related to forest patch sizes. They predicted that a 100-hectare forest patch should contain about 60 percent of the highly-sensitive species. Forest bird species preferring interior habitat



**conditions, as discussed here - incorporate all of the highly-sensitive species identified by Herkert et al. (1993).**

- b) This is also important to consider in the context of management guidelines and the layout of appropriate management areas. For example, the Eastern Ontario Model Forest uses wooded patch size as an indicator of forest health.**

**AND**

**144: The Wayne National Forest should focus on areas that are near other natural areas when rehabilitating habitats.**

- a) Because studies show that abundant cover within 2 kilometers of a particular patch is a significant predictor of edge-tolerant bird species.**

**AND**

**145: The Wayne National Forest should take into account information from other areas related to bird habitat patch size.**

- a) Because it would be useful to document the effects to neotropical migrants bird species as a benchmark.**

**AND**

**146: The Wayne National Forest should space roads, trails, clearcuts, etc. at least one mile apart.**

- a) To prevent cowbird parasitism of neotropical migrant bird nests**

**Response (141, 142, 143, 144, 145, and 146):** The Forest Service has considered the possible effects of creating a mix of age classes on habitat for forest interior birds and area sensitivity information related for forest interior birds (FEIS, Chapter 3 – Habitat Indicators 4 and 5), birds dependent on early-successional habitat (FEIS, chapter 3 – Habitat Indicator 3), and grassland-dependent birds (FEIS, Chapter 3 – Habitat Indicator 6).

With respect to the comments on patch size, we have reviewed the literature citations suggested in the comments, and those cited in the FEIS (Chapter 3 – Habitat Indicator 4). We agree with the commenters that the literature indicates that many species are area and edge sensitive. For instance, Rodewald and Vitz report to the Ohio division of Wildlife in 2004 that certain shrubland-dependent birds are sensitive to edge and patch size: “In particular, blue-winged warbler, prairie warbler, yellow-breasted chat, indigo bunting, and field sparrow avoided edges...yellow-breasted chats showed the greatest degree of area-sensitivity.” The U.S. Fish and Wildlife Service’s Cerulean

Warbler Status Assessment states that “For reasons yet to be determined, cerulean warblers do not occur in small forest tracts... What constitutes a ‘small tract’ is similarly undetermined at present.” The Partners in Flight Bird Conservation Plan for the Ohio Hills states that “While grasslands as small as 150 acres may be sufficient for more area sensitive species such as upland sandpiper, evidence shows that these birds are more likely to persist and reproduce in grasslands of higher acreage. Ideally, grasslands of 600+ acres would provide viable populations of all species in the grassland habitat suite.”

As noted in the response to PC 135, 136, and 137, the Wayne National Forest would provide a mix of habitats in which late-successional forest predominates under all alternatives considered in detail (FEIS, Chapter 3 – Habitat Indicators 3-6). In order to monitor the effects of management on a variety of specific habitat conditions within the general interior mature forest habitat, we have identified four management indicators: pileated woodpecker, cerulean warbler, worm-eating warbler, and Louisiana waterthrush. It should also be noted that a number of interior forest nesting species, including cerulean and worm-eating warblers and ovenbirds, move into early-successional habitat during the post-breeding season until they begin their fall migration (FEIS, Chapter 3 – Habitat Indicator 4).

While habitat for, and populations of, migratory birds are important concerns, it should be pointed out that several species are faring relatively well in southeastern Ohio. The Partners in Flight Bird Conservation Plan for the Ohio Hills states that “More forest species (16) are increasing in this region than are declining (9), including several regionally important species such as the worm-eating warbler, hooded warbler, yellow-throated vireo, ovenbird, and American redstart that have all increased dramatically since 1980.”

Refer to the response to PC 149 for further information on cowbird parasitism.

**147: The Wayne National Forest should recognize that implementing G-DCF-VEG-6 (leaving large trees) will benefit more than wildlife, including providing a better seed-bank.**

**AND**

**148: The Wayne National Forest should acknowledge that leaving some of the larger trees in a clearcut also has benefits because they would be good seed sources.**

**Response (147 and 148):** We agree that leaving large trees does benefit more than wildlife. In addition to providing a better seed-bank, large trees also provide a certain scenic or visual quality many Forest visitors enjoy.

**149: The Wayne National Forest should monitor the effects of brown-headed cowbirds on migratory bird species.**

**Response (149):** Brown-headed cowbirds reduce the reproductive success of other species of birds by laying their eggs in the nests of other species. Cowbird eggs tend to hatch earlier, and the hatchlings tend to be larger and more aggressive than those of their hosts. Since cowbirds feed primarily in croplands, pastures and suburbs, smaller patches of forested habitat, often referred as fragmentation, is known to result in higher rates of cowbird parasitism.

The FEIS does discuss the effects of cowbird parasitism (Chapter 3, Habitat Indicator 10), and notes that Dettmer's 1997 study found that "parasitism rates of forest breeding birds were lower [in southeast Ohio] than rates documented in the western parts of the Midwest." The issue of cowbird parasitism is covered in greater detail in the species viability evaluations of forest birds, which are part of the planning record.

The 2006 Forest Plan does include monitoring population trends of management indicators (see Chapter 4 and Appendix C of the 2006 Forest Plan). Six of the management indicator species are migratory songbirds, which are monitored through annual breeding bird surveys on the Wayne National Forest. These surveys also monitor population trends of cowbirds. The 2006 Forest Plan does not include monitoring of the rate of cowbird parasitism or of songbird nesting success. Such monitoring would be extraordinarily difficult, expensive and invasive. For example, the U.S. Fish and Wildlife Service's Cerulean Warbler Status Assessment notes, "Because cerulean warblers nest high in the canopy of forests, where their nests are difficult for humans to find, only detailed intensive searches for nests can be expected to provide even minimal estimates of the actual rates of parasitism experienced by populations of cerulean warblers in different habitats."

**150: The Wayne National Forest should harvest timber to create wildlife habitat for hunting.**

- a) Because hunters spend money in the local communities supporting local economies.**
- b) Because timber harvesting adds income to the local economy.**

**AND**

**151: The Wayne National Forest should recognize that continuing declines in ruffed grouse and woodcock populations will diminish hunting opportunities on the Forest.**

**AND**

**152: The Wayne National Forest should not manage for game species.**

**Response (150, 151, and 152):** It is Forest Service policy to provide a variety of wildlife-based recreational opportunities, including hunting, fishing, trapping, and viewing, photography and nature-study, in cooperation with the state wildlife agencies. Hunting, fishing and trapping regulations are established and enforced by the Ohio Division of Wildlife.

We do recognize that hunters and anglers, and timber harvest, contribute to the economies of local communities (FEIS, Chapter 3 – Recreation Opportunities and Social and Economic Effects), and that declining populations of ruffed grouse and woodcock would diminish hunting opportunities (FEIS, Chapter 3 – Habitat Indicator 3).



*Hunting is a popular activity on the Wayne National Forest, in addition to being a wildlife management tool.*



**153: The Wayne National Forest should change SWF-REC-8 and DR-REC-8 to allow controlled hunts if problems with invasive species (i.e. boar) or deer becomes unbearable.**

**Response (153):** The 2006 Forest Plan standards SWF-REC-8 and S-DR-REC-8 prohibit hunting within posted areas around developed recreation sites and facilities (e.g. campgrounds, picnic areas and developed swimming beaches) in the interest of public safety. Hunting is permitted outside the posted areas, even within parts of the Developed Recreation Management Area. We do not believe it would be an appropriate trade-off to permit hunting in proximity to areas of concentrated recreation use in order to harvest a few additional animals.

**154: The Wayne National Forest should recognize that deer are affecting plant communities on the Forest, including oak regeneration.**

**AND**

**155: The Wayne National Forest should monitor the effects of deer browsing on forest structure and ecology, particularly ginseng, and coordinate with the Ohio Division of Wildlife to manage the deer population to limit adverse impacts.**

**Response (154 and 155):** We do recognize that deer browsing can affect plant communities, including oak regeneration and ginseng (see FEIS, Chapter 3 – Habitat Indicators 1 and 8). However, as the FEIS indicates, the studies done to date in Ohio suggest that deer browsing is having a limited effect on oak regeneration. The Northern Forest Experiment Station is continuing its oak regeneration study.

The Ohio Division of Wildlife establishes, enforces and monitors regulations regarding the harvest of ginseng. Jim Baker of the Division reported in 2005 that about one million ginseng plants are harvested annually in Ohio (pers. comm.). Hunting seasons, bag limits and related regulations are established and enforced by the Ohio Division of Wildlife. The Forest Service does provide input to the Division on deer target populations, browsing impacts and hunting regulations.

*Ginseng*

**156: The Wayne National Forest should include permit provisions to ensure the reseeding of individual plants and provide for the long-term viability of ginseng.**

**Response (156):** Ohio regulations require that plant collectors plant the seeds from any plant that is harvested, in the location where that plant is harvested. We are aware of the public's concern with regard to ginseng, and have established monitoring to ensure that the plant species is not over-harvested on the Forest. If it becomes clear that too much ginseng is being removed from the Forest by the public, further administrative measures will be taken to protect it.

**157: The Wayne National Forest should recognize watchable wildlife areas (such as the Greendale Wetland) are not compatible with hunting and off-road vehicle use.**

**Response (157):** We do not agree that there is need to choose between consumptive and non-consumptive uses of wildlife, or wildlife viewing and off-highway vehicle (OHV) use. We believe that the Wayne National Forest can and does provide some level of all these uses. Wildlife viewing opportunities occur throughout the Wayne and are not limited to designated wildlife viewing areas. The selected alternative allocates only about 18% of the Forest to management areas where trails can be constructed and designated for OHV use. Many OHV users enjoy the Forest's trails because of the opportunity to view nature, including wildlife, while riding their machines. Hunting, fishing and trapping regulations are established and enforced by the Ohio Division of Wildlife. Decisions about how to manage specific sites, such as the Greendale Wetland, are made with site-specific project decisions, rather than the programmatic-level forest plan.

**158: The Wayne National Forest should recognize the difficulties in managing the former strip mined lands, and consider if areas such as Crown City WMA are providing such habitat already.**

- a) Because of the poor soils.**
- b) Because herbicide treatments are not best for these sites that are mostly clay.**

**Response (158):** When management areas were developed, adjacent and nearby conditions were considered. When areas, including previously strip mined lands, are analyzed for possible projects the soil types are one of many factors that would be considered. Such proposed projects would be designed to move the existing conditions closer to the conditions described as the desired future condition for the particular management area. If some factor, such as soil conditions, would make success difficult or impossible, then the project would be changed or dropped.

Most of the lands allocated by the 2006 Forest Plan to grassland are currently in grassland habitat condition. The soils and other resource factors, such as providing a diversity of wildlife habitats, support this allocation. The establishment of grasslands is a phased approach to healing the land from past practices - primarily strip mining. The Ohio Division of Wildlife, The Ruffed Grouse Society, and the National Wild Turkey Federation supported this allocation determination. The 2006 Revised Plan allows herbicide use, but does not authorize it on any specific tract. Site-specific analysis would be required before any herbicide application.

**159: The Wayne National Forest should recognize that grassland and prairie habitat and their dependent species are not originally native to the Forest.**

**AND**

**160: The Wayne National Forest should consider the habitat at the Crown City Wildlife Area when considering the habitat availability for Henslow's sparrow.**

**Response (159 and 160):** We do recognize that extensive grasslands did not naturally occur in southeastern Ohio (FEIS, Chapter 3 – Habitat Indicator 6). Prairie remnants and oak barrens exist on scattered sites within the Wayne National forest, including the Buffalo Beats Research Natural Area and Fradd Hollow Special Area. We believe it is appropriate for the Wayne National

Forest to provide some grassland habitat on reclaimed strip mine areas, as grasslands and prairies have virtually disappeared from the parts of Ohio where these habitats did naturally occur. Please refer to the discussion of the Grassland and Forest Mosaic Management Area in Chapter 3 of the 2006 Forest Plan.

The Partners in Flight Bird Conservation Plan for the Ohio Hills, which includes southeast Ohio, identifies the Henslow's sparrow as a species of high continental concern and high regional responsibility, and states "the Ohio Hills represents one of the few strongholds for Henslow's sparrow and the only northeastern physiographic area in which the species is not declining. This sparrow is vulnerable to extinction throughout its range, and conservation effort directed at populations in the Ohio Hills (and adjacent Allegheny Plateau) can contribute greatly to the long-term survival of the species."

The species viability evaluation process for the Revised Forest Plan (see Appendix E of the FEIS) did identify the Crown City State Wildlife Area (within the Forest's proclamation boundary on the Ironton Ranger District) as an area which provides grassland habitat where Henslow's sparrows currently breed. We do not believe this implies it is inappropriate to provide some similar habitat on the National Forest.



*The Henslow's sparrow, a Regional Forester sensitive species and a management indicator, depends upon extensive grassland habitat. It is using the grass-covered reclaimed strip mine lands on the Wayne.*

**161: The Wayne National Forest should not create wildlife openings.**

- a) **Because reclaimed strip mines will provide grassland habitat.**
- b) **Because openings and edge will be created by oil and gas wells where privately owned minerals underlie federal surface ownership.**
- c) **Because additional edge habitat is undesirable.**

**Response (161):** We believe wildlife openings are an important aspect of wildlife habitat diversity (Revised Forest Plan Objective 4.1g). We agree that larger areas of grassland habitat provide some of the same habitat values, and this should be considered in determining the needs for smaller openings (see Forest-wide guideline GFW-WLF-3). We agree that revegetated oil and gas well pads and utility line clearings can sometimes serve as wildlife openings (see Forest-wide guidelines GFW-WLF-3 through GFW-WLF-6). We agree that creation of additional edge should be considered in establishing wildlife openings (see Forest-wide guideline GFW-WLF-5).

**162: The Wayne National Forest should clarify in the Final EIS if the 5,334 acres of Grassland and Forest Mosaic Management Area in Alternative E is in addition to the existing 6,177 acres that already exists on the forest, or if the 5,334 acres are newly created grasslands.**

**Response (162):** This information has been clarified in the FEIS.

**163: The Wayne National Forest should re-consider the timing of year when wildlife openings are mowed.**

**Response (163):** Mowing is one of the most effective methods of keeping openings and grasslands from succeeding to shrub habitat, and eventually forest. We believe Forest-wide guideline GFW-WLF-8, which calls for scheduling mowing so as to minimize disturbance of flowering plants and nesting birds, is appropriate. We agree that it is desirable that permanent opening vegetation should be largely native, as is reflected in Forest-wide guideline GFW-WLF-13. The 2006 Forest Plan does not authorize any particular maintenance in existing wildlife openings. Such determinations are better made at the site specific-level of decision making using local resource conditions and information.



*Permanent forest openings are generally mowed every three years. About 35% of the vertebrate animals on the Wayne National Forest use early successional habitat in the form of openings during some part of their life cycle.*

**164: The Wayne National Forest should manage permanent wildlife openings so that the vegetation is native, or at minimum, contains no non-native invasives (in addition to Objective 4.1g in the Proposed Revised Forest Plan).**

**Response (164):** GFW-WLF-13 directs the Forest Service to maintain at least one-half of each opening with native forbs and grasses. Forest-wide standards and guidelines GFW-FH-9, SFW-FH-10, and GFW-FH-13 will reduce the spread of non-native invasive species when maintaining openings).

**165: The Wayne National Forest should manage permanent wildlife openings so that the vegetation does not contain monocultures of legumes (in addition to the plants listed in GFW-WLF-13 of the Proposed Revised Forest Plan).**

**Response (165):** Legumes were added to the list in Forest-wide guideline GFW-WLF-13.

**166: The Wayne National Forest should not create any new openings on the forest through any means – logging, burning, or other.**

**Response (166):** The DEIS, pages 3-52 to 3-58, describes effects from creating and/or not creating openings. Not creating openings would have a negative effect on the wildlife dependent upon forest openings (please refer to the response to PC 171). The creation and maintenance of wildlife openings is supported by the Ohio Division of Wildlife, and wildlife interest groups such as The Ruffed Grouse Society and the National Wild Turkey Federation.

**167: The Wayne National Forest should consider the effects from natural disturbances, power lines, pipelines and other similar clearings when analyzing the habitat created for the Yellow-breasted Chat as a management indicator species.**

**a) Because the species is not dependent on how the habitat is created – does not need to be from silvicultural activities.**

**Response (167):** We agree that a variety of methods and actions can create habitat of different types. However, the yellow-breasted chat is considered an area-sensitive species (FEIS, Chapter 3 – Habitat Indicator 3). Research suggests that this bird avoids edge, and therefore narrow utility corridors and small permanent openings (< 8 acres) are not likely to provide suitable breeding habitat for this species. Agricultural crop fields, pastures and grasslands are openings, but are not early-successional forest habitat. Monitoring data indicate that the Forest is losing its quality early-successional forest habitat. The 2006 Forest Plan takes steps to restore diversity and this critical type of wildlife habitat.

**168: The Wayne National Forest should also consider the contribution of natural gap development in many hardwood stands and group selection for GFW-WLF-3.**

**Response (168):** Natural gaps develop throughout the forest as a result of pest and disease outbreaks and weather-related events (see EIS, Chapter 3 – Habitat Indicator 3). Some of the gaps may result from a single tree or from groups of trees. These gaps are ephemeral in nature; the canopy opens and growth from the understory and midstory develops and fills in the gap.

We do consider the availability and location of ephemeral openings during the planning and implementation of the permanent openings program (see Forest-wide GFW-WLF-3).



**169: The Wayne National Forest should consider the costs of maintaining the grassland in the Grassland and Shrub Mosaic management areas.**

- a) Because the grassland is quite unfriendly to equipment = high repair bills.**

**AND**

**170: The Wayne National Forest should consider costs when developing plans for understory management.**

- a) The Forest does not have anything to work with in the budget to start with.**

**Response (169 and 170):** We will consider a variety of methods as each project area is analyzed. As different methods are tried, the effectiveness and costs will be considered when future projects are planned.

**171: The Wayne National Forest should not mow, including opening maintenance.**

**Response (171):** Mowing is an essential tool in maintaining suitable habitat for some species, including some plants and animals whose populations are in decline. For example, our species viability evaluations showed that the Blanchard's cricket frog, Henslow's sparrow, grizzled skipper, yellow gentian, thyme-leaved pinweed, smooth beardtongue, and Featherbells must have herbaceous or open sunlight conditions to maintain their viability on the Wayne National Forest. Permanent openings provide shelter, food and breeding areas for these and other species. To maintain the open condition, the woody growth must be removed periodically. A variety of methods can be used to maintain the permanent opening, manually mowing them is most common, but other methods include burning and applying herbicides if very persistent woody growth or non-native invasive species appear.

The 2006 Forest Plan does not authorize a particular maintenance method for wildlife openings, but anticipates that the openings may be maintained by a menu or suite of actions. The final determination of management action in particular wildlife openings is a site-specific determination based on local conditions, resources, and needs.



**172: The Wayne National Forest should photo-document natural openings (pg 2-41 of Proposed Revised Forest Plan).**

- a) Because such openings are rare and short-lived.**
- b) Could be used to design other openings.**

**Response (172):** We agree that if natural openings are found, that photographs could be helpful in creating new openings.

**173: The Wayne National Forest should retain snags that border utility corridors.**

- a) Because snags are good habitat.**

**Response (173):** We agree that snags (standing dead trees) are an important wildlife habitat component. Forest-wide standards SFW-TES-10 and SFW-TES-13 provide that snags be retained throughout the Wayne National Forest unless they pose a safety hazard. Snags that could fall into power lines would be removed because of public and utility worker safety and protection of the infrastructure, but snags along utility corridors, located far enough away that would not pose a hazard to power lines, would not be removed.

**174: The Wayne National Forest should change SFW-TES-14 to read “Prohibit the cutting of standing dead trees for firewood.”**

**Response (174):** This suggestion depicts no change to the wording of Forest-wide standard SFW-TES-14.

**175: The Wayne National Forest should not remove coarse woody debris from Future Old Forest.**

- a) Because coarse woody debris is a critical component of old-growth characteristics.**

**Response (175):** We agree. The 2006 Forest Plan includes as part of the desired future condition for the Future Old Forest and Future Old Forest with Minerals Management Areas: “Woody debris from fallen trees is evident on the forest floor and in streams flowing through the area. Downed logs from trees of differing sizes are in various stages of decay.” The only exception to this direction in these management areas would be where it is necessary to reduce fuels adjacent to private homes and property, consistent with 2006 Forest Plan Objective 8.1c.

**176: The Wayne National Forest should consider expanding the no vegetation management buffer around rock faces and outcrops (SFW-TES-29).**

**Response (176):** We believe the 50-foot buffer in this standard (now Forest-wide standard SWF-TES-33 in the 2006 Forest Plan) is adequate to protect the plants and animals for which rock outcrops are particularly important habitat, based on input from the experts on our species viability evaluation panel. The buffer could be increased for specific projects, if site specific analysis indicates a need to do so.

**177: The Wayne National Forest should not re-introduce the river otter into Burr Oak Reservoir in Burr Oak State Park.**

**Response (177):** River otter reintroductions are the responsibility of the Ohio Division of Wildlife. Otters were extirpated from Ohio though habitat loss and unregulated trapping and hunting during the 19th century. The Ohio Division of Wildlife reintroduced the otter into four areas in eastern Ohio between 1986 and 1993. Populations have increased to the point that they are now found in nearly two-thirds of Ohio's major rivers and streams (and very likely Burr Oak Reservoir). Trapping of otters is now permitted in about the eastern half of the State, and some human-otter conflicts (e.g. severe depredation of fish stocks in farm ponds) are now reported. On balance, we agree with the Division of Wildlife that the successful reintroduction of this fascinating predator into Ohio's aquatic ecosystems is a wildlife management success story.

#### **D. Threatened, Endangered and Sensitive Species**

**178: The Wayne National Forest should make recovery of threatened and endangered species a priority in the revised forest plan.**

**AND**

**179: The Wayne National Forest should continue to provide habitat for federally listed species.**

- a) Including the bald eagle, American burying beetle and Indiana bat.**

**Response (178 and 179):** We agree that recovery of threatened and endangered species should be a Forest priority, and that habitat should be provided for the bald eagle, American burying beetle and Indiana bat. This is reflected in the 2006 Forest Plan Goal 5.1 and standards and guidelines to

protect these species, and in the Conservation Plan for threatened and endangered species located in Appendix D of the 2006 Forest Plan.

**180: The Wayne National Forest should revise the programmatic biological assessment and biological opinion for the Threatened and Endangered Species Plan Amendment (Amendment 13).**

**AND**

**181: The Wayne National Forest should formally consult with the U.S. Fish and Wildlife Service on the revised forest plan.**

**Response (180 and 181):** Amendment 13 and the consultation on that amendment have been superseded by the 2006 Forest Plan. The Forest Service has formally consulted with the U. S. Fish and Wildlife Service on the 2006 Forest Plan. A Biological Assessment was prepared by the Forest Service (FEIS, Appendix F). It displayed the effects of the selected alternative on nine federally listed species known to occur within or near the Wayne National Forest. The U. S. Fish and Wildlife Service provided a Biological Opinion to the Forest Service after review of the Biological Assessment, and its monitoring requirements were incorporated into the 2006 Forest Plan. We have taken the best of that management direction and coupled it with the best available scientific information to develop state of the art direction and monitoring for the conservation and recovery of the Indiana Bat. The concerns with Amendment 13 are now outdated; events have overtaken these concerns.

Nevertheless, it should be noted that this issue was recently adjudicated: U.S. District Court for the Southern District of Ohio (Western Division) granted summary judgment for the Forest Service on July 20, 2005. The ruling states, in part that “Since the Threatened and Endangered Species Amendment requires the Forest Service to take more protective measures concerning the Indiana bat and its habitat while implementing site specific projects than the Forest Service was previously required to do under the Forest Plan in place, the amendment is beneficial to the Indiana bat. The Forest Service’s conclusion, on the basis of the EA, that the Threatened and Endangered Species Amendment to the Forest Plan would have no significant adverse environmental consequences is entirely reasonable; an EIS was therefore not required ... Defendants’ use of the tiered consultation system has not impeded their fulfilling all requirements mandated by the ESA [Endangered Species Act] and its implementing regulations, and, if anything, has increased Defendants’ efficiency in fulfilling those requirements.”

**182: The Wayne National Forest should provide additional protection measures for the Indiana bat.**

- a) Expand from buffer area around hibernacula from ¼ mile to ½ mile.
- b) Identify suitable summer habitat and prohibit timber harvest, road construction prescribed burning, oil and gas production, and recreation trail use in such habitat.
- c) Change the guideline for monitoring bats where gates at mine entrances are installed to a standard, and conduct this monitoring before and after gate installation.
- d) Conduct annual population surveys at hibernacula and in summer habitat.
- e) Report to the U.S. Fish and Wildlife Service any prescribed fire that adversely impacts a hibernaculum.
- f) Define “major splits” and “broken tops” (in SFW-TES-10).

**AND**

**183: The Wayne National Forest should re-write the DEIS section on Indiana bat roosting and foraging habitat and prepare a new SDEIS that addresses the full range of negative impacts to the Indiana bat from logging and management activities.**

**Response (182 and 183):** The FEIS includes a summary of the effects of the alternatives on federally listed species (Chapter 3, Habitat Indicator 7) and includes the Biological Assessment prepared for the selected alternative (Appendix F). The 2006 Forest Plan will aid in the recovery and conservation of federally listed species, and it resulted from a lengthy informal and formal consultation process with the U. S. Fish and Wildlife Service (USFWS), as outlined in the Biological Assessment (section on Consultation History).

The USFWS determines the dimensions of the buffer zone around a hibernaculum based on its size and the surrounding habitat quality (e.g., larger hibernacula with more bats could have larger buffer zones). A single Priority III hibernaculum is present on the Wayne National Forest. Winter census results show that the population of Indiana bats in this mine has increased from around 200 to 333 individuals since the ¼ mile buffer was established. The USFWS considers the ¼ mile buffer around this hibernaculum sufficient to provide protection to individuals. The USFWS will assess the need for buffers, and the appropriate size, around any newly discovered hibernacula, should they deem that necessary to protect the Indiana bat.

The Biological Evaluation (DEIS, Appendix F) and the Biological Assessment (FEIS, Appendix F) discuss the benefits of vegetation management in terms of

improving roosting and foraging habitat for the Indiana bat, and the potential effects of excluding such management. Based on this analysis, we do not believe it would be appropriate to prohibit timber harvest in all Indiana bat summer habitat, which would be the entire Wayne National Forest.

While we believe implementation of the selected alternative will have a generally positive effect on Indiana bat habitat, the Biological Assessment determines that implementation is likely to adversely impact the bat because “management activities that require the removal of trees may accidentally cause direct take ... Although the potential for this take is extremely small considering the large amounts of available roost trees in the planning areas and the established Forest-wide standards and guidelines ...” The U.S. Fish and Wildlife Service’s Biological Opinion determines that the implementation of the 2006 Forest Plan “will not jeopardize the continued existence of the species”, largely because of the conservation measures incorporated in the 2006 Forest Plan . It is not clear in PC 183 what adverse impacts management activities may have on the Indiana bat that the commenter believes have not been addressed in Chapter 3 of DEIS and Biological Evaluation.

A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment, while deviations from a “standard” require a Forest Plan Amendment. We have considered the commenter’s suggestion that Indiana bat guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

Hibernating bats are very sensitive to disturbance, potentially even by trained observers. This is why the USFWS Indiana Bat Revised Recovery Plan states that “In order to minimize the amount of disturbance from monitoring activities, yet maintain data on population levels and trends, surveys [of known hibernacula] should be conducted in alternate years [emphasis added]. Forest Service biologists cooperate with USFWS biologists to conduct surveys of the known Priority III hibernaculum (in an old limestone mine) every other year.

Bat monitoring of summer habitat is accomplished by setting mist nets in foraging areas and flight corridors and examining captured bats to identify them. Because virtually the entire Wayne National Forest is potential summer habitat for the Indiana bat, and because bat monitoring is expensive, difficult and potentially stressful and hazardous for the bats, we believe annual monitoring of the entire Forest would be impractical, and that the costs would outweigh the benefits. Forest biologists and/or contractors do conduct periodic surveys of portions of the Forest, and of mines before installation of gates or other projects that could affect their potential use by hibernating bats.

The 2006 Forest Plan Forest-wide standard SFW-TES-2 is designed to prevent entry of smoke into any bat hibernaculum. However, should unpredicted wind shifts or other factors cause smoke from a prescribed fire (or wildfire) to enter a hibernaculum, such an event would be reported to the U.S. Fish and Wildlife Service.

Forest-wide standard SFW-TES-10 has been clarified in the 2006 Forest Plan, and the conservation plan (Appendix D) has added information on the meaning of these terms. The descriptions and photographs in the publication “Patterns of Storm Injury and Tree Response” from the Forest Service’s Northeastern Research Station is a good reference for these terms.



*A cluster of Indiana bats in the Wayne’s Priority III hibernaculum in 2005. This cluster is the size of a notebook-sized piece of paper and contained about 140 individuals.*

**184: The Wayne National Forest should leave large expanses of old growth forests.**

- a) to benefit the Indiana Bat
- b) because old growth supplies a constant supply dead trees for roosts
- c) such forests are naturally open – good bat habitat
- d) the older trees produce good nut crops for oak regeneration when trees naturally fall or die.
- e) because the Forest’s approach, while appeasing loggers, will not provide a continuous supply of older trees that the bats need; with no younger trees in the canopy, to replace dead trees, the bats will run out of suitable trees within a human generation.
- f) the same conditions that would be good for future wilderness would be good for the Indiana Bat.
- g) they would provide good locations to study relatively undisturbed forests,
- h) they would provide a long-term study area of forest dynamics
- i) they would provide an “experimental control” for comparing what is happening on managed private lands.
- j) they would serve as reservoirs of biological diversity.
- k) they would provide heritage value in older ecosystems, and could be a boon for tourism.
- l) the land would not be destroyed or modified of the natural landscape as was done in Europe

**Response (184):** Our assessment is that there is very little old-growth forest on the Wayne to leave, because virtually the entire area occupied by the Forest has been at least partially cutover, often cleared more than once, between about 1800 and 1920, for farms and pasture land, and for timber and fuel (see FEIS - Chapter 1, Chapter 3 (Habitat Indicator 4), and Appendix D). The same is true about Ohio as a whole: it is believed that about 95% of Ohio was forested just before 1800, and the proportion of forested land in Ohio bottomed out at 12% in 1940 (Griffith, et al, 1993). We believe the area of the Wayne National Forest that most closely approaches old-growth is the Morgan Sisters Special Area, which has a management prescription that does not include timber harvest.

We do believe that the Wayne National Forest should be managed primarily for mature hardwood forest habitat. As noted in the response to PC 135, 136,

and 137, the Wayne National Forest would provide a mix of habitats in which late-successional forest predominates under all alternatives considered in detail (FEIS, Chapter 3 – Habitat Indicators 4-5). Mature hardwood forest provides many of the habitat features mentioned by the commenters, including bat roost trees and acorn and nut production.

We agree that it is appropriate to allocate parts of the Wayne to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest (FOF) and Future Old Forest with Minerals (FOFM) Management Areas (see Chapter 3 of the 2006 Forest Plan). The DEIS identified Alternative E, with 10% of the Forest allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates approximately 3,000 acres to FOF (adjacent to the Morgan Sisters Special Area), or total of 11% of the Wayne to the FOF and FOFM Management Areas.

We also recognize that it may take several decades for FOF and FOFM areas to achieve the structure important for the endangered Indiana bat (i.e., relatively open subcanopy, canopy gaps, large trees with roost characteristics), therefore we have incorporated other management area prescriptions into the 2006 Forest Plan to proactively aid in improving Indiana bat habitat (e.g., Historic Forest, Diverse Continuous Forest). The 2006 Forest Plan direction was developed with the input of Indiana bat experts both at the State and federal level. We solicited input from the leading experts in the Indiana bat biology and life cycle dynamics, and considered their valuable input in the development of the biological evaluation and assessment. Moreover, we coordinated with our other national forests and their biologists regarding the best strategies for protecting the bats, particularly with regard to the concerns listed in this comment, *e.g.* the role of old growth in Indiana bat life cycle and population dynamics. The comments do not reveal new scientific information that the agency overlooked, ignored, or used improperly. The 2006 Forest Plan includes sound, science-based management direction for conservation and recovery of the species.

We agree that FOF and FOFM can be useful comparison for more intensively managed part of the Forest, and that they provide important aspects of wildlife habitat diversity. Please also see the response for PC 127, 135, and 139).





*Summer mist netting enables the Forest Service to learn more about Indiana bat distributions and foraging habitat use on the Wayne National Forest. Pictured are biologists from the U. S. Fish and Wildlife Service and Forest Service working to remove a captured bat from the mist net during a night-time survey.*

**185: The Wayne National Forest should modify SFW-TES-7 to apply only when regeneration units are larger than 10 acres.**

- a) As written the standard defeats the purpose of even-aged harvests.**

**Response (185):** As described in responses to other comments about federally listed species, the Forest Service and U. S. Fish and Wildlife Service conducted a thorough consultation process during the development of the 2006 Forest Plan. We discussed the comment with the U. S. Fish and Wildlife Service, but we did not change SFW-TES-7. We believe that even-aged management can be accomplished while still ensuring Indiana bat roosting and foraging habitat remains on the landscape.

**186: The Wayne National Forest should exempt SFW-TES-12 from application to pine stands and the standard should apply to cutting units over 10 acres in size.**

- a) This standard can defeat the purpose of a regeneration harvest, especially for pine.**
- b) Because Virginia Pine will blow down if isolated in a regeneration harvest.**

**Response (186):** After consultation with the U. S. Fish and wildlife Service, we clarified Forest-wide standard SFW-TES-12 to cover only hardwood stands. No size limitation changes were made to this standard.

**187: The Wayne National Forest should modify protection measures for the American burying beetle (ABB).**

- a) Change the guidelines for ABB to standards (GFW-TES-22 through 27).**
- b) Reduce the area with restrictions for ABB from 10 miles to 5 miles of known occupied ABB habitat.**
- c) Prohibit all ground disturbing activities within 5 miles of known occupied ABB habitat.**

**Response (187):** As explained in the response to PC 182, we conducted an exhaustive consultation process with the U. S. Fish and Wildlife Service during the development of the 2006 Forest Plan. The suggested modifications have been considered, but not adopted. We believe implementation of the 2006 Forest Plan will have a generally positive effect on ABB habitat, and the Biological Assessment determined that implementation of the selected alternative is not likely to adversely affect the beetle, largely because of the

proactive conservation measures reflected in the guidelines that are the subject of the comments. The guidelines for protection of the American Burying Beetle are based upon the best available scientific information, as well as monitoring data and experience under the previous forest plan. Although the comment provides suggestions for management direction, we note that there is no basis in scientific literature for the parameters suggested by the commentor.

A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment while deviations from a “standard” require a Forest Plan Amendment. We have considered the commenter’s suggestion that the ABB guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

We have also considered the recommendation to prohibit all ground-disturbing activity within five miles of occupied ABB habitat. We do not believe this is a practical suggestion, or necessary to provide for the beetle’s protection. (See FEIS, Appendix F – Biological Assessment, American Burying Beetle section). Rather, it seems likely to us that this kind of single-species/use approach would be a powerful disincentive to reintroduce the ABB anywhere on the Wayne National Forest.

**188: The Wayne National Forest should extend the buffer for no prescribed fire around occupied bald eagle sites from ½ mile to one mile.**

**Response (188):** The suggested modifications have been considered, but not adopted. As described in the response to PC 182, recovery and conservation measures incorporated into the 2006 Forest Plan resulted from a lengthy consultation with the U. S. Fish and Wildlife Service. Specifically, Forest-wide standard SFW-TES-19 is designed to keep smoke away from bald eagle roost sites. The Northern States Bald Eagle Recovery Plan calls for a ½ mile buffer around bald eagle nests when such activities are implemented. It should also be noted that there is rarely much overlap in eagle over-wintering on the Wayne National Forest, and the Forest’s prescribed burning season. We believe implementation of the 2006 Forest Plan will have a generally positive effect on bald eagle habitat, and the Biological Assessment determined that implementation is not likely to adversely affect the bald eagle, largely because of the conservation measures reflected in the standards referred to above.

**189: The Wayne National Forest should determine which federally listed animal and plant species adapted to caves and karst habitat occur on the Forest.**

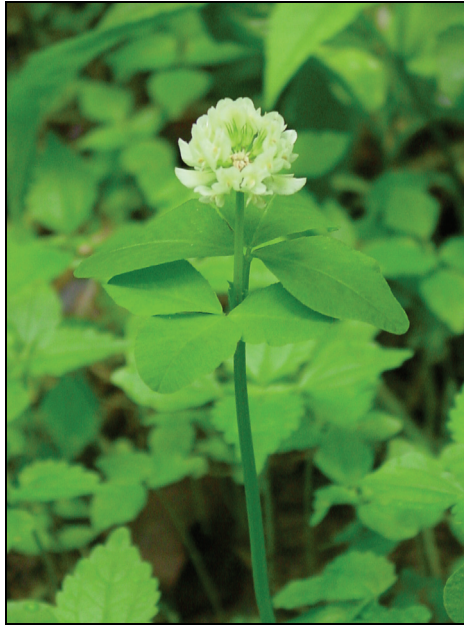
**Response (189):** No caves or karst habitat occur on the Wayne National Forest. Extensive cave systems and karst habitat occur only where bedrock is primarily limestone. The nearest locations of such conditions are in Indiana and Kentucky.

Abandoned underground coal mines on the Wayne National Forest do provide habitat for some subterranean species, such as roosting bats. Because old coal mines are notoriously unsafe, inventories of the species using them are limited to the mine entrances.

**190: The Wayne National Forest should identify, monitor and report populations of federally listed and candidate threatened and endangered species, and Regional Forester Sensitive Species (RFSS).**

**Response (190):** The Biological Assessment and Biological Evaluation (FEIS, Appendix F) extensively document the status of federally-listed species and RFSS, and the FEIS summarizes the effects of the alternatives considered on these species (Chapter 3, Habitat Indicator 7). The 2006 Forest Plan emphasizes providing habitat and conservation measures to support the recovery of federally-listed species, and to prevent the decline of RFSS to point that they become listed (2006 Forest Plan Goals 5.1 and 5.2 and associated objectives, standards and guidelines, and Appendix D). Monitoring of some species is to be accomplished by the Forest Service (e.g. winter bald eagle searches), but most monitoring is to be accomplished in cooperation and coordination with experts from other agencies, universities and organizations (2006 Forest Plan, Appendix D). Appendix D of the 2006 Forest Plan also requires that accomplishments related to threatened, endangered and sensitive species be reported annually in the Monitoring and Evaluation Report.

The biological evaluation and assessment for the 2006 Forest Plan area based upon years of monitoring and experience in addressing the local resource concerns (especially for ESA listed species) on the Wayne National Forest. Wildlife biologists on the Forest are experts in local conditions and species' needs, and experienced in applying the best available scientific information to the local conditions of the Forest. The programmatic management direction of the revised plan is adaptive and iterative, in that it builds upon the previous programmatic consultations, new science, and advice and consultation with numerous wildlife experts.



*The Federally endangered running buffalo clover was located on the Wayne National Forest during summer 2005. Photo courtesy of Sarena Selbo.*

**191: The Wayne National Forest should add to direction on Regional Forester Sensitive Species (RFSS) that the Forest will provide input on updates to this list.**

**Response (191):** Direction for the Forest Service to provide input for updates to the RFSS list is included in the 2006 Forest Plan (Appendix D).

**192: The Wayne National Forest should protect the pigeon grape (*Vitis cinerea*).**

**Response (192):** The pigeon grape is designated a Regional Forester sensitive species, and is protected under the 2006 Forest Plan (Goal 5.2 and Forest-wide guideline GFW-VEG-14).

## E. Management Indicator Species (MIS)

**193:** The Wayne National Forest should use the following indicator of forest health from Eastern Ontario: each watershed should have at least one wooded patch that is equal to or greater than 200 ha with a minimum width of 500 m. Larger patches of forest tend to have a greater diversity of habitat niches and therefore are more likely to support a greater richness and/or diversity of wildlife species. Most of the quaternary watersheds have at least one wooded patch that satisfies the size and width guideline; however, over 70% of the watersheds had fewer than 15 wooded patches that met the guideline. Given the total number of wooded patches in each watershed, this indicates that the majority of wooded patches in each watershed is small and/or narrow. This is a negative characteristic in terms of forest sustainability in eastern Ontario (Monitoring and Reporting on the State of Eastern Ontario's Forests, 2004).

**Response (193):** We appreciate the suggestions the commenter has provided, but this indicator of forest health appears to be from a geographic area much different from southeastern Ohio. Nearly 80 percent of the lands within the Wayne National Forest are forested; therefore, the use of a model which is based on a woodlot-scattered landscape would not be appropriate here. We acknowledge that larger patches of interior forest are important to certain species, and recommend a couple publications by the Cornell Lab of Ornithology that discuss landscape-level forested habitat in a context that can be applied to the Wayne National Forest: *A land manager's guide to improving habitat for scarlet tanagers and other forest-interior birds* and *A land manager's guide to improving habitat for forest thrushes*. We did select four management indicators that are indicative of diverse interior forest habitat (cerulean warbler, worm-eating warbler, Louisiana waterthrush and pileated woodpecker) to aid in the development of management area prescription and alternatives.

**194:** The Wayne National Forest should revise the list of MIS.

- a) To add aquatic species and communities.
- b) Because the list is inadequate,
- c) Because habitat requirements should be verified by in-the-field studies and population counts, and not by unverified computer models.
- d) Because the ruffed grouse is primarily a game bird and not at all in need of management.
- e) Because the yellow-breasted chat is of no special concern.

- f) Because no mesophytic/cove/hemlock-hardwood/swamp plant communities are included as management indicators.**
- g) Because threatened and endangered species should be considered.**
- h) Because monitoring of key species in addition to habitats should be adopted.**
- i) Because the 2005 Planning Rule no longer requires the Forest Service to maintain viable populations.**

**AND**

**195: The Wayne National Forest should not rely on birds alone as MIS.**

- a) Because there are too many macro-level habitat and species needs to only use birds as indicators, especially for the larger communities that some of them are supposed to represent.**
- b) Because some are migratory, which means that the population changes may not reflect conditions on the Wayne National Forest (e.g. events in winter habitat or during migration, or avian diseases).**
- c) Non-avian, non-migratory species such as a mammal, reptile or amphibian should be added.**
- d) A secondary species should be designated in the event of a lost or greatly diminished population of the original indicator species.**

**Response (194 and 195):** Management indicator species and habitats were developed in accordance with 36 CFR 219.19(a)(1) which requires that “certain vertebrate and/or invertebrate species present in the area shall be identified and selected as management indicator species and the reasons for their selection will be stated.” The rationale for MIS selection is laid out in Appendix E of the FEIS. Five categories of species are identified in CFR 219.19(a) (1) that shall be considered and selected where appropriate. These categories range from the most imperiled species (i.e. federally endangered or threatened) to species so abundant that they are “commonly hunted, fished, or trapped”; thus the NFMA regulations allow considerable discretion in the selection of MIS. We believe the species selected were appropriate for estimating the effects of each alternative on plant and animal species. It should also be noted that monitoring is not limited exclusively to MIS.

While the 1988 Forest Plan had 20 MIS, eleven management indicator species/habitats are included in the 2006 Forest Plan. Table E-7 (FEIS, Appendix E) shows which of these MIS were retained, and why some were dropped for the 2006 Forest Plan. Reasons for changing the MIS list include other species better reflect management activities, species that were rarely

encountered on the Forest or are limited to a very specialized habitat, and species for which monitoring protocols are not well established or are difficult and expensive to conduct. The MIS list has been revised to better reflect viability concerns and an emphasis on sustaining healthy and diverse communities. The MIS selected are species whose needs helped shape the management areas and alternatives considered. By selecting a limited but appropriate set of management indicators, the Wayne can focus inventory and monitoring efforts where needed. Tracking changes in MIS population trends and/or habitat is an efficient means of reflecting overall changes in habitat composition and quality, and the effects of management on national forest lands.

We used the Louisiana waterthrush as an MIS surrogate for aquatic species during the development of the alternatives. Although we do not have any aquatic MIS, we intend to use long-term aquatic ecological unit monitoring sites to assess changes in physical or biotic parameters as a result of management activities (see the 2006 Forest Plan, Chapter 4 – 3.1b).

We do not agree with the comments that the yellow-breasted chat and the ruffed grouse are of no special concern. The Partners in Flight Bird Conservation Plan for the Ohio Hills, which includes southeast Ohio, classifies the chat as a species of “high regional concern”, which they define as “species that are experiencing declines in the core of their range and that require immediate conservation action to reverse or stabilize trends.” Comments received clearly indicate that the ruffed grouse is a species of concern to a segment of the public, and to the Ohio Division of Wildlife. (See also response to PC 135.)

It is true that six of the eight MIS are migratory birds, and we agree that there are certain drawbacks in using migratory birds as MIS, including that fact that changes in populations may be caused by winter habitat or migration factors. We note however that commenters have offered no plausible suggestions for alternative year-round resident bird or other species that would as effectively monitor management activities as the MIS we have selected.

We do agree that the NFMA regulations, 36 CFR 219.19(a)(1) provide considerable discretion to on-the-ground managers to select management indicator species. NFMA regulations do not require a particular number or type of MIS. The categories of Section 219.19(a)(1) guide the selection, but are clearly (by the express terms of the regulation) not mandatory. Based upon science, monitoring data, the advice of wildlife experts and years of experience in monitoring management indicator species, we have selected species as MIS which will be both effective and efficient at meeting the purposes of 219.19.

We acknowledge that others have different views on which species should be selected as MIS, and have considered the public input regarding MIS selection



very carefully. Complete unanimity on how many MIS the Wayne should have, and what species should be the MIS, is probably impossible. This is a complex scientific matter involving an understanding of wildlife population dynamics and the response of wildlife species to management. We have devoted years of effort to refining our wildlife habitat management on the Forest and studying the ramifications of various management on wildlife. As noted previously, our rationale for those species selected is set forth in depth in Appendix D. The MIS list can be changed. Like all aspects of a 10-15 year plan, wildlife monitoring provisions can be adjusted as new information becomes available. If monitoring of environmental effects of projects indicates that more, or other species would function well as MIS, we will give this consideration. Other wildlife species can and will be monitored even though they are not included as MIS.

**196: The Wayne National Forest should provide more information on MIS.**

- a) Tract size needed by area sensitive species.**
- b) Current number and location of appropriate-sized tracts.**
- c) Reasons for declines of some MIS.**

**Response (196):** The FEIS (Appendix E) explains the process of MIS selection, and it provides information about the effects of the alternatives on MIS (FEIS, Chapter 3 – Plant and Animal Habitat). Tract sizes needed by area sensitive species are not exact parameters, but where the scientific literature provides information on these factors, they are disclosed in Chapter 3 of the FEIS (Habitat Indicators 2-6). The FEIS does discuss the number of blocks of interior forest habitat (Habitat Indicator 4), areas of grassland habitat (Habitat Indicator 6), and the fact that there is currently a lack of sizable patches of early-successional forest habitat on the Wayne (Habitat Indicator 3).

Not all MIS are exhibiting declines in their range or in southeastern Ohio. For example, North American breeding bird surveys show that the pileated woodpecker and pine warbler populations are increasing by 1.7 and 5 percent, respectively (FEIS, Chapter 3). Detailed information on habitat needs and the reasons for declines of the cerulean warbler, worm-eating warbler, Louisiana waterthrush, ruffed grouse, yellow-breasted chat, and Henslow's sparrow are documented in the species viability evaluations, which are available in the planning record and on the forest planning section of the Wayne's website. Population trends and/or habitat trends for MIS are reported in the Forest's annual monitoring and evaluation report, as described in Chapter 4 and Appendix C of the 2006 Forest Plan.

There are many complex reasons affecting wildlife population dynamics in southeastern Ohio. For this reason our wildlife biologists have worked with

State wildlife experts and other resource professionals to develop a revised plan that is science-based and focused on the condition of the land - not commodity outputs. Forest health and ecological integrity and resilience are the motivating forces behind the 2006 Forest Plan. We are aware of population declines in some MIS because we have closely tracked their population trends with actual population data as well as habitat information. Our intent is to facilitate the persistence of wildlife species on the Forest.

**197: The Wayne National Forest should consider revising the statement shown under 36 CFR 219.19(a)(6) in the Proposed Revised Forest Plan (page 4-4) to recognize that it may be appropriate to cooperate on MIS monitoring with agencies other than the Ohio Division of Wildlife.**

**Response (197):** This section of the 2006 Forest Plan has been modified because regulations have changed. We will continue to work with the Ohio Division of Wildlife and other cooperators to share monitoring information. The planning record demonstrates that the Forest has sought out and utilized wildlife population information from a variety of sources. We value all of our partners in the major task of protecting and improving wildlife habitat on the Forest.

## 5. Vegetation Management

### A. General

**198: The Wayne National Forest should eliminate commercial extractive activities, such as logging, prescribed burning, oil and gas development, grazing, off-road vehicle use, hunting, trapping, and road building, and emphasize environmental preservation, protection, and restoration.**

- a) **Because the forest should concentrate on restoring native forest communities.**
- b) **To allow natural succession without human intervention.**
- c) **To emphasize threatened and endangered species recovery.**
- d) **To protect wildlife**
- e) **because natural processes such as blowdowns create wildlife habitat without mechanical disturbance**

- f) **Because an area like the Ironston Unit could be completely managed for primitive recreation and mature, interior forests such as those that were here 200 years ago.**
- g) **To protect biodiversity.**
- h) **To prevent forest fragmentation.**
- i) **To protect long term forest health**
- j) **To prevent stress on forest ecosystems that aggravates forest decline.**
- k) **To prevent increase of invasive species.**
- l) **To protect forest soils, streams and groundwater and prevent adverse impacts downstream.**
- m) **To encourage carbon sequestration and prevent global warming.**
- n) **To provide high quality, non-motorized recreation opportunities and protect scenery.**
- o) **To provide a refuge for people who are tired of the noise and stress of urban life.**
- p) **Because the logging trucks cause damage to local roads and cause safety hazards.**
- q) **Because the future of this region lies with ecotourism.**
- r) **Because private land can supply timber products and so much of the region's forestland is held by non-industrial private forest landowners.**
- s) **Because the economic value of the extractions is small when compared to the whole State.**
- t) **Because the economic value of logging is far outweighed by the Forest's recreation and ecological values.**
- u) **Because the public supports ending commercial logging in Ohio**
- v) **To be a leader in conservation and ecosystem restoration for the rest of the forest community in the region, while continuing to work with groups like The Nature Conservancy, Rural Action, and Buckeye Forest Council.**

**Response (198):** Implementing these recommendations would not be consistent with the basic laws that govern management of the national forests. These laws mandate that national forests be managed for wise use of natural resources, including the production of timber and minerals (see 2006 Forest Plan, Chapter 1 – Relationship of the Plan to Laws and Other Documents; and FEIS, Chapter 3 – Minerals and Geology, Legal and Administrative Framework).

Chapter 2 of the EIS includes descriptions of a number of alternatives that were considered, but eliminated from detailed analysis, including a no commercial timber harvest alternative. We agree that it is appropriate to allocate parts of the Wayne National Forest to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest Management Area. Please refer to the response to PC 80.

The objective of vegetation management projects will be to move a particular area of the Forest closer to the Desired Future Conditions described in the 2006 Forest Plan. We determined that the habitat diversity needed to maintain the wildlife native to the Forest could not be effectively provided without commercial timber sales as a tool to change vegetation conditions.

The Forest-wide standards and guidelines in Chapters 2 and 3 of the 2006 Forest Plan are designed, in part, to prevent or mitigate possible adverse impacts to Forest resources from timber harvest, minerals extraction, road building, and motorized recreation.

The economic impact of timber harvest and mineral production is described in the EIS (Chapter 3 – Social and Economic Effects). It is true that the Wayne currently plays a small role in Ohio's timber industry, but timber harvest on the Forest would increase under the 2006 Forest Plan. Most of Ohio's oil and gas production occurs in southeast Ohio, and production from wells within the Forest's proclamation boundary is a significant part of Ohio's total production.

These suggestions in this comment must be viewed in the context of the task at hand: revision of a multiple use management framework for National Forest acquired from lands that were, for the most part, in undesirable condition at the time of acquisition by the government. Under seven decades of stewardship by the Forest Service the land has healed, though that process continues, and is now recognized by thousands as a premier recreation destination in the region. We know people love this Forest, and want to use it at the same time. Some call for no management or preservation, supposing that this is in the public interest. While we agree that conservation of resources and forest health are essential paramount, we cannot find a no management, no tree cutting, no mineral development mandate in statutes that govern this Forest.

We welcome the opportunity to work as partners with The Nature Conservancy, Buckeye Forest Council, and any other public group or organization that has an interest in the Forest. The 2006 Forest Plan balances use and protection to benefit future generations; these resources belong to the nation. The 2006 Forest Plan is simply a framework, something akin to a zoning-type of document, which embodies the compromise and trade-offs associated with divergent public views on the Forest. Prior to ground-

disturbing action, appropriate NEPA compliance and public participation will be undertaken. Under NFMA, this revised plan will itself be amended, and be subject to revision in 15 years, if not sooner.

**199: The Wayne National Forest should manage the forest to incorporate all of the management practices which provide for a healthy, varied forest which allows for the scrubland and young to mature forests at which time the trees are harvested to start the sequence all over.**

**Response (199):** We agree that it is important to be able to implement a full range of forest management practices. Please refer to the response to PC 135, 136, and 137.

**200: The Wayne National Forest should not move the Forest toward “pre-settlement” vegetation, and instead emphasize research, time for contemplation, and adaptive management.**

- a) **Because settlement on the Wayne was later than the northeast,**
- b) **Because industrialization was earlier than the central states,**
- c) **Because disease spread had probably reduced the anthropogenic influence on vegetation**
- d) **Because data from early settlers is either insufficient or inadequate.**

**Response (200):** We agree that it is not possible to return the Wayne National Forest to pre-settlement conditions, or to know precisely what conditions were at any particular time of pre-settlement. This is why descriptions of the conditions found in Ohio prior to European settlement (Appendix D of the EIS) refer to a range of natural variability. Similarly, the scientific literature refers to current conditions in the oak-hickory forests as being outside that range of natural variability. The Desired Future Condition descriptions in the 2006 Forest Plan are designed to move the Wayne toward the range of natural variability, especially in the Historic Forest Management Area.

Regarding the suggestion that the Forest Service wait for additional research before implementing management to move the Forest toward desired conditions, the DEIS (p. 1-11) stated “Forest Service managers recognize that natural ecosystems, and their interactions with social and economic systems, are too complex to be entirely understood or predicted. Management decisions cannot be postponed until understanding is perfect, however. Complete knowledge will never occur, and deciding to do nothing is still a management

action that will have consequences.” Because the issue of decision-making in the face of uncertainty was raised regarding several aspects of the Proposed Revised Forest Plan, this discussion has been expanded in the FEIS.

We do agree that adaptive management is the appropriate response to imperfect knowledge: this is the entire premise of Chapter 4 (Monitoring and Evaluation) of the 2006 Forest Plan.

We do not see that the sequence of settlement of the northeast and central states invalidates the concept of range natural variability. This range refers primarily to the period prior to the advent of diseases that greatly reduced Native American populations (i.e. forests modified by Native American use of fire). The description of the range of natural variability does not rely solely on descriptions from the early settlers and surveyors, but also includes data such as fossil pollen (see EIS, Appendix D).

**201: The Wayne National Forest should recognize transition, change and gradients in order to establish the Wayne’s place in the mosaic of forested lands.**

**Response (201):** When contemplating what ecological area the Wayne National Forest fell within, the commenter was unsure if it fell within the eastern hardwoods, the central hardwoods, or the Appalachian area. For purposes of planning, we have considered it to be within the central hardwoods region (see the response to PC 248). The Nature Conservancy’s broad scale assessment of the Western Allegheny Plateau aided us in understanding how the Wayne National Forest fit within this ecological area. The Nature Conservancy identified 18 matrix-forming forest landscapes within this ecoregion, which includes parts of Ohio, New York, Pennsylvania, West Virginia and Kentucky. These 18 areas are made up of all forest types and play a role in conserving terrestrial biodiversity. Three of these 18 landscapes were found on the Wayne National Forest. Detailed information on the three matrix-forming forest landscapes found on the Wayne National Forest and how we incorporated them into the development of alternatives is included in Appendix E of the EIS.

**202: The Wayne National Forest should use multidisciplinary approaches, rooted in conservation biology and ecosystem restoration to restore the forest and allow the land to heal itself and where necessary help through active restoration; and preserve and protect intact landscapes, particularly to preserve baseline conditions.**

**a) And by restoring natural processes and resiliency.**

**b) By documenting all restoration projects in the context of a restoration assessment and appropriate approaches to restore ecological integrity.**

**Response (202):** We agree. The 2006 Forest Plan is based on the principles of conservation biology, ecosystem restoration, and working with natural processes (refer to 2006 Forest Plan Goals 2.1, 3.1, 4.1, 5.1, 5.2, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4 and their related objectives). The Forest Service uses an “interdisciplinary” approach to analyzing site-specific conditions, and to determine possible actions. This interdisciplinary approach means that a variety of professional disciplines, such as foresters, wildlife biologists, and botanists, work together to develop proposed actions to move project or analysis areas toward the Desired Future Conditions described in the 2006 Forest Plan. We sought out the best resource information applicable to the local resource conditions, and adapted and applied this information (tempered by a decade of experience under the existing plan) for the 2006 Forest Plan. In particular, we sought out examples of ecological restoration, and devoted considerable effort to developing management direction that will ensure ecological resiliency.

**203: The Wayne National Forest should provide a similar mix of habitat conditions that species of plants and animals evolved with and have adapted to. Managing patterns of succession on the Wayne requires disturbance in the form of forest management practices (i.e. uneven aged and even aged silviculture), prescribed fire and mowing. Conservation of biological diversity in forested landscapes requires management plans that mimic long-term historical and natural disturbance regime.**

**Response (203):** We agree it is appropriate to provide a mix of habitats and successional stages, and that this requires active vegetation management. The 2006 Forest Plan is designed to provide a variety of habitats using techniques, including even-aged and uneven aged silviculture.

**204: The Wayne National Forest should establish restoration objectives when planning projects to restore ecological integrity to the forest. Land managers have been focusing on fuel reduction.**

**Response (204):** The objectives for proposed future projects will be to move particular areas of the Wayne from their current conditions to conditions that more closely match the Desired Future Conditions of the different management areas described in the 2006 Forest Plan. Examples of projects with restoration objectives include timber harvest and prescribed fire treatments for oak-hickory ecosystem restoration, and watershed restoration

treatments to reduce (or neutralize) acid mine drainage (refer to 2006 Forest Plan Goals 2.1, 3.1, 4.1, 5.1, 5.2, 6.1, 6.2, 7.1, 7.2, 7.3 and 7.4 and their related objectives). Reduction of hazardous fuels is reflected in Objective 8.1c of the 2006 Forest Plan.

**205: The Wayne National Forest should recognize that watershed forest cover should be representative of the full diversity of forest types at that latitude; in Ohio this would be an unbroken canopy of trees from one side of the state to the other with many trees well over 200 years old.**

**Response (205):** We do not agree that the current scientific consensus supports the view that pre-settlement Ohio had the character described in this comment. The general view among forest ecologists is that there were a number of areas in Ohio with extensive prairies or savannas maintained by Native American use of fire. It is thought that southeast Ohio was largely forested with trees generally older than found in today's forests. Much of this forest likely had a more open canopy than what we find today. There were also clearings around Native American settlements, and some patches of early-successional habitat brought about by natural disturbances, or where areas cleared by Native Americans for cultivation were reforesting. Appendix D of the EIS describes the range of natural variability which includes a general description of the forest conditions before European settlement, plus a description of other forest ecosystem descriptions.

We agree that it is appropriate to allocate parts of the Forest to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest Management Area. This is one type of forest habitat that benefits certain wildlife species. The 2006 Forest Plan is a multiple use framework with a focus upon forest health, ecological restoration and resiliency, and diversity of plant and animal communities in a multiple use context. This level of diversity contemplates that some areas of the Forest will be used and managed in a way that is different than 200 year old trees with an unbroken canopy. This trade-off is intrinsic to development of a multiple use management plan under NFMA.

**206: The Wayne National Forest should explain how the vegetation management numbers were generated and what science supports those choices.**

**a) To lend credibility as to the validity and science basis of the numbers.**



**b) To demonstrate why the numbers are needed to provide viability of species.**

**Response (206):** The processes for developing vegetation management numbers are explained in Appendix B of the EIS (Development of Alternatives and Effects Analyses). Chapter 3 of the EIS includes an extensive section on plant and animal habitat. That analysis demonstrates that a variety of habitats is required to maintain the viability of the great variety of plants and animals native to the Forest. The vegetation management treatment acreages were derived from the habitat mix required to support viability. Please also refer to the detailed discussions of species viability in Appendix E of the EIS and the 60 species viability evaluation papers in the planning record and available on the Wayne National Forest's planning website.

**207: The Wayne National Forest should mention that the Wayne National Forest has a long-term relationship with the Cooperative Ecosystem Management Study through the Delaware Research Lab.**

**Response (207):** We agree that the relationship with the Delaware Research Lab is a valuable relationship. Goal 1.1 in the 2006 Forest Plan states that we should be working with partners such as these, and we hope the list of cooperators will grow in years to come.

**208: The Wayne National Forest should clarify use of the terms "central hardwood" and "eastern hardwoods" in the EIS and Revised Plan.**

**a) Because many of the goals, research, and objects will differ based on the classification.**

**Response (208):** According to "Ecology and Management of Central Hardwood Forests" (Hicks R., 1998), the Wayne National Forest is within the Central Hardwood Region. We added a discussion of this topic in the FEIS (Appendix D).

**209: The Wayne National Forest should describe the desired forest community for all management areas in ways similar to that in the Plan for Historic Forest.**

**Response (209):** We do not agree that the desired future condition descriptions need additional detail. The descriptions are intended to be general in nature, and we believe they are consistent with national forest planning direction.

**210: The Wayne National Forest should document the importance of mycorrhizal associations to the long-term productivity of the forest.**

**a) Mycorrhizal feeder roots are responsible for uptake of most nutrients.**

**Response (210):** We agree that mycorrhizal associations are an essential part of forest ecosystem function. We believe that any of the alternatives considered in detail provide adequate protection of soil productivity, including mycorrhizal associations. The 2006 Forest Plan utilized the best available scientific information regarding mycorrhizal associations and the implications of vegetation management upon such associations. The comment does not provide any information or science that was not considered concerning these associations. The condition of the soil, including mycorrhiza, was a key issue in development of the vegetation management standards (essentially mitigation to protect resources, including the soil, during future site-specific decision making).

**211: The Wayne National Forest should encourage and educate the public about the many values of medicinal plants.**

**Response (211):** Goal 1.1 in the 2006 Forest Plan states that the Forest Service should “work with partners to.....promote education, safety, conservation, sustainable ecological management practices...” This could include information about the values of native plants.

**212: The Wayne National Forest should use slash higher than 2 feet to create a barrier to traffic (foot, horse, deer, ORV) if they are deemed to be a problem (see GFW-SM-60).**

**Response (212):** The intent of Forest-wide guideline GFW-SM-60 is to maintain and/or improve the visual quality associated with vegetation management. If project analysis finds certain areas need to be blocked to certain types of traffic, the locations and methods will be discussed in that analysis, but still will conform to the scenery management standards and guidelines.

## **B. Timber Harvest**

**213: The Wayne National Forest should not clearcut, have commercial timber sales, or use pesticides.**

- a) **Because they alter the forest community.**
- b) **And would be detrimental to state and federal endangered species.**
- c) **because the Wayne NF represents the best opportunity to restore & reconnect areas of forest and restore the forest's health, and clearcutting would move the forest away from a restored and intact forest.**
- d) **Because not clearcutting would also eliminate the need to remove grapevines.**
- e) **Because an acre of forest in the eastern deciduous region has 70-90 species of trees, but only 35 commercial species; so clearcutting is a waste of trees in the natural forest.**

**AND**

**214: The Wayne National Forest should minimize commercial logging, and favor selective cutting, not clear cutting.**

**Response (213 and 214):** The question of not including commercial timber sales in management of the Wayne is addressed in response to PC 198. The question of eliminating all use of pesticides on the Wayne National Forest is addressed in response to Comment 276. To exclude vegetation management Forest-wide (with its associated biological diversity, wildlife, and other resource benefits) to favor other uses would deprive the Forest of a valuable management tool and would not be consistent with the Multiple Use Sustained Yield Act (MUSYA). The comment expresses a clear preference for preservation, not multiple use. We agree that commercial timber harvest on the Forest should be done in an environmentally sound manner, after site-specific analysis. Generally speaking, timber harvest is and always has been one of the purposes of for which the National Forests were established (*see* Organic Act, 16 U.S.C. Sec. 475, NFMA, MUSYA). Both Congress and federal courts have acknowledged that timber harvest is an important forest management tool on the National Forests.

The rationale for using clear-cutting and two-aged harvest to create early-successional habitat is provided in the response to PC 135, 136, and 137. Vegetation management projects are intended to alter habitat conditions: the objective of vegetation management projects will be to move a particular area of the Wayne closer to the Desired Future Conditions described in the 2006 Forest Plan. It was determined that the habitat diversity needed to maintain the wildlife native to the Forest could not be provided without commercial timber sales as a tool to change vegetation conditions.

The 2006 Forest Plan does not mandate the timber harvest method for any particular site specific area, nor does it authorize timber harvest. In other

words, the forest plan is not self-executing; timber harvest must be preceded by further NEPA compliance including consideration of a “no action” alternative, with public involvement. NFMA simply requires the development of the proportion of probable methods of harvest, *see* 16 U.S.C. 1604(f)(2). The final selection of harvest method is best determined at the site-specific level using on-the-ground, site specific resource information and local expertise regarding resource and socio-economic conditions. Each silvicultural system and its respective harvest methods have advantages and disadvantages. The selection of the appropriate system and harvest depends upon analysis of site specific conditions and analysis by local resource experts. Soil, water, wildlife and other resource mitigation measures will be addressed further at the time when specific timber harvest proposals are made. As the Supreme Court noted in *Ohio Forestry Association v. Sierra Club*, a programmatic forest plan does not “give anyone the legal right to cut trees, nor does it abolish anyone’s legal authority to object to trees being cut. \* \* \* [B]efore the Forest Service can permit logging, it must focus upon the a particular site, propose a specific harvesting method, prepare an environmental review, permit the public an opportunity to be heard, and (if challenged) justify the proposal in court.” The Court acknowledged that the programmatic level was somewhat abstract, that is preliminary in a planning context, and lacked the details and particularity of a site specific project. Forest plans, like this revised plan, are simply “tools for agency planning and management.”

A detailed analysis of specific environmental effects from a particular choice of harvest method on a particular site is not required nor prudent when the Forest has not yet proposed a specific project. It has been long established that under NEPA, where a programmatic EIS is prepared, the site specific impacts need not be fully evaluated until a critical decision has been made to act on site development. Here, no “critical decision” has been made with regard to timber harvest method.

NFMA, clearly contemplates the harvest of timber using even-aged methods such as shelterwood and clearcutting, *see* 16 U.S.C. Sec. 1604(g)(3) (D), (E), (F). The preferences of the commentor notwithstanding, Congress’ intent was to provide the agency with discretion to choose among the available harvest methods and act in the public interest. In enacting NFMA Section 6(g) Congress considered the arguments for and against even-aged management and struck a delicate balance between two extremes. Congress chose not to prohibit even-aged management, but to regulate it somewhat, and leave the final choice of harvest method, and the decision making level at which such determinations are made, to the discretion of the agency. Within the guidelines (*i.e.* the balance struck by Congress), the Forest Service has considerable discretion. The Forest Service has determined (as many courts have acknowledged) that the final choice of harvest method is a project level

determination. As the Chief of the Forest Service indicated in his review of the first Wayne Forest Plan over a decade ago:

the analysis and final decision on the appropriateness of even-aged management, or optimality of clearcutting, must be made as a site-specific determination at the project level during Forest Plan implementation and must follow NEPA procedures.

This finding clearly explained the relationship between programmatic management direction in a forest plan and the deferred site-specific determinations regarding timber harvest method.

We agree that it is appropriate to allocate parts of the Wayne to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest (FOF) and Future Old Forest with Minerals (FOFM) Management Areas (see 2006 Forest Plan – Chapter 3). The DEIS identified Alternative E, with 10% of the Wayne allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates approximately 3,000 additional acres to FOF (adjacent to the Morgan Sisters Special Area), or total of 11% of the Wayne to the FOF and FOFM Management Areas.

Goals 5.1 and 5.2 in the 2006 Forest Plan, and their related objectives and standards and guidelines, address the concern for viability of threatened, endangered and sensitive species.

Grapevine control is likely to be applied in certain stands harvested with both even-aged and uneven-aged techniques. This is because when large openings or small canopy gaps are created, the increased light can stimulate grapevines growth to the point that inhibit desired tree regeneration and growth. Even with such treatments, grapevines will remain abundant throughout the Wayne (refer to Forest-wide guideline GFW-VEG-14).

Small trees without commercial timber value, such as redbud and dogwood, are left uncut in two-aged regeneration harvests, and re-grow in areas that are clear-cut, so that future stands will maintain a diversity of tree species (refer to Forest-wide guideline GFW-VEG-12).

Appendix B of the 2006 Forest Plan estimates the number of acres that will be harvested under different management strategies. Note that the number of acres estimated to be cut through uneven-aged harvests (single tree selection and group) is much larger than even-aged harvests (clear-cut and two-age).

**215: The Wayne National Forest should continue and expand commercial logging.**

- a) Because the appropriate harvesting/management would allow acceleration in numbers of select species suffering from lack of habitat.
- b) Because for every 50 acres of forestland withdrawn from harvest in the U.S., 2.5 acres of primary (unharvested) forest is logged in Asia, South America, Africa, or Russia to meet global need for wood.
- c) Because it is better to harvest wood from a local source, than a foreign source in a non-renewable fashion.
- d) Because research in Wisconsin shows that incomes from logging/timber industry are 3 times greater than tourism; increasing amount of timber harvest can increase jobs.
- e) Because hunters spend money in the local economies.
- f) Timber harvesting adds incomes to the local economy.

**AND**

**216: The Wayne National Forest should renew timber harvest.**

- a) To help defray some expense and help with forest management.
- b) To increase biomass production, diversity (species), carbon sequestering, and recreation varieties.
- c) Because the forest is approximately 95% mature which is not good for the items mentioned or the local economy.
- d) Because without harvesting, the forest can be a source of fires –both costly and catastrophic.
- e) Because cutting some trees can boost overall forest health, promote regeneration, improve wildlife habitat, and increasing species diversity.
- f) Because the Wayne NF is the best opportunity to restore forest areas and restore the health of the hardwood forests.

**Response (215 and 216):** We agree that timber harvest is one appropriate component of management of the Wayne. We have the opportunity, and we believe the responsibility, to harvest some trees locally. Southeastern Ohio is heavily forested and ecologically resilient. Using locally produced resources is one way to reduce impacts on far-away forests that are often more fragile and threatened, and where logging occurs without the environmental protection measures that we enforce. Appendix B of the 2006 Forest Plan documents the estimated maximum levels of timber harvest that could occur.

We recognize that hunters and anglers, and timber harvest, contribute to the economies of local communities (refer to the FEIS - Chapter 3). The issue of carbon sequestration is addressed in response to PC 123 and 116.



*Markin Fork Timber Sale, after completion of the single-tree selection harvest, 2005.*

**217: The Wayne National Forest should conduct sustainable logging on national forest land as identified by the Forest Stewardship Council where the age is 70 or less, and selective logging on stands aged 70 – 100.**

**Response (217):** The Forest Service does plan to harvest timber on certain lands on the Wayne National Forest. The laws governing management of the national forests require that timber production be sustainable (see 2006 Forest Plan, Chapter 1 – Relationship of the Plan to Laws and Other Documents). Note also that the estimated harvest levels under the 2006 Forest Plan are far less than the estimated long-term sustained yield (EIS, Chapter 3 – Social and Economic Effects). The area of the Wayne designated as suitable for timber production is identified in Appendix B of the 2006 Forest Plan. We are unaware of information from the Forest Stewardship Council suggesting where logging should be conducted on the Wayne. Some trees may well be cut at age 70 years or less, particularly in thinning and selection harvests.

**218: The Wayne National Forest should decrease the rotation age from 120 years.**

- a) **Because without prompt action to create “young forest” and brushland, dependent wildlife will continue to decline.**
- b) **Because Figure 3-22 and text on page 3-57 of the DEIS states that timber harvest will be delayed within the FSM until stands reach age 120 (3 decades from now)**

- c) **Because the increased habitat created will benefit species such as adult & fledgling ovenbirds, worm-eating warblers, etc**
- d) **To promote young growth.**
- e) **Because many species would be worthless at 10 years.**

**Response (218):** Forest-wide guideline G-FSM-VEG-3 (Chapter 3, Forest and Shrubland Mosaic Management Area), states “Primary rotation ages are 60 years for conifers and 120 years for hardwoods.” We agree that early-successional habitat should be created (see also responses to PC 135, 136, and 137 and to PC 141, 142, 143, 144, 145, and 146), but we do not agree that the primary rotation age for hardwoods needs to be lowered to provide such habitat. Forest-wide guideline GFW-VEG-9 states that regeneration harvests can be prescribed in immature stands when necessary to meet wildlife habitat objectives.

Vegetation management projects will be designed to move toward the mixes of age classes included in the Desired Future Conditions described in the 2006 Forest Plan. Where certain habitat types are missing, options to create it will be considered, including prescribing even-aged harvests in stands that may not yet be 120 years old.

Figure 3-22 of the DEIS depicted the acreage of 0-19 year old stands available each decade over a 100 year period. Early successional habitat would be created under Alternatives B-F each decade, but the decline in the acreage of early successional habitat during the first 2 decades is related to the maturation of recently acquired national forest land cut before purchase. These acres will move into the mid-successional age classes during the first and second decades. DEIS Figure 3-22 does not take into account the potential for acquiring cutover lands in the future, which could increase the amount of early successional forest habitat on the Wayne National Forest each decade. We have clarified this figure in the FEIS.

**219: The Wayne National Forest should consider the impacts from offering wood that will eventually be used to produce paper because the manufacturing process produces possible negative effects to the environment in the form of chemicals; by offering the wood for less than cost, the Forest Service is retarding the move to safer raw materials and processes.**

**Response (219):** The Forest Service offers timber sales on the open market and awards each timber sale to the highest bidder. There are many timber purchasers in southeast Ohio, so timber values are driven by an active market process. The amount of wood offered by the Wayne National Forest is likely to continue to be a small percentage of the total wood produced in the region; therefore, the impact of timber from the Wayne is unlikely to influence



industry development of alternative products. Also, we are not aware of what the “safer raw materials” the comment refers to. Wood is a renewable resource, unlike substitute construction materials like metals or concrete, and requires far less energy (generally also derived from nonrenewable resources) to manufacture. Similarly, it is unclear what raw materials could be substituted for wood in the production of paper, or any substitute for paper, that would result in lowered environmental impacts.

**220: The Wayne National Forest should decrease the Allowable sale Quantity (ASQ) plus include all timber harvest in the ASQ.**

- a) Because the Sierra Club lawsuit and Amendment 11 reduced ASQ to 2 MMBF.**
- b) Because some timber harvest, such as salvage (DEIS, pg 358), would not count.**

**Response (220):** The ASQ projects the timber harvest level that would result from implementing the wildlife habitat and forest health treatments that are predicted to be necessary to meet the Goals and Objectives in the 2006 Forest Plan (Appendix B). As discussed in Appendix B, ASQ is the upper limit of volume that could be harvested, and actual harvest may be less depending on annual budgets and site-specific factors encountered in project implementation.

The ASQ in Amendment 11 was not determined by a lawsuit. Case law involving forest plans and projects implementing forest plans revolves around the adequacy of the processes used to arrive at resource management decisions.

Long-established principles of administrative law allow for federal judges to defer to agencies in areas of complex scientific matters, such as the appropriate level of timber harvesting on a national forest. The Sixth Circuit Court of Appeals has noted that the role of the court in review of NEPA claims is to ensure that the agency has adequately considered and disclosed environmental effects of its actions and that its decision is not arbitrary or capricious. Thus, within the parameters of applicable statutes and regulations, the management decision belongs to the agency and will not be second-guessed by a court. This axiom recognizes that as generalists, federal judges are ill-equipped to resolve complex scientific matters requiring considerable subject matter education and expertise. At root, the courts do not interject themselves into areas where the choice of action to be taken is one Congress has delegated to an Executive Branch agency, i.e. courts do not second-guess experts in policy matters such as the appropriate management uses for an area, or limit on harvest. Nor do courts attempt to decide between competing scientific views on vegetation management issues such as ASQ. Issues

regarding vegetation management and wildlife effects are decidedly complex and do not readily lend themselves to judicial resolution. Federal judges do not overturn decisions under NEPA and NFMA simply because the decision made by the agency is different from the decision they would have made. Their task is not to determine an outcome (*e.g.* set ASQ for the agency), nor to determine the correctness of a decision, but rather to determine the legality of the challenged action. Judges are fundamentally concerned with whether the agency has made a decision that is within the bounds of reasoned decision-making and whether the decision is the same as they would have made, or whether it was a wise decision.

Amendment 11 reflected the timber harvest that was occurring on the Wayne National Forest during the mid-1990s (EIS, Chapter 1 – Issue 2, Plant and Animal Habitat). Viability of all the plants and animals native to the Forest cannot be provided under the management regime of Alternative A (continuation of 1988 Forest Plan direction, including Amendment 11), which is one of the primary reasons Alternative A was not selected (refer to the Record of Decision, Alternative A – Decision Rationale; EIS, Chapter 3 – Plant and Animal Habitat; and EIS, Appendix E – Plant and Animal Diversity).

The only sale volume that is not counted towards ASQ comes from management areas that are not listed as suitable for timber production: Future Old Forest; Future Old Forest with Mineral Activity; Developed Recreation; Timbre Ridge Lake; Special Areas; Research Natural Areas; and Candidate Areas. A very minor amount of timber harvest would occur in these management areas. We do not believe it would be appropriate to consider these management areas as suitable for timber production; by definition, only timber harvested from suitable acres is included in ASQ.

**221: The Wayne National Forest should disclose the impacts from the Highway 33 Bypass project, and how the timber removal will affect the ASQ.**

**a) Because the project will result in a very large clearcut.**

**Response (221):** It is true that clearing the U. S. Highway 33 Bypass right-of-way will result in a long, linear clearcut. The timber volume that comes from the right-of-way clearing across national forest lands (approximately 250 acres) will be part of the Wayne National Forest's ASQ (84 million board feet over 10 years, see 2006 Forest Plan-Appendix B). The timber volume that results from the clearing will be determined by certified timber markers/cruisers once the clearing limits are staked by the Ohio Department of Transportation; based on past timber sales we estimate that the volume resulting from the clearing will be approximately 2 million board feet.

**222: The Wayne National Forest should review the information on pages B-2 and B-3 of the Draft Plan to ensure that the model is accurate and correct assumptions were made.**

- a) Because it appears that unless some lands are cut more than once, that the 120 year rotation age would never be reached.**
- b) Because the projected ASQ nearly doubles in 20 years.**
- c) Because the numbers in table B-3 seem to indicate maximal sale allowance which is improbably optimistic.**
- d) Because the local sawmills may not be able to absorb the increased production.**

**Response (222):** ASQ is estimated by a computer model that includes assumptions and constraints based on information about the Forest's current vegetation, timber growth estimates, and management area allocations and their desired conditions and prescriptions to achieve them (see EIS, Appendix B – Timber Management Modeling). The ASQ rises in the 3rd decade because more timber stands will be reaching an age appropriate for regeneration; currently there are many stands under 120 years old.

We believe the timber produced on the Wayne could be easily absorbed by Ohio's wood products industry because the timber volume that would come from the Wayne National Forest represents a very small percentage of the total wood harvested from Ohio's forests. The Ohio Chapter of the Society of American Forester's website states, "Ohio's forest industry is an extremely important segment of Ohio's economy, particularly in the eastern and southern portions of the state, producing close to \$9 billion in forest products, employing more than 60,000 people, and generating \$1.2 billion in annual employee wages. Between 300 and 500 million board feet of wood are cut from Ohio's forests each year to produce an endless list of paper and wood products."

**223: The Wayne National Forest should harvest timber before it reaches an age that the trees are susceptible to disease or insects; why wait until trees are 120 years old before harvesting?**

**AND**

**224: The Wayne National Forest should increase the rotation length of the even-aged management in DCF (G-DCF-4).**

- a) To more closely approximate conditions found in the past.**
- b) To find out what factors influence mature forest.**

**Response (223 and 224):** The Forest Service agrees that some trees will become more susceptible to insect and disease damage as they near their individual biological maximum age. In some areas, commercial thinning will remove some of the trees that are less likely to survive, and leave the longer-lived and healthier trees. In other areas where thinning does not occur, some of the trees will become damaged and die, but these trees will be valuable habitat for certain species that prefer dying, hollow, and dead trees for roosting, feeding, or dens.

We do not agree we need to increase the rotation age in even-aged management to address concerns about mature forest habitat. In the selected alternative, only about 25% of the Wayne is allocated to management areas which emphasize even-aged management (Forest and Shrubland Mosaic and Grassland and Forest Mosaic). As described in the FEIS (Chapter 3 – Habitat Indicator 4), mature forest will increase across the Wayne with implementation of the selected alternative.

**225: The Wayne National Forest should acknowledge that a regulated commercial timber sale program contributes to the local economy.**

**Response (225):** We agree that timber harvest on the Wayne National Forest can contribute to the economy of southeast Ohio. These economic effects of timber harvest are discussed in Chapter 3 of the EIS (Social and Economic Effects section), and Appendix B of the EIS (Economic Analysis).

**226: The Wayne National Forest should consider the economic value of cherry, poplar, maple and walnut.**

- a) because they can lead to greater value end use products when compared to sawtimber exports, and thus can contribute to the vitality of the region.**

**Response (226):** The relative values of different hardwood species fluctuate widely as market preferences change. Generally, poplar tends to have a lower market value than the oaks, cherry, maple and walnut. Please refer to the response for PC 225 regarding economic value of timber harvest.

**227: The Wayne National Forest should continue to harvest trees from national forest land as long as the receipts are available for continued management and purchase of additional acreage.**

**Response (227):** Some of the receipts from national forest timber sales are available for management for sale area improvements and some trail and road work. By law, timber sale receipts cannot be used for land purchase.

**228: The Wayne National Forest should award commercial timber sales preferentially to Forest Stewardship Council certified workers.**

**Response (228):** The Forest Service is required to award timber harvests to the high bidder, assuming that the purchaser can demonstrate that they have the ability to perform the contract satisfactorily. Some potential purchasers can be disbarred and thus not be eligible to contract with the Forest Service; disbarment is based on past poor performance. Timber sale contract provisions dictate how the logging operation can be performed, and there are provisions in the contract to prevent resource damage and ensure public safety. The Forest Service also cooperates with the Ohio Division of Forestry and the Ohio Forestry Association to promote Ohio's Master Logger program, but we cannot contractually require Master Loggers on national forest timber sales.

**229: The Wayne National Forest should compare the total suitable acreage on the Wayne with that in Region 9, and identify whether Future Old Forest is included in "suitable acres (Page B-1 of Draft Plan).**

**Response (229):** We have not included this comparison because we do not believe it would be useful in selecting the appropriate management strategy for the Wayne National Forest. Neither Future Old Forest nor Future Old Forest with Mineral Activity is classified as suitable for timber production; this notation was added to Appendix B (Table B-1) of the 2006 Forest Plan.

**230: The Wayne National Forest should monitor whether lands that are originally classified as "suitable for timber production" are still suitable.**

- a) Because insects, wildfire, winds, ice and other phenomena can change suitability.**

**Response (230):** Every decade, the Forest Service reviews the land as to whether it is suitable for timber production. Factors that are considered include management area designation, soils, and slope; some factors such as insects or disease can affect the existing vegetation conditions but do not affect the potential for tree growth and operational concerns, such as whether the site can be operated without causing unacceptable damage to other resources. As required by NFMA, 16 U.S.C. Sec. 1604(k), the timber

suitability was re-analyzed as part of the forest plan revision process. Monitoring and site-specific analysis will provide additional information concerning suitability determinations.

**231: The Wayne National Forest should not return any lands that are initially listed as unsuitable because of Management Area designation to suitable at a later date (see page 4-3 of Draft Plan), when they are within management areas such as special areas.**

**Response (231):** The land that is classified as unsuitable because it is within a management area will not be changed unless the management area is changed, which would require a Forest Plan amendment.

**232: The Wayne National Forest should not make logging and timber management techniques Plan standards, while making many of the important protections and safeguards unenforceable guidelines.**

**Response (232):** A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment, while deviations from a “standard” do require a Forest Plan Amendment. We have considered the commenter’s suggestion that all resource protection guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

**233: The Wayne National Forest should evaluate size limits – maximum & minimum (page 4-3 Draft Plan).**

**Response (233):** Under the 1982 National Forest Management Act planning regulations, maximum size limits for even-aged harvest areas were to be evaluated to determine whether such size limits should be continued. This requirement is no longer required under the 2005 National Forest Management Act planning regulations, and we have removed it from Chapter 4 of the Forest Plan. Minimum and maximum size limits for even-aged timber harvests have been identified for the management areas that allow for this timber harvest activity, and these harvest size limits were based on the needs of various wildlife species, as demonstrated by scientific research.

**234: The Wayne National Forest should emphasize that the uneven-aged management description in the FEIS (Appendix E) is a conceptual model that will not be achieved in the first decade.**

**a) Because the real goal is to begin moving the stands toward that condition over time.**

**Response (234):** We agree that converting the existing even-aged stands into an uneven aged condition will take several decades. Uneven-aged forest stands are those which have three or more age classes of trees. When using uneven-aged timber harvest methods, every entry into the stand results in the formation of a new tree age class. For example, a forest stand may consist of only one tree age class because it originated from an even-aged timber harvest 60 or more years ago. The new growth resulting from the first single-tree selection or group selection harvest creates a second tree age class. The second entry, which may happen at least every third decade creates a third age class of trees, and so on over time. It will take several decades to achieve a truly uneven-aged condition.

**235: The Wayne National Forest should consider encouraging firewood cutting where standing dead trees are in excess to habitat needs and within 50 feet of a public road because these trees are a safety hazard, and where logging residue / cull decks exist after timber harvests.**

**Response (235):** Cutting standing dead trees for firewood is prohibited by 2006 Forest Plan standard SFW-TES-14 in order to protect habitat for the endangered Indiana bat and other wildlife species that need standing dead trees. We agree that such trees do pose a hazard along roads, but permitting such trees to be cut by the general public also poses a risk for personal injury and traffic accidents. We believe it is more appropriate that hazard trees be removed by trained fallers, where possible in coordination with general road maintenance. We agree it is appropriate to direct firewood permittees to concentrations of logging residue and concentrations of down wood resulting from wind and ice storms. We believe the supply of down wood can meet the demand for firewood without the need to permit the removal of standing dead trees.

**236: The Wayne National Forest should add to the list of silvicultural treatments listed in Objective 6.1a = “regeneration harvesting”.**

**Response (236):** We have added “regeneration harvests” to Objective 6.1a.

**237: The Wayne National Forest should not allow berry picking, plant collection, or mushroom collecting.**

**Response (237):** Noncommercial collection of fruits and mushrooms will not have a significant effect on the future viability of any plant or animal population because the amount of such fruits that is likely to be harvested is very small compared to the forest's total production. Plant collecting is managed by the Ohio Department of Natural Resources and Forest Service; Goal 6.3 in the 2006 Forest Plan states that the Forest Service should provide opportunities for collection of special products and to manage it to ensure future viable populations. In the 2006 Forest Plan, Forest-wide standards SFW-VEG-18 through SFW-VEG-20 directs us how to manage these products to ensure their future viability. These uses will be monitored and can be curtailed, if necessary to prevent adverse environmental effects to plant and animal community diversity. There is no evidence in the comment or otherwise that suggests that these recreation-type of activities have had any measureable effect on the environment over the decades that they have been underway.

**238: The Wayne National Forest should define what SFW-VEG-20 is referring to: trees, moss, and pine needles?**

**Response (238):** Forest-wide standard SFW-VEG-20 has been clarified to encompass plants in general.

**239: The Wayne National Forest should monitor to discover what species of wildflowers grow after logging activities are done.**

**Response (239):** It is important to monitor the effects of vegetation management (e.g., timber sales and prescribed fire) on species for which viability is a concern and on non-native invasive plants. We will coordinate and cooperate with others to monitor populations of Federally listed and Regional Forester sensitive species (2006 Forest Plan, Appendix D), and we have added a specific monitoring question about non-native invasive species to Chapter 4 of the 2006 Forest Plan. We believe tracking the response of common native plants is somewhat less critical, and we have not added a specific monitoring item for this concern, although project-level monitoring of native plants if deemed necessary.

### **C. Oak/Hickory Restoration**

**240: The Wayne National Forest should allow the forest to succeed to beech maple, and not attempt regenerating oaks.**

**a) Oak regeneration research is not complete.**



**b) The gypsy moth will negatively impact oaks.**

**Response (240):** The 2006 Forest Plan provides direction to increase active vegetation management from present levels to maintain and restore oak-hickory forests (including timber harvest, prescribed fire, and pre-commercial treatments). Desired Future Conditions and management prescriptions are most focused on oak-hickory ecosystem restoration and maintenance in the Historic Forest and Historic Forest with OHVs Management Areas, which comprise 20% of the Wayne in the selected alternative. Therefore, we believe the prevalence of the oak-hickory ecosystem will decline over time, and beech-maple and other forest communities will increase.

We believe the best current science indicates that (1) oak-hickory forests were prevalent in southeastern Ohio for thousands of years prior to 17th/18th century settlement largely because of frequent use of fire by Native Americans (FEIS, Appendix D – Range of Natural Variability), and (2) oak-hickory forests are valuable for a broad array of wildlife, including many non-game species (FEIS, Chapter 3 – Habitat Indicator 1).

U.S. District Court Judge Graham stated in his decision affirming the 1988 Forest Plan, “[A] plan which allowed no vegetative management would result in its own form of monoculture: a dark high-canopy forest in which only shade tolerant species can survive and in which valuable hardwood timber rots on the stump or on the ground.”

We agree that it is likely that oak regeneration research will produce new techniques to develop oak regeneration and when new procedures are shown to be beneficial, these will be considered during project planning. Please refer to the response for PC 302 regarding decision making with incomplete knowledge. We also agree that the gypsy moth will likely impact the Wayne National Forest; Forest-wide guideline GFW-FH-4 is intended to address the concern that such outbreaks may have and to minimize the effects. Overall, the habitat provided by oak-hickory stands is valuable enough that the 2006 Forest Plan objectives for their maintenance are appropriate.

**241: The Wayne National Forest should consider applying a landscape view of oak decline across the region.**

- a) Because the area was once a mixed mesophytic forest.**
- b) Chestnut was once dominant.**
- c) Because the forest is resilient and dynamic and will adapt (to the loss of oak).**

**Response (241):** The EIS does take a landscape view of oak decline (please refer to Chapter 3 – Plant and Animal Habitat, Habitat Indicator 1 and Appendix D – Range of Natural Variability). As noted in the response to PC

240, we believe the best available science indicates oak-hickory was the predominant forest type over most of southeast Ohio, although we agree other forest types were also present.

We also agree that chestnut did occur, especially on some of the better sites, primarily on the Marietta Unit. We are not aware of evidence to suggest that it was “dominant” over any extensive area that is now the Wayne National Forest.

We agree that the forest and the wildlife will adapt, and regardless of the make-up of the forest in the future, some species of wildlife will survive, some will prosper, and others may decline in abundance. The 2006 Forest Plan is designed to promote the viability and health of the wildlife and plant species native to the Wayne, consistent with the intent of the National Forest Management Act.

**242: The Wayne National Forest should demonstrate the necessity for clearcutting and timber harvest to create early successional habitat and to maintain oak-hickory.**

- a) **Because private land is being clearcut in SE Ohio.**
- b) **Because the real reason for clearcutting is economic, not ecological.**

**AND**

**243: The Wayne National Forest should stop cutting down oaks that are already producing acorns because they may be needed for oak regeneration.**

**Response (242 and 243):** The rationale for providing early successional habitat was previously discussed in the response to PC 135, 136, and 137. We believe the best available science indicates the most favorable conditions for oak regeneration are partial shade and frequent fire. This is the prescription for the Historic Forest Management Area. Appendix E of the 2006 Forest Plan describes the rationale for using some even-aged management techniques to regenerate oaks, and why uneven aged techniques are less effective. The partial shade that favors oak regeneration is not going to occur in the dense stands that currently cover most of the Wayne without some timber harvest to open up the canopies of these stands. In the short-term, the existing oak stands will continue to live and produce acorns; however eventually the oaks will begin to die and the more shade tolerant species will replace them. So in the long-term, unless the oak are regenerated, the future forests will have fewer oaks. The effects of declining oaks are presented in the FEIS (Chapter 3 – Habitat Indicator 1).

Private lands are usually harvested without special consideration or efforts made to regenerate oaks; therefore, the private lands may contribute to early-successional habitat, but in the long-term they will likely have a much smaller component of oaks in the future. A discussion on recent and probable future private lands timber harvesting is provided in the Biological Assessment (FEIS, Appendix F – Indiana bat cumulative effects section).

The programmatic revised plan does not authorize any clearcutting; it sets for the proportion of probable timber harvest as required by NFMA Section 1604(f)(2). Congress clearly contemplated that even-aged management and clearcutting could, under appropriate circumstances, be used as a management tool on the national forests. The determination of when clearcutting is the optimum method for timber harvest is a finding deferred to the project level of decision making based upon site-specific conditions and local expertise. As the comment indicates, the determination of harvest method is a complex decision based on social, biological, economic, and physical conditions associated with particular site-specific proposals (please note that no such proposals are included in the revised plan). The revised plan does not make the final determination of when or where - if at all - clearcutting will be used on the Forest. The comment is based upon the mistaken presumption that the use of clearcutting is a foregone conclusion, when the planning record shows clearly that is not the case. The revised plan allows the use of even-aged management where it is prudent to do so, but this may be decided only after further environmental analysis. Congress and the courts have accepted the agency's staged decision-making model regarding vegetation management, and the limited disclosure of programmatic environmental effects at the forest plan level of decision making.

**244: The Wayne National Forest should recognize that it may be better to not clearcut and thus perhaps not regenerate oak-hickory types.**

- a) Because the damage to the environment from logging includes soil compaction, erosion, invasion of NNIS, and loss of native species.**
- b) Because the forest has a natural process of creating gaps.**

**Response (244):** We have reviewed the research literature, and we believe that the amount of natural gaps created over time will not create a significant amount of regenerated oak stands. Using vegetation management tools, such as prescribed burning, control of competition and commercial timber harvest as described in the 2006 Forest Plan, will enable us to regenerate many acres to oak types. The Forest-wide direction outlined in the 2006 Forest Plan will

ensure that the timber harvests are completed in a way that adverse environmental impacts will be avoided or mitigated.

**245: The Wayne National Forest should classify the Historic Forest management Area as “unsuitable for timber production”.**

- a) To clearly distinguish between tree harvesting for restoration of forest communities versus harvesting as a part of the timber base.**

**Response (245):** Timber harvest levels result from implementing the wildlife habitat and forest health treatments necessary to meet the Forest-wide goals and objectives in the 2006 Forest Plan. As individual projects are planned, the actions are designed to move vegetation conditions the desired future condition, as described in Chapter 3 of the 2006 Forest Plan. Therefore, designating Historic Forest as unsuitable would not change the treatments proposed, but such designation would change the availability of funding for vegetation improvement because project planning and implementation in management areas that are unsuitable cannot be funded by timber appropriations; therefore, implementation possibilities would be restricted, and we have decided not to adopt this recommendation. We agree that over time, as timber harvest and prescribed fire bring the Historic Forest Management Area closer to its desired condition, it may be appropriate to re-visit this question.

**246: The Wayne National Forest should limit clearcut sizes to 30 acres, and most (75 – 89%) should be 5 to 15 acres, and all hickory trees, cavity trees, and snags should be retained.**

- a) To mimic natural disturbances (clearcut sizes).**
- b) Because hickory trees are important Indiana Bat roost trees.**
- c) Because about 30 species use cavities at some time.**
- d) Because snags are needed by woodpeckers, and provide important habitat after they fall to the ground.**

**Response (246):** The 2006 Forest Plan directs that even-aged harvests should be between 2 and 30 acres in Forest and Shrubland Mosaic and Grassland and Forest Mosaic management areas, between 2 and 20 acres in the Diverse Continuous Forest and Diverse Continuous Forest with OHVs management areas, and between 2 and 10 acres in the River Corridor Management Area. The actual sizes of each harvest will be determined through project level analysis; an interdisciplinary team will study the existing conditions, look at the desired conditions, and propose an action as a result.

The location and size of each harvest will depend on site specific conditions. Forest-wide guideline GFW-TES-9 specifies that all hickories should be left; standards SFW-TES-10 and SFW-TES-13 direct that snags should not be cut unless they pose a safety hazard; and guideline GFW-WLF-14 directs that large woody debris be left in most cases.

**247: The Wayne National Forest should discuss the “Mixed Mesophytic Forest” and all other ecosystems of Ohio; oak/hickory woodlands are fully described, and so need to describe other communities.**

- a) **Because a plan with unequal representation is unfair and biased.**
- b) **Given how communities vary depending on topography the option of permitting different strategies within a Management Area seems to be a better choice.**
- c) **Because the majority of the Wayne is more closely related to the Southern Unglaciaded Allegheny Plateau/Western Appalachian designation.**

**Response (247):** We agree and have added descriptions for other communities in the FEIS (Appendix D). We agree that some flexibility in applying various silvicultural prescriptions is desirable, and that site-specific decisions must be made at the project level. Note that the Diverse Continuous Forest and Diverse Continuous Forest with OHVs Management Areas (32% of the Forest in the selected alternative) include direction that both uneven-aged and even-aged prescriptions may be applied.

**248: The Wayne National Forest should use more recent and geographically closer research to document vegetation management (Appendix E of Forest Plan) for the Oak Ecosystem and page G-2 of the Forest Plan.**

- a) **The discussion in Appendix E (pgs 8 – 9) seems to fit the central hardwoods better.**

**Response (248):** We have used recently published scientific literature to ensure that most current findings and methodologies are being used for management of the Wayne National Forest. According to “Ecology and Management of Central Hardwood Forests” (Hicks R., 1998), the Wayne National Forest is within the Central Hardwood Region. We have exhaustively searched for the best applicable scientific information and consulted with State and other central hardwoods resource experts on the best

methods for managing for oak and hickory. Monitoring and field work prove that the management framework set forth in the 2006 Forest Plan contains appropriate resource protection measures necessary to restore a component of the forest (oak and hickory trees) that are gradually being replaced. The “no action” alternative has documented adverse plant and animal community diversity effects (FEIS, Chapter 3, Plant and Animal Habitat, Habitat Indicator 1). Although the 2006 Forest Plan does not authorize site-specific restoration projects, it sets forth a framework for future decision making that will allow us to act upon what we know will work and address this important issue.

**249: The Wayne National Forest should discuss the long-term process for restoring the oak-hickory and mixed mesophytic forests.**

**Response (249):** A section that describes the long-term process for restoring oak-hickory and mixed mesophytic forests was added to the FEIS (Appendix D).

**250: The Wayne National Forest should clarify in the Historic Forest Desired Future Condition whether the objective is to create a certain forest type or to produce marketable timber, for example the discussion on pages E-13 – 14 could be read that an objective is producing timber.**

**Response (250):** The purpose of the Historic Forest Management Area is to move closer to the historic range of variability of vegetation conditions and processes, particularly the prevalence of the oak-hickory forest type and frequent low intensity fire. Appendix E of the 2006 Forest Plan includes a discussion that describes treatments that are likely to be needed in order to create and maintain the Desired Future Condition for this management area.

The 2006 Forest Plan is focused upon the condition or health of the land, not commodity production. The comment presumes, incorrectly, that the revised plan was driven by economic return. NFMA allows consideration of economic factors in forest plan development, *see, e.g.* Section 1604(k). Although socio-economics was a factor in the development of the plan and decision, it was not the final and determinative factor for ASQ, suitability, harvest method projects, or other elements of the plan. We believe the 2006 Forest Plan speaks clearly in the purpose underlying the Historic Forest Desired Future Condition (DFC), and wish to emphasize that the primary purpose for this DFC is not economic return.

**251: The Wayne National Forest should document non-selected plants that would be killed by fire, herbicide, and logging in addition to the plants that are targeted to be killed as described in Appendix E of the Forest Plan.**

**Response (251):** The species identified in Appendix E of the 2006 Forest Plan that would be killed were identified as examples because these species are those that most commonly out-compete oaks. It is important to control these species in order to regenerate oaks. The effects to all plants would be similar to those described for these named plants.

Sites-specific analysis, including consideration of the particular plants occupying a site, is necessary prior to the use of herbicides. The 2006 Forest Plan is not self-executing; it does not authorize the use of herbicides without first further NEPA compliance. The potential site-specific effects on non-target plants of concern to the commentor would therefore receive further consideration.

**252: The Wayne National Forest state whether all maples or only red maples would be targeted to be controlled (as in G-HF-VEG-5).**

**a) Sugar Maple can be quite desirable, even if it is threatened by disease.**

**Response (252):** The intent was to include both red and sugar maple. We have clarified this in the 2006 Forest Plan.

**253: The Wayne National Forest should ensure that the oak regeneration as described will be effective since GTR-SE-84 concludes that even-aged cutting on good sites without substantial numbers of vigorous advanced regeneration.**

**Response (253):** We agree with the general statement that without adequate advanced regeneration, it would be difficult to regenerate oaks in many situations. That is why the discussion in Appendix E of the 2006 Forest Plan qualifies the clearcut prescription with the phrase “if adequate advanced oak seedlings exist...”plus much of Appendix E discusses procedures that should be used to create these advanced oak seedlings. Forest-wide guideline GFW-VEG-14 prescribes that understories should be treated prior to harvests to develop advanced reproduction ....to meet regeneration objectives.

**254: The Wayne National Forest should note the influence of oak hybridization and its effect on fertility and survivability.**

**Response (254):** Natural hybridization in oaks is common and may involve individual trees, or small hybrid populations. Hybrids may have some advantage by being able to exploit the environment. Backcrosses to the better adapted parent would have an increased advantage because of the introduction of genetic material of the less adapted parent. Offspring produced by hybridization may be able to exploit habitat areas in which either of the parental forms fail to compete well, but without altering the integrity of the parental species significantly at the site and not at all away from the site. Further information may be found in “Interspecific Hybridization in a Natural Oak Population with Particular Regard to Introgression” by Hill and Buck (Proceedings of Oklahoma Academy of Sciences, Volume 60, pages 58 – 53. 1980).

**255: The Wayne National Forest should consider ericads (heath family) in describing the dry oak forest (page 3-9).**

**Response (255):** A description of the forest floor/shrub layer was added to the FEIS (Appendix D).

## **D. Forest Health**

**256: The Wayne National Forest should stop all management activities and be left untouched and preserved for future generations.**

- a) **Because then non-native species would not present a problem.**
- b) **Because gypsy moths wouldn't be a problem since the trees would be healthy and not damaged or stressed by human activity on a global scale.**

**Response (256):** We do not agree with the premise that cessation of all management activities would stop the spread of non-native invasive species (NNIS), including the gypsy moth. To the contrary, we believe the best available science and management experience indicate that the spread of non-native invasive species is a complex problem requiring a comprehensive, holistic response, including some active vegetation management to make the forest more capable of resisting ongoing and future effects of NNIS.

NNIS plant species are found along many of the state, county and township roads which criss-cross the Wayne National Forest. Traffic along these roads will transport these plants onto National Forest System lands. In addition, illegal uses such as illegal OHV use would also spread these into the forest.

The gypsy moth has steadily advanced across the northeastern United States, including through wilderness areas regardless of ownership. We are not aware



of any scientific evidence to suggest how the cessation of all activities on the Wayne National Forest would stop or slow the spread of the gypsy moth.

**257: The Wayne National Forest should be more active in protecting native plant communities and their viability.**

**a) Because continued logging road building and other extractive activities cause invasive problems and spread.**

**Response (257):** We agree that controlling NNIS is an important concern that must be addressed. Forest-wide Goal 7.2 addresses the spread of NNIS. Objective 7.2a states that the Forest Service will maintain and update an inventory of NNIS; while surveying for NNIS, native plants will also be documented. Forest-wide standards and guidelines SFW-FH-1, SFW-FH-2, GFW-FH-3, and SFW-FH-8 through GFW-FH-16 direct the Forest Service to take actions to minimize and control the spread of NNIS. Therefore, the sites will be more hospitable to native plants.



*Volunteers installed a boot cleaning station at the Wildcat Hollow Hiking Trailhead as a way to prevent the transport on non-native seeds along the trail.*

**258: The Wayne National Forest should eliminate and not plant weeds, aliens, and exotics, plus limit activities that lead to introducing new invasives, and in general place more emphasis on NNIS management. The Wayne should educate the public about NNIS and begin a gear**

**cleaning campaign (ATV's bike tires, etc), including watercraft (SFW-FH-8, GFW-FH-9, SFW-FH-10, GFW-FH-11, GFW-FH-14, SFW-FH-16).**

**Response (258):** The Forest-wide standards and guidelines quoted are designed to minimize the introduction and spread of NNIS, while at the same time meeting other important objectives such as minimizing erosion. Changing the standards and guidelines as suggested, would likely minimize the spread of NNIS, but would also reduce our ability to improve soil conditions and prevent erosion, and so cannot be changed. There are mitigations in these standards and guidelines that should prevent unnecessary NNIS populations, such as using weed free hay when available, and using “non-aggressive and non-persistent” non-native species when natives cannot be used. Forest-wide guideline GFW-FH-14 does state that the Forest Service should encourage recreational riders and livestock permittees to use weed-free forage; guideline GFW-FH-15 states that we should consider constructing NNIS cleaning stations at trailheads; and guideline GFW-FH-16 states that the Forest Service should work toward educating the public to use native species.

For several years now, the Forest Service has cooperated with the U. S. Fish and Wildlife Service and the Ohio River Fisheries Management Team to provide information to the public about the spread of zebra mussels. Educational signs are posted along all Ohio River boat ramps and have been posted at Lake Vesuvius, Timbre Ridge Lake and Leith Run access points.

**259: The Wayne National Forest should develop a ranking of species with actions associated with the discovery of certain species.**

- a) Because some species can be controlled if acted upon quickly or can spread far and wide if not.**

**Response (259):** The recommendation was reviewed and we agree that certain species of NNIS should be treated as higher priorities than others. Objective 7.2b states that the Forest Service will prioritize treatments of NNIS based on risk of spread, threat to resources, and likelihood of containment. As new NNIS appear and their control/spread knowledge becomes evident, we will likely have informal lists of species that should be controlled as high priorities, but this list will likely change as new species are discovered. Therefore a list will not be developed for the 2006 Forest Plan. Forest-wide guideline GFW-FH-3 prioritizes NNIS control actions.

**260: The Wayne National Forest should not introduce or plant any genetically modified organism or tree.**

- a) Because there is literature that points to dangers of uncontrolled spread and contamination of native species.**

**Response (260):** If or when a need or opportunity arises to use a genetically modified organism or tree, a site-specific analysis would be conducted which would address potential effects on native species and ecosystems. As an example, we have stocked genetically altered grass carp to control overabundant aquatic vegetation in selected strip mine ponds in the Hanging Rock area. These fish are sterile, and the site-specific analysis showed there was no potential for escape of these fish from these closed systems into downstream waters. Similar analyses would be conducted for the planting of genetically modified trees. This programmatic forest plan does not contain any site-specific proposal to introduce or plant any genetically modified organism or tree on the Forest.

**261: The Wayne National Forest should conduct annual NNIS monitoring and hand removal in disturbed areas for 5 years after disturbance activities.**

**Response (261):** A variety of goals, objectives, and standard and guidelines are in the 2006 Forest Plan that address NNIS monitoring and treatment. Included are: Goal 7.1, Goal 7.2, Objective 7.2a, Objective 7.2b, standards SFW-FH-1 through GFW-FH-3, and SFW-FH-8 through GFW-FH-16. These direct the Forest Service to monitor for NNIS and to treat them in areas as indicated in the directives. This direction will be incorporated into project analyses and into project monitoring plans. The time period for treatment and the methods will depend on the actual conditions found in specific areas.

**262: The Wayne National Forest should revise GFW-FH-4 to remove the following: silvicultural treatments, promoting species diversity, and introduction of insect predators/parasites. Instead the Wayne National Forest should include “include manual removal with bio-controls like goats, to eliminate the need for chemicals.**

**Response (262):** The intent of this guideline is to promote integrated pest management, which emphasizes various forms of biological control of pests. We believe the overall objective of improving forest health is best served by providing for the availability of a diversity of management tools, selected on a case-by-case basis at the project level. For example our experience is that goat grazing and hand pulling alone will not eliminate an infestation of kudzu, and that herbicide application may be needed to control some NNIS.

The 2006 Forest Plan does not make the final determination of any particular control method with regard to invasive species. At the time that such a proposal is made, various alternative methods of achieving the purpose and

need for the site specific project may be analyzed, which may include bio-controls, hand-pulling of plants, and goats, as appropriate.



*Goats are being used to eradicate a 3 acre patch of kudzu on the Ironton Ranger district. Early results show that the kudzu sprouts and grows back as soon as the goats are removed from the site.*

**263: The Wayne National Forest should not convert sites, including “desirable commercial species”.**

**Response (263):** Forest-wide guideline GFW-VEG-7 states that tree stocking should generally result from regeneration through natural regeneration (sprouting, release of seedlings, and establishment of seedlings). It also states that site conditions, habitat needs, and economics when selecting a species, so during project analysis the best specie(s) will be decided upon based on site specific factors within these guidelines. The 2006 Forest Plan does not include any site specific proposals to allow forest type conversions.

**264: The Wayne National Forest should consider the effects of tree diseases and insect infestations when considering the future health of mixed mesophytic forests, such as providing “openings” and also consider protection from insect infestations.**

**Response (264):** Goal 7.1 and Objective 7.1b in the 2006 Forest Plan describes the need for the Forest Service to limit the effects from insect and disease outbreaks. The FEIS (Appendix D) describes the Gypsy Moth problem and possible treatments. Natural disturbances, such as weather events and insect and disease outbreaks, are discussed in the FEIS (Chapter 3-Habitat Indicator 3).

**265: The Wayne National Forest should develop a strategy to address sudden oak death syndrome and other diseases that may affect the Historic Forest.**

**Response (265):** Forest ecosystems are subjected to many biotic and abiotic stresses. Several insects and diseases and their effects on forest resources are described in the FEIS (Chapter 3-Habitat Indicator 9). Insects or diseases not currently known to occur on the Wayne National Forest are not specifically discussed in the 2006 Forest Plan or FEIS. Rather, the role of a Forest Plan is to establish a general strategic approach to forest health, and rely on monitoring and research to provide information about how to deal with specific pests as they are detected. Control and/or suppression actions are then developed based on project-level analysis. For example, the 2006 Forest Plan includes a goal (7.1) to protect vegetation and wildlife from insects and diseases. It also has an objective (7.1b) to coordinate with other agencies to prevent the introduction and spread of Sudden Oak Death Syndrome.

**266: The Wayne National Forest should note that NNIS such as bush honeysuckle, air potato, etc. can inhibit oak/hickory regeneration, and needs to be monitored (7.2, page 4-15).**

**Response (266):** The recommendation was reviewed and we agree some NNIS plant species can adversely impact tree regeneration. Forest-wide guideline GFW-VEG-14 provides for treatment of understories prior to and after timber harvests to develop advanced regeneration. If species of plants, such as those cited, are present on a site where the objectives could not be met to develop regeneration, then the project analysis could prescribe treatment.

**267: The Wayne National Forest should clarify wording regarding non-native invasive species (Objective 7.1b and G-SA-FH-1, G-RNA-FH-1, and G-CA-FH-1).**

**Response (267):** This objective and these guidelines were clarified.

**268: The Wayne National Forest should include a guideline to eradicate NNIS plants from areas where new ponds are created (GFW-AAR-32).**

**Response (268):** Forest-wide Goals 7.2 and 7.3 and standards and guidelines in the 2006 Forest Plan (such as SFW-FH-8 through GFW-FH-16) direct the Forest Service how and where to control NNIS. These would be applied to new pond areas as well as other projects.

**269: The Wayne National Forest should change GFW-FH-12 and GFW-FH-15 to enforceable standards.**

**Response (269):** A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment while deviations from a “standard” require a Forest Plan Amendment. We have considered the commenter’s suggestion that these forest health guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

At the site-specific level of analysis, additional mitigation measures for resource protection may be added to address site specific concerns or conditions.



**270: The Wayne National Forest should recognize that the first sentence under Goal 7.1 is not achievable, and also state that the Forest would participate in the “Slow the Spread” campaign.**

**a) Because of the likely effects from Gypsy Moth in the future.**

**Response (270):** We agree that the Gypsy Moth could have a serious effect on the Wayne National Forest, however Goal 7.1 describes our goal for the Wayne in terms of dealing with insects and diseases. If the gypsy moth populations build to large populations, this may not be possible on all Forest lands.

**271: The Wayne National Forest should revise GFW-FH-11 to read as suggested; basically change the guideline to a standard and make the use of weed free mulch mandatory, and not use desirable non-invasives.**

**Response (271):** The reason that GFW-FH-11 is a guideline is that other needs may override the need to use only native species. The non-natives are directed to be non-aggressive and non-persistent, and the other standards and guidelines in this section of the 2006 Forest Plan would direct the Forest Service to consider eliminating the non-natives when possible.

**272: The Wayne National Forest should include other species in addition to those listed in 7.4, page 4-15.**

**Response (272):** We agree that other species could be developed over the years. The species listed in this section of Chapter 4 are examples of the types of species that may become available, and not an exhaustive list.

**273: The Wayne National Forest should require contractors to clean all their equipment before entering the forest.**

**a) To prevent the spread of NNIS seeds and rhizomes.**

**Response (273):** We agree that off road equipment can introduce NNIS. Forest-wide standard SFW-FH-8 and guideline GFW-FH-9 require appropriate equipment cleaning procedures be followed.

**274: The Wayne National Forest should actively control NNIS within the Future Old Forest (FOF) Management Area.**

**Response (274):** NNIS can be treated within FOF as described in management area guidelines G-FOF-FH-1 and G-FOF-FH-2.

**275: The Wayne National Forest should educate about all NNIS, not just aquatics (7.3, page 4-15).**

**Response (275):** We agree and a similar statement has been added to Chapter 4 (Goal 7.2) in the 2006 Forest Plan.

### **E. Pesticide Use**

**276: The Wayne National Forest should not apply pesticides.**

- a) Because pesticide use is contrary to the goal of improving watershed health.**
- b) Chemicals do not belong in the forest.**
- c) Because they are detrimental to the forest.**
- d) Because pesticides would violate the organic development of the forest, potentially killing hundreds of plants and animals.**

**Response (276):** The 2006 Forest Plan goals (including 6.1, 7.1, 7.2, and 11.1) will likely require actions to control certain species of plants and/or insects. One of the available tools is pesticides. During analyses for projects designed to move the Wayne toward the desired future condition, pesticide use is one tool that can meet the purpose and need of proposed projects. Each project analysis will decide if pesticide use should be used at that time and place. The 2006 Forest Plan does not authorize any site specific use of pesticides.

Forest-wide standards and guidelines SFW-FH-17 through GFW-FH-26 are designed to protect people, the environment, and wildlife. At the site specific level of analysis, additional mitigation may be developed to ensure protection of non-target species, water, soil, and other resources. Pesticides will be used in an environmentally-sensitive manner.

**277: The Wayne National Forest should remove invasives by hand wherever possible, with chemical treatments as a last resort only when infestations are serious (level 5).**

**AND**



**278: The Wayne National Forest should apply some herbicides and pesticides.**

- a) **Invasive plant removal is too expensive and unreliable when done by hand.**

**Response (277 and 278):** Forest-wide standard SFW-FH-2 states that the Forest Service will emphasize integrated pest management to control NNIS. For each infestation area, a variety of control strategies could be considered, including removing them by hand. The decision as to the best method for each situation is a project-level, not a Forest Plan decision.

**279: The Wayne National Forest should use trained and licensed applicator for restricted use and EPA approved pesticides. Treatments should be selective only (no broadcast). Site specific conditions should be included in planning. Monitoring should be for 5 years after treatment (reference GFW-FH-5, SFW-FH-17, GFW-FH-25, and GFW-FH-26).**

**Response (279):** We agree that pesticide application must be done with care after thorough analysis and project planning. Forest-wide guideline GFW-FH-5 states that restricted-use pesticides can be applied only under the direct supervision of a certified applicator and standard SFW-FH-17 states that pesticide applicators should be trained to ensure safety to persons. Selective treatments (such as cut surface, basal stem, foliar spray, and soil spot) would be emphasized over broadcast treatments (GFW-FH-25).

However, it should be noted that there are instances where aerial broadcast application of pesticides may be appropriate. The Forest Service cooperated with the Ohio Department of Agriculture to aerially spread pheromone flakes in parts of the Ironton Ranger District in 2000 to suppress gypsy moth populations as part of the Slow-the-Spread program. Aerial application of insecticides could become necessary to suppress future outbreaks of gypsy moth or other insects to accomplish specific objectives, such as scenic values.

The decision as to the best method for each situation is a project-level, not a Forest Plan decision. Forest-wide standard SFW-VEG-8 directs the Forest Service to ensure quality control by monitoring the adequacy and accomplishment of objectives, and guideline GFW-FH-26 states that pesticide treatments should be monitored for effectiveness and to allow for adaptive measures to improve efficiency and effectiveness.

**280: The Wayne National Forest should only allow hand removal of NNIS and existing trail up-keep in filter strip areas.**

**Response (280):** A variety of goals, objectives, and standards and guidelines are in the 2006 Forest Plan that address NNIS monitoring and treatment. Included are: Goal 7.1, Goal 7.2, Objective 7.2a, Objective 7.2b, SFW-FH-1 through GFW-FH-3, and SFW-FH-8 through GFW-FH-16. These direct the Forest Service to monitor for NNIS and to treat them in areas as indicated in the Forest-wide direction. These will be incorporated into the project analyses and into project monitoring plans. The time period for treatment and the methods will depend on the actual conditions found in specific areas. Forest-wide standard SFW-FH-20 states that only pesticides approved for aquatic use would be allowed within riparian areas, in order to protect riparian areas and waterways. Since the chemicals are tested and approved for the uses, the Forest Service may consider and analyze such pesticides at the project level. As each project is considered, different methods may be proposed and analyzed including removing NNIS mechanically, biologically or chemically.

**281: The Wayne National Forest should not apply pesticides near any water source, underground springs, aquifers, or unique/sensitive areas, even if the pesticide is approved for aquatic application.**

**Response (281):** Forest-wide standards and guidelines SFW-FH-17 through GFW-FH-26 provide direction and mitigation designed to protect people, the environment, and wildlife. The pesticide formulation is not a Forest Plan decision, as the particular need for each area may benefit from individual analysis. Each project analysis will decide if pesticide use should be used at that time and place, and what formulations could be used. Effects from these treatments would be described based upon site specific analysis. In addition, Forest-wide standard SFW-FH-20 states that only pesticides approved for aquatic use are allowed within riparian areas, in order to protect riparian areas and waterways.

**282: The Wayne National Forest should change SFW-FH-21 to prohibit pesticide use near threatened of endangered species and Regional Forester species.**

**Response (282):** Forest-wide guideline GFW-FH-20 states that there should be a buffer around threatened and endangered species and Regional Forester species where pesticides would be used, in order to protect these species. In addition, GFW-TES-29 restricts the application of herbicides within 25 feet of the Federally endangered running buffalo clover.

## **F. Reforestation and Re-vegetation**

**283: The Wayne National Forest should plant only native species of trees; GFW-FH-7 should be changed to a standard.**

**Response (283):** We agree that maintaining native species and minimizing non-natives is very important, and because of this we have incorporated management direction into the 2006 forest Plan to address this topic. Forest-wide guideline GFW-VEG-13 directs us to use planting stock of species native to the area from known seed sources and from the same climatic zone in which they will be planted, when available. In addition, guideline GFW-WSH-14 directs the Forest Service to use a variety of native or desired non-native tree species, including major mast-producing species, when trees are planted for reclamation. There is some need for flexibility and that is why we maintained GFW-FH-7 as a guideline. For example, to reclaim land damaged by past practices, at times, some non-invasive plantings could be necessary; these proposals would be addressed during each project is analyzed.

**284: The Wayne National Forest should not be creating plantations (as in GFW-SM-65).**

- a) Because natural regeneration is more cost effective.**
- b) Plantations are not needed on the Wayne.**
- c) Because harmful insects and diseases develop that can then be more destructive and spread to other stands.**

**Response (284):** We agree that natural regeneration should be predominant on the Wayne National Forest, and that tree planting will play a relatively minor role. The Wayne's native hardwoods and pines readily regenerate in response to appropriate timber harvest and prescribed fire, and in the case of the shade tolerant species, without any management intervention. Tree planting was widely used in the earlier years of the Wayne, as abandoned farmland and mined areas were reforested. Similar applications can be expected to occur, most likely on a smaller scale than in the past, as we continue to acquire lands that have been farmed or mined. Also, 2006 Forest Plan Goal 7.4 anticipates the opportunity to plant disease resistant varieties of American chestnut and American elm, as they become available.

Where site-specific analyses determine that tree planting is the best method to meet 2006 Forest Plan goals and objectives, guideline GFW-SM-65 provides guidance meeting visual quality objectives in the design and implementation of reforestation projects.



*A white pine stand before (top) and after (bottom) a thinning treatment. In the past, white pines were planted to help stabilize eroding soils. Today these plantations can be thinned to encourage hardwood regeneration, which can provide habitat for a greater diversity of plant and animal species.*

**285: The Wayne National Forest should consider planting only native pines (not white pine) on un-reclaimed strip mine or old farm land. At a minimum, the native species should be listed for each management area.**

**Response (285):** The recommendation was reviewed and we agree that the Wayne National Forest is very near the edge of the natural range of the Eastern White Pine. The map contained in “The Silvics of North America” (USDA Forest Service Agriculture Handbook 654) shows portions of the Wayne may have been inside its natural range. Forest-wide guideline GFW-VEG-7 states that the Forest Service should consider site conditions, habitat objectives, and economic factors when selecting species to plant; these decisions would normally be made during project planning, not on a forest plan level. We do not believe that compiling a list of native species is necessary because as projects are planned and analyzed, questions concerning whether a species is native can be addressed and verified on a more site specific manner; some management areas occur in different sections and units of the Wayne National Forest.

**286: The Wayne National Forest should not plant monocultures of small trees and shrubs at first (as stated in GFW-SM-32).**

**Response (286):** The intent of Forest-wide guideline GFW-SM-32 is for the Forest Service to assess what plants are growing in and around the project so that plantings can mirror the species present in the vicinity. It is not intended to mean that monocultures should be planted.

**287: The Wayne National Forest should not remove any grapevines.**

- a) **Benefits only the private commercial timber industry, at the taxpayers’ expense.**
- b) **Populations of dependent organisms would be lost**
- c) **The forest would be degraded and simplified, be less diverse.**
- d) **Grape co-evolved with other interactive native organisms**
- e) **The Grapevine Epimenis moth feeds on grape**
- f) ***Psychomorpha epimenis* eats only grape leaves as a larva**
- g) **Many wildlife species feed on grapes.**
- h) **Grapevines play a natural role in creating crown openings.**

**Response (287):** The need to control grapevines is documented in Appendix E of the 2006 Forest Plan. Forest-wide guideline GFW-VEG-14 ensures that not all vines are removed in a control treatment, and adequate grape vines to meet wildlife habitat needs are left. Additionally, grapevine control is applied on a very small part of the Forest at any time, so they will continue to provide a food source for organisms that rely on them. It also provides that pigeon grape, a Regional Forester sensitive species, not be removed. Although the

removal of grapevines may be undertaken at some locations at some point in the future, these determinations are left to the site-specific level of analysis.

**288: The Wayne National Forest should establish criteria for what a desirable non-native is (as in GFW-WSH-11 and 14).**

**Response (288):** Site conditions vary greatly across the Wayne National Forest and therefore the need to utilize a desired non-native plant for erosion control or wildlife purposes is best determined at the project-level. In some cases a desired non-native species may provide a quick vegetation cover to a disturbed area when native plants are unavailable. However, in general, a desired non-native is one which does not adversely affect native species or ecosystems.

**289: The Wayne National Forest should add the words “12 inches or larger after the word “trees” in GFW-VEG-16.**

- a) **Because girdling smaller trees can create safety hazards for the cutter and the public.**

**Response (289):** This girdling requirement will generally apply to trees from 3 to 6 inches in diameter. This small size of tree should not cause a hazard to the cutter or the public.

**290: The Wayne National Forest should consider plant “rescues” of native plants before timber harvests, and other disturbances, and conduct understory assessments ahead of each project.**

- a) **Because organizations and individuals are available who will salvage these plants and transplant them.**
- b) **Not all plants grow in high concentrations in all areas.**

**Response (290):** We agree that understory assessments should be considered and conducted if deemed necessary prior to implementing projects. If populations of special plants are discovered whose populations would benefit from “rescues”, this will be considered, and one method to accomplish it would be to involve volunteers and organizations to assist.

Site-specific analysis prior to project decision making involves gathering the information about local conditions and resources to make an informed site specific decision. At this level of decision making the potential for mitigation, such as “rescues” or buffer zones are analyzed. It is also possible that projects will not be undertaken at all if certain resources are found at particular sites.

Local resource information informs district personnel as to the opportunities and challenges for particular sites.

**291: The Wayne National Forest should provide interpretative signage when native plants are used for landscaping as described in GFW-SM-9.**

**Response (291):** This is the type of opportunity that would fit under Objective 11.1c of the 2006 Forest Plan where the Forest Service would use interpretive services and programs to increase public understanding of national forest management.

## **G. Old Growth**

**292: The Wayne National Forest should keep the maximum amount of area in areas similar to FOF – large blocks of maturing forest, including not managing for grasslands where a forest makes more sense, ecologically.**

- a) Because now there is not a shortage of roads and edge.**
- b) Because adjacent private land is being cut.**

**Response (292):** We agree that the Wayne National Forest should provide a mix of habitats in which late-successional forest predominates. All alternatives considered in detail (FEIS, Chapter 3 – Habitat Indicators 3-5) provided an emphasis on mature forest habitat.

We agree that it is appropriate to allocate parts of the Wayne to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest (FOF) and Future Old Forest with Minerals (FOFM) Management Areas (see Chapter 3 of the 2006 Forest Plan). The DEIS identified Alternative E, with 10% of the Forest allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates approximately 3,000 additional acres to FOF (adjacent the Morgan Sisters Special Area), or total of 11% of the Wayne to the FOF and FOFM Management Areas.

The management areas were created to provide a variety of biological and social conditions. Future Old Forest, Timbre Ridge Lake, and most Special

Areas will provide a maturing forest habitat. Edge and roads will be restricted in these areas. The Grassland and Forest Mosaic Management Area is designed to provide habitat for certain species of wildlife that require such conditions. Specific project analysis will consider the amount and location of habitat on adjacent private land and propose habitat work on national forest land accordingly. Other areas of the Wayne will provide habitat for species of plants and animals that require other types of habitat and will satisfy the multiple-use resource management Congress codified in National Forest Management Act and the Multiple-use Sustained-Yield Act.

**293: The Wayne National Forest should emphasize protecting and preserving the environment.**

- a) **So future generations can see, experience and appreciate not only the beautiful mature forests, but also abundant wildlife in their native habitat.**
- b) **Because we have decades of restoration work ahead and it should begin now.**

**Response (293):** This recommendation was reviewed and we believe that the range of alternatives considered in the FEIS will do both of these things. We agree that future generations should be able to see, experience and appreciate the beauty of the forests and abundant wildlife. We also agree that there is a large amount of restoration work that needs to be done, and that now is the time to start it. They are included in the selected alternative.

**294: The Wayne National Forest should preserve stands that have old growth conditions.**

- a) **Because stands that are older than 120 years old are rare.**

**Response (294):** We agree that stands that exhibit old growth characteristics should be examined carefully. As individual projects are planned and analyzed, and areas are examined, places that provide special habitat or social values will likely be analyzed to determine if their special characteristics merit special or no management.

**295: The Wayne National Forest should consider allowing individual trees to reach their biological age potential (i.e. 200-600 old White Oak, page E-16, Draft Plan),**

- a) **To replicate desired conditions.**



**Response (295):** We agree that some of these very old trees would be desirable. The biological age of individual trees does not mean that all the trees within that species will live to that age. Plus, in most stands there is a mixture of species; we expect that as the stand is thinned, the longer-lived species will be usually be chosen as leave trees because they will stay viable longer. To meet the overall desired conditions for plant and animal habitat, some trees will be harvested before they reach their biological age limits, but these factors will be considered as future projects are planned and analyzed. There are areas on the Wayne National Forest where natural succession would be allowed to occur (Future Old Forest and Future Old Forest with Mineral Activity, and other lands not suitable for timber production), and trees would be allowed to mature to their biological age potential in these areas.

**296: The Wayne National Forest should consider that trees 120 years old are mature, not overmature, as on page 3-3 of the Draft Forest Plan.**

**Response (296):** The Habitat Composition Objective for each management area identifies older, overmature forest as being greater than 120 years old. The intention of this objective is that the trees are at least 120 years old. This age was chosen as an age to calculate the amount of land that is in the older age class, not that all are truly overmature.

**297: The Wayne National Forest should include research and law enforcement to prevent timber theft into the description for Future Old Forest.**

**Response (297):** We intend to cooperate with our partners, including our research branch, to educate the public and to promote sustainable management practices (Forest-wide Goal 1.1). The 2006 Forest Plan includes an objective to focus law enforcement efforts to reduce the incidence of trespass and timber theft (Forest-wide Objective 18.1b).

## 6. Fire

### A. Prescribed Fire

**298: The Wayne National Forest should not use prescribed fire.**

- a) **Because the long-term ecological impacts of fire are not known.**
- b) **Because 95% or more of the plants and animals that occur on the Wayne are not known.**

- c) **Because fire may adversely impact lichens, fungi, beneficial insects, various invertebrates, amphibians, understory shrub and ground-nesting birds, and soil organisms.**
- d) **Because burning organic matter adversely impacts soil productivity.**
- e) **Because the wildlife species benefited by oak restoration (deer, grouse, turkey and squirrels) are already over-abundant in Ohio.**
- f) **Because fire will encourage the spread of non-native invasive species such as Japanese stilt grass.**
- g) **After herbicide application.**
- h) **Because species that are supposed to be benefited by fire may not be mobile enough to escape prescribed fire.**
- i) **Because fire is destructive of eastern hardwood forests.**
- j) **Because oak restoration is only for the benefit of the timber industry.**
- k) **Because prescribed fire is used to reduce the presence of oak in pine forests in the South.**

**AND**

**299: The Wayne National Forest should not expand its fire program just to receive funding that could be better used in the western U.S.**

**AND**

**300: The Wayne National Forest should provide scientific sources for statements about historical vegetation and fire occurrence.**

**Response (298, 299, and 300):** We agree that the long-term impacts of large-scale use of prescribed fire in the oak-hickory forests of Ohio are still unknown. However, as noted in the FEIS (Chapter 3-Habitat Indicator 11 and Appendix D), the best available science indicates that our current oak hickory forests are the result of thousands of years of fire use by Native Americans, and subsequently frequent burning during the settlement and development period from about 1800 to 1920. The best summary of current research on the use of prescribed fire for ecological restoration, including at sites in southeastern Ohio, is at the Fire and Fire Surrogate Treatments for Ecosystem Restoration website: [www.fs.fed.us/ffs/](http://www.fs.fed.us/ffs/) The Ohio Department of Natural Resources reports on their implementation of prescribed fire on the state forests on the website: [www.dnr.ohio.gov/forestry/Fire/prescribedfire.htm](http://www.dnr.ohio.gov/forestry/Fire/prescribedfire.htm).

We agree that many of the Forest's smaller organisms (like mosses, lichens, and micro-organisms) have not been identified to species. We believe that it is more important that we do have at least a basic understanding of many of the essential ecological functions of these organisms. Further, the DEIS (p. 1-11) stated "Forest Service managers recognize that natural ecosystems, and their interactions with social and economic systems, are too complex to be entirely understood or predicted. Management decisions cannot be postponed until understanding is perfect, however. Complete knowledge will never occur, and deciding to do nothing is still a management action that will have consequences." Because the issue of decision-making in the face of uncertainty was raised regarding several aspects of the Proposed Revised Forest Plan, this discussion has been expanded in the FEIS.

We agree that fire can have adverse as well as beneficial effects. However, as we noted in response to PC 311, 312, and 313, we believe the best science available indicates the oak-hickory community and its resident organisms have evolved to withstand and even benefit from fire.

The 2006 Forest Plan allows for possible future use of prescribed fire, but does not authorize any site specific projects. Many of the concerns raised by this comment are addressed programmatically in the EIS. However, site-specific effects are not addressed, as there is no site-specific proposal in this decision. The programmatic EIS and 2006 Forest Plan set forth evidence that future prescribed burns, if any, will not irreparably harm watershed quality or other resources. (Air quality effects are a key consideration at the project level of decision making for prescribed burns. Human health concerns, if at issue, are analyzed and mitigated as necessary. All of this is more properly dealt with using in detail and specificity when an actual fire project proposal is made.) The 2006 Forest Plan includes numerous protection measures to mitigate potential environmental effects of future projects, recognizing that there may be potential effects upon resources from fire projects. The 2006 Forest Plan also provides for monitoring to ensure that mitigation is effective. Numerous federal courts have upheld these elements as adequate for the programmatic forest plan level of decision making.



***Bloodroot and other plants emerging only weeks after the Binion Fire (April 2005) on the Ironton Ranger District.***

We do not agree that only game species would be benefited by oak restoration, or oak restoration is only for the benefit of the timber industry. As documented in the FEIS (Appendix D and Chapter 3 - Plant and Animal Habitat Indicator 1), we have reviewed the literature and believe the best available science indicates that oak-hickory is more valuable to a broad range of wildlife than the less fire-resistant and shade-tolerant species that are gradually replacing much of our oak-hickory forest.

We agree that the possibility that increased prescribed fire could exacerbate the spread of non-native invasive plants, such as Japanese stilt grass, is an important concern. In response to this concern, we have made monitoring of non-native invasive species post-fire an explicit part of Chapter 4 in the 2006 Forest Plan.

It is true that prescribed fire is used to reduce the hardwood understory in pine stands in the southern United States. We believe the demonstrated success of large-scale prescribed fire in the South to restore natural ecosystems like longleaf pine, enhance the recovery of the endangered red-cockaded woodpecker, and reduce hazardous fuels, is a useful model as we look at reintroducing fire in the oak-hickory ecosystem in southeast Ohio.

We do provide references to the scientific literature regarding historic vegetation and fire occurrence in the FEIS (Appendix D and Chapter 3 - Plant and Animal Habitat Indicator 1).

**301: The Wayne National Forest should consider banning prescribed burning.**

- a) **Because health concerns result that require air scientists, and epidemiologists and medical doctors to approve the burning.**

**Response (301):** Smoke management is an integral part of developing prescribed fire burn plans (refer to Forest-wide guideline GFW-FIRE-6). Forest-wide Goal 9.1 and guidelines GFW-AIR-1 through GFW-AIR-4 describe how activities, including prescribed burning, must be done to ensure public safety. We have added a section to the FEIS to describe the effects of prescribed fire on air quality (FEIS, Chapter 3 – Air Quality).

**302: The Wayne National Forest should consult with an archaeologist/historian to see if there is information available about the amount of building materials such as yellow poplar existing at the time in years past, to document fire return intervals, if poplar is fire-prone to death.**

**Response (302):** We do not believe it is necessary to investigate and document the amount of yellow poplar that was used in historical times to document the historical species mix of the forest. Appendix D of the FEIS describes the research papers and references that were used to determine the make-up of the historical forest used as a reference.

**303: The Wayne National Forest should document the potential negative impacts from instituting the proposed prescribed burning program.**

- a) **the historic forest (1790's) was a mature forest of various types including beech, mixed oak, mixed mesophytic.**
- b) **the historic forest may have had periodic wildfires, they were not systematic burning of thousands of acres**
- c) **after almost 100 years of fire suppression, the ecosystem has adapted to a largely fire-free environment.**

**Response (303):** The historic role of fire on the Wayne National Forest is described in the FEIS (Appendix D). The effects of fire are documented in the FEIS (Chapter 3 – Habitat Indicator 11).

**304: The Wayne National Forest should consider potential effects on soils when selecting areas for prescribed fire.**

**Response (304):** Prescribed fire effects on soils and soil organisms are addressed in the FEIS (Chapter 3 – Habitat Indicator 11). Site-specific factors, including soils, would be analyzed in the project analysis for prescribed fires and for other 2006 Forest Plan implementation projects.

**305: The Wayne National Forest should not use heavy equipment during prescribed burning because they crush and destroy archeological materials in the soil.**

**Response (305):** As per the National Historic Preservation Act, we must evaluate the effects of all Forest activities on archaeological/heritage resources prior to implementation. Adverse effects on such resources are avoided or mitigated. Per Forest-wide standard SFW-HERT-15, when heritage resources are discovered during project implementation, all activities are halted within the vicinity until a professional archaeologist has made an on-site assessment and has consulted with the Ohio Historic Preservation Office (OHPO).

**306: The Wayne National Forest should recognize that the prescribed fire objectives are unrealistic given weather and staffing limitations.**

**AND**

**307: The Wayne National Forest should ensure funding and staffing of a fire prevention person at Ironton if the goal of fire prevention outreach is to be achieved.**

**Response (306 and 307):** We agree that it may not be possible for the Wayne to reach the estimated acreages of prescribed fire and mechanical fuels reductions treatment listed in Appendix B of the 2006 Forest Plan. These figures should be considered upper limits of what it would take to fully implement the Forest Plan. The Proposed Revised Plan (Appendix A – Wildland Fire Management) stated that “prescribed burning is considered a viable tool for the Wayne National Forest, but faces constraints due to the shortage of personnel with proper prescribed fire training, and a narrow burning window that cannot be relied upon every year to accomplish management objectives.” The 2006 Forest Plan (Chapter 1 - Budgets) points out that “the funding distribution between program components, and the intensity or level of activities in those programs, is a reflection of the Forest Plan as well as priorities established by the U.S. Congress. The final determining factor in carrying out the intent of the Forest Plan is the level of funding, which dictates the rate of implementation of the Forest Plan.”

**308: The Wayne National Forest should revise Table 2-4 in the Proposed Forest Plan on page 2-27 to require that district ranger approval be obtained for prescription strategies [prescribed fire] for Research Natural Areas, River Corridors, Special Areas, and Timbre Ridge Lake; and in areas containing active or closed oil or gas operations.**

**Response (308):** All prescribed fires require District Ranger or Forest Supervisor approval prior to implementation. The table referenced in the comment addresses wildland fire suppression, not prescribed fire activities. This table shows there is an additional requirement for District Ranger approval for the use of mechanical equipment (i.e., heavy equipment like bulldozers) or aerial retardant application during wildland fire suppression in five management areas: Candidate Areas, Developed Recreation, River Corridor, Special Area, and Timbre Ridge Lake. No mechanical equipment or aerial retardant application can occur in Research Natural Areas.

**309: The Wayne National Forest should recognize that landscape level burns may preclude protection of localized populations (reference GFW-WLF-10).**

**Response (309):** Forest-wide guideline GFW-WLF-10 is designed to protect populations of invertebrates (e.g. butterflies) or plants with limited and localized distributions. Relatively few wildlife openings host such populations, so we envision that it will apply relatively infrequently. We believe this guideline can in fact be implemented, even within a large prescribed burn, in the same way that oil and gas wells are currently protected within a prescribed burn area. The 2006 Forest Plan also adds standards for the protection of running buffalo clover a Federally endangered species. These standards include one designed to protect small areas occupied by the clover, embedded within larger prescribed burn areas.

**310: The Wayne National Forest should incorporate new research findings and analysis tools, as they become available, into desired conditions and fire regimes, and prescribed fire projects.**

**Response (310):** We agree. Please see the response to PC 311, 312, and 313.

**311: The Wayne National Forest should employ prescribed fire to regenerate the oak/hickory community.**

**AND**

**312: The Wayne National Forest should consider the possibility that the decline of oaks may be due to air pollution or deer browsing rather than the exclusion of fire.**

**AND**

**313: The Wayne National Forest should not apply silvicultural treatments to promote oak ecosystem restoration and maintenance in all management areas, including commercial timber harvest and prescribed fire. (reference Objective 6.1a).**

**Response (311, 312, and 313):** The comments reflect a range of public opinion regarding the use of prescribed fire and timber harvest to maintain and restore the oak-hickory ecosystem. As documented in the FEIS (Appendix D and FEIS Chapter 3 – Plant and Animal Habitat Indicators 1 and 11), we have reviewed the literature and believe the best available science indicates (1) Native Americans used fire to modify their environment for thousands of years, resulting in plant and animal communities dependent on and adapted to fire, including oak-hickory on many of the sites they have historically occupied (2) in the absence of fire, oak-hickory presence is and will continue to decline (3) oak-hickory is more valuable to a broad range of wildlife than the less fire-resistant and shade-tolerant species that are gradually replacing much of our oak-hickory forest.

We have considered the possibility that other factors than fire suppression may be causing the observed decline in oak regeneration, but the available scientific studies, including some from southeast Ohio, indicate lack of fire is the key factor.

We acknowledge that ecological studies describing the integral role of fire in the oak-hickory ecosystem is relatively recent, that there is still limited experience with large-scale application of this research, and that long-term studies documenting the results of its application are not yet available. This is why we believe monitoring of the results of prescribed fire, and likely future modification of today's prescriptions in light of the findings from monitoring, will be essential. We also note that only about 20% of the Wayne is allocated to management areas with the most intensive prescribed fire management regime in the selected alternative for the 2006 Forest Plan (i.e., Historic Forest and Historic Forest with Off-Highway Vehicles).





*A researcher from the Forest Service's Northern Forest Experiment Station (Delaware Research Lab) records information about fire intensity during a Wayne National prescribed fire.*

**314: The Wayne National Forest should recognize that stands on north and east facing aspects and along streams may not be candidates for fire as often as stands on ridges and west-facing slopes.**

**Response (314):** We agree that stands on cooler wetter sites generally have conditions less favorable to fire and support plant and animal communities less adapted to fire (FEIS, Appendix D and Chapter 3 Habitat Indicators 4 and 11). Also, as noted in the response to PC 311, 312, and 313, only about 20% of the Wayne is allocated to management areas with the most intensive prescribed fire management regime in the selected alternative for the 2006 Forest Plan (i.e., Historic Forest and Historic Forest with Off-Highway Vehicles).

## B. Wildfire and Fuels

**315: The Wayne National Forest should revise Objective 8.1c on page 2-26 of the Proposed Revised Forest Plan to include non-profit private agencies.**

**Response (315):** Forest-wide Objective 8.1c reads, “Reduce hazardous fuels within communities at risk in cooperation with local, State, and Federal agencies”. While most efforts directed at wildfire suppression and prescribed fire are done in tandem with local volunteer fire departments, the Ohio Division of Forestry, and other Federal agencies, Forest-wide Goal 1.1 enables us to work with the private sector to promote sustainable ecological management practices.

**316: The Wayne National Forest should actively prosecute arsonists.**

**Response (316):** Forest-wide Objective 18.1b in the 2006 Forest Plan focuses law enforcement efforts to reduce the incidence of arson fires. We will cooperate with local and State law enforcement agencies in the enforcement of all State and local laws on lands within the Wayne National Forest (Forest-wide standard SFW-SAFE-1) and will take action to discover and investigate violation of laws (Forest-wide standard SFW-SAFE-10).

**317: The Wayne National Forest should not suppress naturally occurring wildfires.**

- a) In the Future Old Forest Management Area, because natural disturbances are part of the desired condition for this management area.**

**Response (317):** We have considered but not adopted the recommended change. As noted in Forest-wide standard SFW-FIRE-1, it is Forest Service policy that there must be an appropriate suppression response to every wildland fire. As the commenter suggests, there can be, in some instances, naturally occurring fires that are allowed to burn, within specific parameters prescribed in specific units of approved burning plans. These are known as “prescribed natural fires.” Once these parameters are exceeded, the fire is declared a “wildfire” and suppression action is initiated. As indicated in Table 2-4 of the 2006 Forest Plan, we would not permit unplanned ignitions to burn in certain management areas, including Future Old Forest. We believe these management areas are not good candidates for this fire management tool because: (1) natural fire ignition (e.g. lightning-caused fire) is quite rare in the eastern hardwood forests; (2) when it does occur conditions are likely to be

such that fire behavior would be more intense that would most likely be prescribed; (3) any prescribed natural fire that exceeds its prescription would need to be suppressed; this would require construction of firelines, which we believe would be inconsistent with the desired condition of this management area; (4) the 2006 Forest Plan calls for us to concentrate our prescribed fire management resources and efforts and resources on the Historic Forest and Historic Forest with OHVs management areas.

**318: The Wayne National Forest should clearly distinguish between fuel treatments for ecological restoration and maintenance, and fuel treatments to protect homes and property.**

**Response (318):** While there is some overlap (i.e., treatment on some acres can accomplish both objectives), the 2006 Forest Plan and FEIS do distinguish between treatments for ecological restoration and hazardous fuels reduction (FEIS, Chapter 2 - Table 2-4 and 2006 Forest Plan, Appendix B - Table B-5).

**319: The Wayne National Forest should identify community protection zones, reduce fuels in such zones, and promote fire-resistant construction and landscaping.**

**Response (319):** We agree. This addressed in the 2006 Forest Plan Objective 8.1c, and in greater detail in the Forest's Fire Management Plan which is updated annually. We cooperate with the Ohio Department of Natural Resources and local fire departments to suppress fires and reduce hazardous fuels on the national forest, State and private lands within the Forest's proclamation boundary. The Department of Natural Resources, in cooperation with the Forest Service, has begun to implement the national program known as "fire-wise communities", which identifies communities at risk of damage from wildfire in nearby forests and grasslands, and works with these communities to reduce fuels in key locations, and to promote more fire-resistant structures, landscaping, fire prevention and improved fire suppression capabilities.

**320: The Wayne National Forest should recognize that failure to implement fuels reduction projects can result in larger wildfires, loss of resources, and increased hazards in fire suppression.**

**Response (320):** The increased risk of wildfire on the Wayne National Forest due to altered fuels conditions was addressed in the Analysis of the Management Situation (Proposed Revised Plan, Appendix A – Wildland Fire Management). At the same time, it should be recognized that we are not

talking about a risk of the kind of extreme fire behavior often observed in the coniferous and chaparral forests of the mountains in the western United States. The eastern hardwood forests, with our generally wetter climate, less contiguous forest cover, and more gentle terrain, do not support the intensities and rates of spread of fire experienced in the West. Nevertheless, dangerous wildfires can and do occur in the eastern forests, and this risk has increased due to fuel accumulations that are now at levels outside the historic range of variability.

**321: The Wayne National Forest should provide scientific references for rates of litter accumulation and decay, if available (reference page E-4 of the Proposed Revised Forest Plan).**

**Response (321):** The section referenced by the commenter does include a citation to the scientific literature. The basic point being made in this section is that leaf litter accumulation in the absence of fire is one of the factors currently hindering successful oak regeneration over much of eastern forests. We do not believe that the actual rates of litter accumulation vs. decay are as important as understanding and addressing the phenomenon.

**322: The Wayne National Forest should justify the use of the word “hazardous” in referring to fuels.**

**Response (322):** Hazardous fuels refers to leaves and wood that are prone to burn intensely and pose a hazard to fire fighting personnel and/or privately owned structures or property. An example of a situation where hazardous fuels have been increased is on the Ironton Ranger District where pine and hardwood stands were affected by the February 2003 ice storm. Trees were toppled or broken, resulting in an increased amount of small to large woody debris on or near the forest floor. As this material dries out, any fire occurring in such areas, especially during dry, windy weather, would result in an intense fire that would spread rapidly. We believe most people would consider these to be “hazardous” fuels.





*An example of the woody debris from pine trees toppled and broken during the February 2003 ice storm on the Ironton Ranger District.*

**323: The Wayne National Forest should add fire management direction to provide training and/or equipment to local fire departments.**

**a) Because such departments often have inadequate training, equipment or protection clothing for wildfire suppression.**

**Response (323):** The Wayne National Forest does provide training in wildland fire suppression to local fire departments. In response to this suggestion we have added an objective for fire training in the 2006 Revised Forest Plan to better highlight and track accomplishment in this area (Objective 8.1e).

The Forest Service has provided excess equipment to volunteer fire departments (VFDs) within our protection boundary. The Ohio Department of Natural Resources issues protective clothing to VFDs via a grant from the USDA Forest Service (State and Private Forestry).

This grant is authorized by the Cooperative Forestry Assistance Act. Funds have been allocated to Ohio for the Volunteer Fire Assistance Grant Program (formally known as the Rural Community Fire Protection Grant Program). A large portion of these funds will be used to purchase wildland fire personal protective equipment. These items will equip rural and volunteer fire departments with equipment that meets NFPA 1977 Standards for Wildland Firefighting Protective Clothing. This equipment will be distributed to fire protection agencies on the basis of the Act and federal guidelines:

1. The Department receiving a grant will receive up to 10 complete sets of wildland fire personal protective equipment. The sets include nomex pants and shirt, fire shelter, gloves, hard hat, and goggles. This equipment meets the NFPA 1977 Standard for Wildland Firefighting Protective Clothing.
2. Only fire departments protecting communities with a population under 10,000 qualify.
3. Communities imposing strict boundary limits which exclude rural residences or using a subscription or a fee response system will not be considered.
4. Departments must have a Fire Department Identification number to qualify.
5. Grants will be awarded based on application information.
6. Awardees will be notified as to time, dates, and location of equipment pickups. Awardees will be responsible for picking up the equipment on these dates.

**324: The Wayne National Forest should consider that ice storm damage is a fire hazard for only 2 – 3 years.**

**a) Because after that the downed logs have rotted enough that they are not fuels anymore.**

**Response (324):** It may be true that if adequate rains are occurring that the large logs would not be dry enough to burn. However during droughts, such as the autumn of 2001, even the large logs will dry and burn completely. Just as important, however, is that fact that if there are a large number of logs down, access to suppress fires is difficult and dangerous because of the difficulty to move quickly. Also, standing dead trees will easily burn and cause many spot fires.

## 7. Grazing

### **325: The Wayne National Forest should permit no grazing except for bison.**

**Response (325):** The suggested modification has not been adopted. Livestock grazing is, and under the 2006 Forest Plan will continue to be, a minor use on the Wayne National Forest. We believe some livestock grazing, with appropriate management controls, can contribute to overall Forest Plan goals and objectives. Please refer to 2006 Forest Plan Goal 16.1 and standards and guidelines SFW-RANGE-1 through GFW-RANGE-7.

Permitting grazing of domesticated bison could be considered, but generally the permitted pastures on the Wayne are too small for this type of use. Re-introduction of wild bison would be the responsibility of the U.S. Fish and Wildlife Service and the Ohio Division of Wildlife. We believe current habitat conditions and land ownership patterns on the Forest, and public demand would not favor reintroduction of bison on the Wayne National Forest.

### **326: The Wayne National Forest should permit livestock grazing in special areas where necessary to manage the resource for which the area was designated.**

**Response (326):** The suggested modification has not been adopted. The special areas are designated to protect unusual and scenic geological resources, and especially rare plant communities. We believe such communities would be more adversely than favorably impacted than livestock grazing, both in terms of direct impacts and the possible spread of non-native plants.

## 8. Minerals and Geology

### A. Oil and Gas

**327: The Wayne National Forest should not allow oil and gas or other mineral development.**

- a) Surface and subsurface coal mining should not be permitted.**
- b) Valid Existing Rights for surface coal mining should be contested.**
- c) Exploratory drilling should not be permitted.**
- d) Existing oil and gas leases should be terminated.**
- e) Gas or oil pipelines should not be permitted.**
- f) Sand and gravel extraction should not be permitted.**
- g) Because of minerals development causes habitat fragmentation, invasive species spread, altered forest floor micro climate, disturbance to immediate area species, soil and water pollution, groundwater pollution, potential subsidences and acid mine drainage, and visual impacts.**
- h) Because well and associated mineral roads exacerbate ORV use and trash dumping.**
- i) Because the Wayne National Forest has too many roads within its boundaries, and creating new roads makes it even less likely that the Wayne National Forest could have either roadless or wilderness areas one day.**
- j) Because of the cumulative effects created when oil and gas pollution within the forest combines with pollution sources entering the forest from the outside.**
- k) Because oil and gas wells are often abandoned, requiring the public to pay for the clean up.**
- l) Because high quality natural forests are needed for outdoor recreation and that their preservation is in Ohio's best interest.**
- m) Because all of the Wayne National Forest oil and gas reserves would meet the United State's energy needs for only 1 or 2 days.**
- n) Because the relatively small amounts of fossil fuels on the WNF should be off limits for today, and held in reserve for a last ditch, true national emergency.**

**AND**



**328: The Wayne National Forest should maximize the acreage of Federal minerals available for oil and gas development.**

- a) Because significant deposits of gas found in formations at depths exceeding 7000 feet on the Marietta Unit point to an increased utilization of Wayne National Forest tracts for future drilling.
- b) Because new gas deposits recently discovered in the Ohio Shale below 4000 feet necessitates an increase of surface acreage to satisfy Ohio spacing requirements of 40 acres per well.
- c) Because oil and gas production is an important component of the local economy as it provides tax revenue, good paying jobs, and lessens the dependence on imported oil.

**AND**

**329: The Wayne National Forest should not dedicate a third of the forest to oil and gas production.**

- a) Because “this is certainly not multiple use.”

**AND**

**330: The Wayne National Forest should consider reducing oil and gas production where possible.**

**Response (327, 328, 329, and 330):** Implementing these recommendations would not be consistent with the laws that govern management of minerals resources on the national forests. These laws mandate that national forests be managed for the production of minerals (see FEIS, Chapter 3 – Minerals and Geology, Legal and Administrative Framework).

Minerals development on National Forests is authorized under federal laws such as the Mineral Leasing Act, FLPMA, and the Federal Onshore Oil and Gas Leasing Reform Act of 1987, 30 U.S.C. Sec. 226 (FOOGLRA). The latter provides that the Forest Service shall regulate all surface disturbing activities relating to oil and gas leasing on National Forest System lands. No permit to drill on National Forest System lands may be granted without the analysis and approval by the Forest Service of a surface use plan of operations covering proposed surface disturbing activities in a lease area. Under these federal statutes, the Forest Service has promulgated regulations which establish an incremental decision making framework for consideration of oil and gas leasing activities on National Forest System lands, 36 CFR

228.102. In general, the various steps undertaken are as follows: (1) Forest Service leasing analysis; (2) Forest Service notification to BLM of land administratively available for leasing; (3) Forest Service review and verification of BLM leasing proposals; (4) BLM assessment of Forest Service conditions of surface occupancy; (5) BLM offers lease; (6) BLM issues lease; (7) Forest Service review and approval of lessee's surface use plan of operations; and (8) BLM review and approval of lessee's application for permit to drill (APD). As a land management agency, the Forest Service decides whether lands are available for leasing, and under what conditions (stipulations) future leases shall be issued. Forest Service determination of lands available for leasing as part of forest planning is accomplished in conjunction with NEPA and compliance with other applicable federal laws.

In 2001 an Executive Order was published (E.O. 13212) to expedite the increased supply and availability of energy. The Forest Service developed an Implementation Plan in response to this National Energy Policy. Both seek to streamline administrative processes regarding APDs in an environmentally sensitive manner. Most recently, The Energy Policy Act was enacted in August 2005. Section 390 of this Act establishes categorical exclusions from NEPA documentation to expedite mineral development conducted pursuant to the Mineral Leasing Act.

These laws and associated regulations, including the Energy Policy Act of 2005, make it clear that domestic energy production from both renewable and nonrenewable sources is a national priority. Applicable laws and regulations, Congressional intent, and court rulings, affirm that there must be a major resource protection conflict to justify prohibiting oil and gas leasing or activity on broad areas of national forest system lands. Except when legally prohibited, such as for designated Wilderness, leasing federally-owned minerals is clearly the intent of Congress. Decisions to lease or not to lease legally available NFS lands must be made in accordance with planning regulations and appropriate NEPA analysis. [36 CFR 228.102(c).]

We recognize that mineral activity can cause impacts to other resources. The Forest-wide standards and guidelines for minerals (2006 Forest Plan – Chapter 2) and the special stipulations found in Appendix H are designed to mitigate these impacts. Site specific impacts and associated mitigation measures are more appropriately addressed at the site specific level of NEPA analysis required for all surface disturbing Federal mineral activities. With these mitigation measures and site-specific analyses to determine how best to apply them, we do not believe it is necessary to choose between minerals production and protection of the Forest's other resources. Our understanding is that we are mandated to do both, and that with good management and the cooperation of the minerals industry that mandate can be met.

Finally, we believe it is important to recognize that coal and oil and gas have been produced in southeast Ohio for over 100 years. As noted in Chapter 1 of the EIS (Issue 4 - Land Ownership), the Forest Service has explicitly recognized and accepted the presence of privately-owned minerals beneath

much of the Wayne National Forest surface ownership, and stated in purchase documents that such outstanding minerals rights will not interfere with their use as national forest. Despite its history of minerals production, southeast Ohio remains heavily forested and ecologically resilient. Meeting some of our energy needs with locally produced resources is not only legally mandated, we believe it is ecologically, economically and socially responsible.

**331: the Wayne National Forest should not apply any Surface Occupancy (NSO) across the board to “lock out” areas otherwise suitable for oil and gas development.**

**Response (331):** We understand that the NSO stipulation imposes a serious constraint on possible oil and gas production. The alternatives that were considered in detail in the FEIS would allocate between 10% and 18% of the Wayne National Forest to management areas where the NSO stipulation would be applied. These management areas include Future Old Forest, Developed Recreation, Timbre Ridge Lake, Special Areas, Research Natural Areas, and Candidate Areas (Forest-wide standard SFW-MIN-9). The selected alternative allocates about 14% of the Wayne to management areas with NSO. In the selected alternative, none of the Marietta Unit, which has the highest known potential for oil and gas production, would be allocated to management areas with NSO.



*Oil and gas well storage tanks*

**332: The Wayne National Forest should not allow mineral extraction in FOFM.**

- a) **Because FOF designation and mineral extraction are not compatible.**
- b) **FOFM appears to be the most viable area for interior species.**
- c) **FOFM is in close proximity to the Ohio River and associated riparian corridor.**

**Response (332):** Two of the alternatives considered in detail (A and C) would have no area allocated to the Future Old Forest with Minerals (FOFM) Management Area. The selected alternative allocates 10,154 acres to FOFM.

In the 1988 Forest Plan an area was allocated to the “6.2” Management Area, which is equivalent to the Future Old Forest (FOF) Management Area in the 2006 Forest Plan. As indicated in the response to PC 331, a no surface occupancy stipulation is applied to the FOF/6.2 Management Area. There are currently over 900 oil and gas wells on the Marietta Unit, about 74% of the Forest’s total (FEIS, Table 3-65). Many of these wells are within the FOF/6.2 Management Area on private land, and on national forest surface accessing privately-owned oil and gas rights. Monitoring information, field observation, and the best scientific information (as analyzed in this programmatic EIS) support our assessment that allowing for future leasing of federally-owned minerals within this area would not substantially alter its character, given the fact of the ongoing extraction of privately-owned oil and gas. The Regional Forester indicates in the Record of Decision that the selected alternative provides the best balance in meeting the wide range of public desires evident in the comments on the DEIS and Proposed Revised Forest Plan.



*Oil and gas well pump jack*

**333: The Wayne National Forest should consider encouraging the oil and gas industry to move beyond the limitations that make it necessary for it to have surface occupancy to economically recover its products.**

**Response (333):** It is not the responsibility of the Forest Service to encourage or advocate something to the oil and gas industry that according to them is currently neither practical nor technically feasible.

**334: The Wayne National Forest should ensure that the references in Appendix G – Oil and Gas Management to the DEIS are the most up-to-date available.**

**Response (334):** The FEIS (Appendix G) includes the Reasonably Foreseeable Development Scenario for Oil and Gas prepared by the Bureau of Land Management, which used the most recent information available at the time the Scenario was written (January 2004). Following the Scenario, the Appendix includes the most recent set of notifications and stipulations from which the Forest Service selects as appropriate to attach to federal oil and gas leases.

**335: The Wayne National Forest should clarify the list of standard conditions and stipulations in Forest Plan Appendix H.**

**Response (335):** Appendix H in the 2006 Forest Plan includes the most recent set of notifications and stipulations from which the Forest Service selects as appropriate to attach to federal oil and gas leases.

**336: The Wayne National Forest should be emphasizing the development of alternative energy regimes as opposed to oil and gas development.**

- a) Instead of wrecking future forests.
- b) Because the destruction of habitat is not worth the miniscule amount of fuel
- c) Rather, consider something sustainable like solar.

**Response (336):** We agree that production of fossil fuels is not the sole answer to our energy needs. The Energy Policy Act of 2005 includes measures to encourage production of fossil fuels and renewable energy resources, as well as promoting energy conservation. Federal government agencies have been directed to implement conservation measures such as making its buildings and vehicles more energy efficient, and by increasing its use of renewable energy sources. We acknowledge that other means of alternative energy development (such as solar) are important, but they are also



beyond the scope of the purpose and need established through public participation in the forest plan.

Future mineral leasing development will be in compliance with NEPA, NFMA, ESA and other applicable federal laws. Mineral development is undertaken only after environmental analysis and public participation. Our intent is to allow for such development only in an environmentally-sensitive manner. The Wayne National Forest will not be “wrecked” or “destroyed,” as the comment suggests, by mineral development.

## **B. Other Minerals**

**337: The Wayne National Forest should not be supporting and encouraging mining in the national forest.**

- a) Because it appears to be contrary to the Wayne National Forest goal of trying to clean up and remedy acid mine drainage (AMD) that is a severe problem affecting watersheds.**
- b) Because of the destruction of forests, wildlife habitat and watersheds.**

**Response (337):** The Wayne National Forest is cleaning up old abandoned mines that were subject to pre-1977 reclamation laws. Since the enactment of the Surface Mining Control and Reclamation Act on August 3, 1977, mining operation and reclamation regulations have been tightened significantly, so that situations like the ones we are trying to clean up do not recur. Please refer back to the response to PC 327.

The 2006 Forest Plan provides a programmatic framework for guiding future management decisions. The Plan does not allow, encourage, or support mineral development action that would exacerbate the existing acid mine drainage problem on some Forest lands. This drainage issue is the result of action taken on the land prior to government ownership. The AMD efforts described in the comment facilitate healing of the land (like many of the other stewardship measures the Wayne has undertaken over the past 70 years). Allowing for possible future mineral development under strict safeguards, *i.e.* in an environmentally sensitive manner, is not inconsistent with a program to remedy acid drainage from past mining (as the comment implies). There is no evidence that mining under the 2006 Forest Plan will destroy the “forest, wildlife habitat and watersheds” as the comment implies. To the contrary, monitoring with field verification and analysis of the best scientific information available indicates that the 2006 Plan will protect, not destroy, the environment.

**338: The Wayne National Forest should include having all requisite state and federal permits in hand prior to any work commencing subject to SFW-MIN-2.**

**Response (338):** The wording in Forest-wide standard SFW-MIN-2 has been clarified in the 2006 Forest Plan to better convey this point.

**339: The Wayne National Forest should include guidelines for the bonding of privately owned mineral activities.**

**Response (339):** In Ohio, the bonding of privately owned mineral activities is adequately controlled by State regulations. There is no evidence that the State regulations governing bonding are inadequate or insufficient. It would be redundant for the 2006 Forest Plan to have bonding guidelines when the issue is already comprehensively covered by Ohio regulations.

**340: The Wayne National Forest should clarify Objective 10.2b and 10.2c in the Proposed Revised Forest Plan. It should be clearly stated at the operator's expense.**

**Response (340):** Two Forest-wide standards already address this for known owners (SFW-MIN-2 and SFW-MIN-8). However, on the Wayne there are numerous situations where ownership of an abandoned well or mine is not clear, or where the owner that created a condition is no longer a solvent entity. In these cases it is still important to restore these mine sites or plug such wells.

**341: The Wayne National Forest should consider re-wording paragraph 4 of DEIS page 2-30 to clarify discussion.**

**Response (341):** This section has been clarified in the FEIS.

**342: The Wayne National Forest should consider adding “or successor agency” to the end of SFW-MIN-4 on page 2-30 of the Plan.**

**Response (342):** This suggestion has not been adopted. We believe it is likely that the Ohio Environmental Protection Agency will retain its current responsibilities.

**343: The Wayne National Forest should clarify if “personal use” as it relates to SFW-MIN-14 includes the extraction of coal for burning at home.**

**Response (343):** “Personal use” as it relates to Forest-wide standard SFW-MIN-14 does not include the extraction of coal for burning at home. This standard addresses recreational mineral collecting (“rockhounding”) and is not intended to address coal extraction (for personal use or otherwise), which is subject to leasing laws.

**344: The Wayne National Forest should recognize that increased activity in the steel mills will lead to an increased demand for fire clay.**

**Response (344):** The 2006 Forest Plan and FEIS have not been modified in response to this comment. We have not found any documentation or received any inquiries from industry representatives to suggest an increased demand for clay deposits on the Wayne National Forest. At present, the suggestion by the commentor that the demand for fire clay will increase is speculative. We will be monitoring mineral development requests and respond accordingly, including a plan amendment if necessary. We believe that 2006 Forest Plan Goal 10.1 and associated standards and guidelines would provide sufficient direction to respond to such demand, should it materialize.

### III. Recreation

#### 1. General Recreation Management

**345: The Wayne National Forest should define Leith Run on page 3-170 of the DEIS.**

**Response (345):** Leith Run is a developed campground located along the Ohio River near Newport, Ohio on the Marietta Unit of the Wayne National Forest (2006 Forest Plan – Chapter 3, Developed Recreation Management Area). For more information about Leith Run Campground, please visit the Wayne’s website: [www.fs.fed.us/r9/wayne/recreation\\_sites/leith\\_run.html](http://www.fs.fed.us/r9/wayne/recreation_sites/leith_run.html)

Leith Run is also a tributary stream of the Ohio River on the Marietta Unit. “Run” is a common colloquial term for a small stream in southeast Ohio.

**346: The Wayne National Forest should clarify in the FEIS the existing condition of all areas that are allocated to the Developed Recreation Management Area.**

**Response (346):** This recommendation has not been implemented. The information in the FEIS is developed with enough detail for the deciding officer to make a rational choice among alternatives. This is a programmatic rather than a site-specific document. The Analysis of the Management



Situation (available on the Wayne National Forest planning website since October 2003) has some additional detailed information on the developed recreation sites. In Chapter 3 of the 2006 Forest Plan, there is a general description of the Developed Recreation Management Area, and brief descriptions of the Wayne's four current primary developed recreation sites.

Monitoring data and annual evaluations, including detailed descriptions of existing condition of recreation sites over the past decade, are part of the record for the 2006 Forest Plan. This information was used to develop the recreation management direction for the next decade. All of this monitoring information is public, and much of it has already been distributed to interested parties. It is unnecessary and redundant to include detailed descriptions of the existing condition as requested by this commentor, when that information is in the record and known to both the public and decision-making official. Nor is such the listing of such information required by the NFMA regulations, *see* 36 CFR 219.21. NEPA regulations advise agencies to focus environmental analysis and documentation on the "significant issues;" EISs are not to be encyclopedic.

**347: The Wayne National Forest should not consider new scenic roadway projects.**

**Response (347):** Both the Ohio River Scenic Byway (national) and Covered Bridge Scenic Byway (state) pass through parts of the Wayne National Forest. These byways are located within the River Corridor Management Area and would be managed for their high scenic values.

Under the National Scenic Byways Program, the U.S. Secretary of Transportation recognizes certain roads as National Scenic Byways based on their archeological, cultural, historic, natural, recreational, and scenic qualities. Anyone may nominate a road for possible designation by the Secretary, but the nomination must be submitted through a state's official scenic byway agency and include a corridor management plan designed to preserve and enhance the unique qualities of the byway. Byway nomination is usually initiated by local citizens and communities that create their vision for the byway, identify the resources comprising the intrinsic qualities, and form the theme or story that stirs the interest and imagination of visitors about the byway and its resources. To be designated as a National Scenic Byway, a road must possess at least one of the six intrinsic qualities (archeological, cultural, historic, natural, recreational, and scenic). The significance of the features contributing to the distinctive characteristics of the corridor's intrinsic qualities must be recognized throughout the multi-state region.

The Wayne National Forest is not nominating any new scenic byway projects during the Forest Plan revision process. If a road is considered for byway nomination, the Forest Service will work with the local community to develop a corridor management plan for the proposed road at project-level planning.

The programmatic management direction in the 2006 Forest Plan does not directly facilitate or enhance the possibility of future consideration of new scenic roadways.



*Knowlton Covered Bridge, located along the Covered Bridge Scenic Byway.*

**348: The Wayne National Forest should include in the "Provide Safe Quality Trails" section of the Proposed Revised Forest Plan (page 2-34), contributions of volunteer maintenance and cleanup efforts from organized ATV/OHM clubs and horse trail users.**

**Response (348):** It is not necessary to mention volunteer contribution under the "Provide Safe Quality Trails" section because it is already covered under Forest-wide Goal 1.1 – Collaborate with Partners in Chapter 2 of the 2006 Forest Plan. Rather, contributions by our volunteers are highlighted in accomplishment and monitoring reports, success stories, and through various media outlets. We take this opportunity to recognize the key role played by volunteers in trail maintenance and clean-up efforts. The work by volunteers is a public service to all that is greatly appreciated by the Forest Supervisor and staff.

**349: The Wayne National Forest should include in SFW-REC-42 of the Proposed Revised Forest Plan (page 2-39) a requirement to promptly replace/repair gates or barricades that are removed, damaged or vandalized.**

**Response (349):** We have decided to delete Forest-wide standard SFW-REC-42 from the 2006 Forest Plan. We routinely conduct site-specific analysis when closing a road, and at that time would specify whether or not it

will be used as a designated trail. The need for gates or barricades is decided at the project-level. Gates or barricades that are removed, damaged or vandalized would be replaced or repaired as soon as funds become available.

**350: The Wayne National Forest should include in the Proposed Revised Forest Plan a statement concerning the replacement of vandalized signs.**

**Response (350):** Signs that are vandalized will be replaced or repaired as soon as funds become available. This will be considered during project-level planning and implementation. Vandalism, like other property crimes, is monitored as a part of law enforcement. The Forest devotes considerable resources to deterring and mitigating the effects of vandalism.

**351: The Wayne National Forest should not allow pets to be unleashed in the Forest.**

**Response (351):** CFR 261.14(j) (k) prohibits pets (except Assistance Dogs) from being uncontrolled or unleashed in developed recreation areas such as campgrounds, picnic areas, and swim beaches. However, there are no federal regulations that prohibit unleashed pets in the general forest area unless state law prohibits such activity (CFR 261.8 (d)). The Ohio Division of Wildlife's annual hunting regulations booklet contains information pertaining to the training and use of dogs for hunting.

**352: The Wayne National Forest should determine what percentage of high quality opportunities are used daily, monthly, seasonally, and yearly and correlate the action and resulting use or non-use (page 4-17, Goal 11.1, Proposed Revised Forest Plan).**

**Response (352):** The best available information, including actual field monitoring data concerning recreation demand and use, was included in the planning record for the 2006 Forest Plan. We considered the current demand and potential supply for high quality recreation opportunities, and development our management direction accordingly. In addition, we consulted with State recreation experts and obtained advice from recreation experts both within and outside the Wayne National Forest. We are concerned about obtaining and tracking information on high quality recreation opportunities and will be monitoring such use as appropriate. However, there are no specific legal requirements to monitor particular aspects of recreational use on the Forest. It is not clear from the comment whether the commentor believes that any particular information is absent from the 2006 Forest Plan, or how that information might have contributed to different management direction or a different decision. The monitoring provisions of the 2006

Forest Plan include recreation monitoring and comply with NFMA and its regulations.

There is no requirement in NFMA or its regulations that a forest plan must provide any specified level of recreation as implied by this comment. NFMA regulations at 36 CFR 219.21 simply require that “[t]o the degree consistent with the needs and demands of all major resources, a broad spectrum of Forest and rangeland related outdoor recreation opportunities shall be provided for in each alternative.” Four subsections in Section 219.21 list the procedural requirements for addressing recreation in a forest plan. Thus, the procedural and analytical requirements for analyzing the recreation resource in a forest plan are explicitly described in the NFMA regulation. Specified information is to be collected, the recreation resource evaluated, and each alternative is to consider a broad spectrum of outdoor recreation opportunities consistent with the needs and demands of all major resources. The analysis sought by the comment is not required by NFMA or its regulations.

**353: The Wayne National Forest should insert management areas in the each the Recreation Opportunity Spectrum (ROS) classes listed in the ROS characteristic summary table found on page I-6 of the Proposed Revised Forest Plan.**

**Response (353):** The suggested change has been incorporated into the 2006 Forest Plan.

**354: The Wayne National Forest should insert as a bullet “availability of suitable access” to the SFW-REC-4 list found on page 2-35 of the Proposed Revised Forest Plan.**

**a) Because building big access projects is very expensive.**

**Response (354):** The suggested change has been incorporated into the 2006 Forest Plan.

**355: The Wayne National Forest should not restrict larger trees to be left to those producing mast as written in GFW-REC-11, page 2-36 of the Proposed Revised Forest Plan.**

**a) Because many other larger trees have aesthetic value, either in shape, shade, or flowers.**

**Response (355):** We agree. It is our desire to protect as many diverse species of trees as possible within developed recreation areas for reasons highlighted in Forest-wide guideline GFW-REC-11. However, campground construction almost always requires some level of tree clearing or thinning. With all else being equal, and given the choice to select one over the other,

most producing trees would be favored over non-mast producers given their ability to provide food for and attract wildlife to the area to enhance wildlife viewing opportunities.

The 2006 Forest Plan is a programmatic framework for future decision making which emphasizes maintenance of diversity of plant and animal communities (including consideration of protection of mast trees in recreational settings) as required by NFMA. The 2006 Forest Plan does not authorize any site specific recreational development. The Plan is not self-executing; further NEPA compliance is required prior to ground disturbing recreational development. The likelihood of any such development turns on a myriad of factors, including budget, demand, capacity and supply for recreational opportunities, and environmental effects.

**356: The Wayne National Forest should determine if the growth in outdoor recreation is leveling off.**

**a) By comparing recreation growth figures from the last several years.**

**Response (356):** Outdoor recreation growth trends were summarized on pages A-31 through A-43 of the Proposed Revised Forest Plan and throughout the DEIS (Chapter 3-Recreation). A more detailed discussion may be found in the Recreation section of the Analysis of the Management Situation and the 2003 Wayne National Forest Recreation Feasibility Study, which can be accessed by visiting the Wayne National Forest's planning website at [www.fs.fed.us/r9/wayne/planning](http://www.fs.fed.us/r9/wayne/planning). The best available information, including monitoring data and on-the-ground field observation, was used in during plan revision. There is no indication that the commentor believed that information is available that was not used in during revision. We will continue to closely track recreation demand and supply, in the context of the "niche" or role played by the Wayne National Forest. The EIS for the 2006 Forest Plan discloses the programmatic effects of the recreation management direction; the Plan does not authorize, fund, or carry-out any site-specific recreation projects.

**357: The Wayne National Forest should reword the term "deeply engrained" (page I-4 of the Proposed Revised Forest Plan) to "an expanding element in a culture that values freedom of travel" and consider mentioning the use of facilities by those who do not reside in the area.**

**Response (357):** We have made wording changes to the referenced section of Appendix I of the 2006 Forest Plan.

**358: The Wayne National Forest should consider adding “berrying” to the list of recreation opportunities the Forest provides (page 3-9 of the Proposed Revised Forest Plan).**

**Response (358):** The suggested change has been incorporated into the 2006 Forest Plan.

**359: The Wayne National Forest should consider inserting “add and install signs at all crossings in accord with Forest Service guidelines” to GFW-REC-32 (page 2-38, Proposed Revised Forest Plan).**

**Response (359):** The suggested change has been incorporated into the 2006 Forest Plan.

**360: The Wayne National Forest should consider signing that indicates permissible activities rather than prohibitive activities (page 3-181, DEIS).**

**a) Because signs indicating prohibitive activities are more likely to be vandalized.**

**Response (360):** We agree that signing should generally display a more positive message, indicating permissible activities rather than prohibitive activities. However, with respect to foot travel, the Wayne National Forest has an “open except signed closed” policy for hiking and that foot travel is not restricted to only to trails. It is necessary to post “closed to foot travel” signs where foot travel is not welcomed. Appropriate signage will be considered during site-specific maintenance, construction analysis.

**361: The Wayne National Forest should examine and comment on the reason for the Forest’s increased fee collection. Is it a direct result of increased law enforcement?**

**Response (361):** The increase in fees (especially for trail use) is due to several factors. First, the increase in popularity of trail riding means more riders are paying to use the trails. Secondly, because riders recognize that the revenues collected from the sale of permits are used to maintain the trail system and that the trails are receiving better maintenance as a result; they are more likely to pay to keep the trails open. Next, riders see the cost of the Wayne trail permits (\$25.00/annual; \$10.00/2-day; \$5.00/daily) as a better value when compared to others charged for similar riding opportunities. Lastly, routine law enforcement and patrol on the trails and at the trailheads do help increase the compliance rate. Collateral fees paid for “tickets” issued by law enforcement officers go to the U. S. Treasury or to county funds.

**362: The Wayne National Forest should not charge a fee for some recreation areas.**

**Response (362):** The Recreation Enhancement Act (REA) prohibits charging a “Standard Amenity” or an “Expanded Amenity” recreation fee for areas that do not provide some investment in facilities or services. Therefore, activities such as hiking, boating, and driving through federal recreation lands would not be charged a fee. On the Wayne, user fees are charged only at highly developed recreation areas (i.e. Leith Run Campground, Burr Oak Campground, and the Lake Vesuvius Recreation Area) and trails with considerable investments (i.e., OHV, horse, and mountain bike). Other lesser developed or dispersed recreation sites such as Sand Run Picnic Area or recreational activities that occur in the general forest area are free use. Special recreation events that involve more than 75 people and/or to generate a profit may be charged a special use fee.

Although this information is considered and disclosed in the EIS for plan revision, the 2006 Forest Plan does not decide or mandate what recreation sites, if any, are subject to the fee collection legislation. The REA itself sets the parameters as to which sites (if any) are subject to fee collection. The Forest administers recreation sites on the Wayne in accordance with Congressional intent expressed in the Act.

**363: The Wayne National Forest should insert “Further information may be provided in print form, if demand warrants and budgets permit” to S-FOF-INTERP-1, page 3-25 of the Proposed Revised Forest Plan.**

**Response (363):** Your suggestion would be best handled during project-level planning and implementation because it is one that is demand and budget driven.

**364: The Wayne National Forest should consider using Cor-Ten “rusty looking” steel products for guard rails on the Ironton District (GFW-SM-48) page 2-44 of the Proposed Revised Forest Plan.**

**Response (364):** Forest-wide guideline GFW-SM-48 allows for the use of variety of natural-appearing materials, such as Cor-Ten “rusty looking” steel products, to enhance the visual appearance of the facility and help it blend into the natural landscape. The use of particular materials in guardrails is a good example of a decision that is best deferred to the project level of decision making. Using local information and site-specific characteristics, the determination as to whether Cor-Ten steel products can be made with

appropriate public involvement. This decision (what materials to use in guardrails at a particular site on the Forest) is not appropriately made as part of a Forest-wide programmatic analysis for the 238,000 acre Forest.

**365: The Wayne National Forest should use slash higher than two feet to create a barrier to traffic (foot, horse, deer, OHV) if they are deemed to be a problem (see GFW-SM-60).**

**Response (365):** The intent of Forest-wide guideline GFW-SM-60 is to maintain and/or improve the visual quality associated with vegetation management. If project analysis finds certain areas need to be blocked to certain types of traffic, the locations and methods will be discussed in that analysis, but still will conform to the scenery management standards and guidelines.

## 2. Off-Highway Vehicles

**366: The Wayne National Forest should prohibit OHV use on the Forest.**

- a) Because they are noisy.
- b) Because they pollute the air.
- c) Because they erode the soil.
- d) Because they destroy fragile plants and plant communities (i.e. special areas).
- e) Because they disrupt wildlife and destroy their habitat.
- f) Because they spoil other users' tranquility/solitude.
- g) Because they encourage illegal use and destruction of hiking trails such as the NCT and Buckeye Trail.
- h) Because they are dangerous to riders and a liability.
- i) Because OHV trails are expensive to construct and maintain.
- j) Because they are destroying the U.S. economy by increasing its trade deficit through OHV imports and consumption of foreign oil.
- k) Because OHV use is not being adequately monitored and therefore, the Forest have no assurance that natural resources are being protected from adverse effects.
- l) Because they can be accommodated on private land.
- m) Because they fragment the Forest allowing encroachment of invasive and parasitic species.



**Response (366):** Use of off-highway vehicles on the Wayne National Forest has been a controversial, complex, and evolving issue for at least a decade. Executive Order 11644, NFMA regulations, the new travel management rule and other applicable federal laws provide a complex legal framework governing this form of recreational use on national forests. This comprehensive legal framework establishes the context for review of this comment. Indeed, in responding to public comment and developing the Final EIS, we again reviewed these legal requirements and analyzed the OHV comments on the DEIS and Proposed Revised Forest Plan in accordance with this direction. Outdoor recreation, including recreational OHV use, is one of the purposes for which national forests are administered under the Multiple-Use Sustained-Yield Act, 16 U.S.C. Sec. 528.

The 1988 Forest Plan (as amended) prohibited OHV use cross-country and off-designated roads and trails. This is often referred to as “closed unless posted open.” The use of OHV on designated roads and trails has been carefully monitored since the 1988 Plan was first adopted. A considerable amount of field data and observation was used in plan revision. We have learned that, although OHV use is a legal recreational use of the National Forest, it must be conducted in a proper place and manner. We know that in order to protect other resources, OHV use requires intensive management. It is not appropriate (for resource protection reasons) to allow OHV access on some parts of the Forest. Field visits and collaboration with other recreation experts (both within and outside the Forest Service) resulted in an extensive body of knowledge on OHV use and effects on the Wayne National Forest. Field data and observation confirm that adverse effects (soil, water, wildlife) may arise from OHV use on the Forest. This work presents a detailed picture of Forest-wide consequences of OHV use. Neither NEPA nor NFMA prescribe any particular methodology to evaluate OHV use of a National Forest. We have chosen to depend upon our monitoring and work with other resource experts to guide development of the revised plan. Sufficient resource inventory and condition information was available to allow for a fully informed decision.

The revised plan was developed collaboratively. We considered an alternative that would exclude OHVs from the Forest entirely (FEIS, Chapter 2, Alternatives Eliminated from Detailed Study). We sought-out the best available information and scientific opinion with regard to trail design and mitigation of environmental effects. Evaluation of the programmatic environmental effects was the key to determining the best course for the future. We asked the public for its views on where OHV trails should be located (if any). The 2006 Forest Plan (or “revised plan”) strives for balance on this contentious issue. Public participation helped shape the alternatives and the decision. We recognize that it is impossible to simultaneously please those that wish to eliminate OHVs and those groups and individuals that wish to expand access, and have instead forged a science-based compromise. We have collaborated with interested parties, but recognize that consensus on an issue where the public is so highly polarized is not likely to occur.

After considerable analysis of the issue, we have determined that the best course for the next 10-15 years is to continue current management. This means that cross-country use of OHVs will continue to be prohibited, as it was under the 1988 plan (as amended). Limited or managed OHV access to the Forest will be allowed on designated roads and trails. We have devoted considerable time and energy to this analysis and listened to the public on this issue. Public views on OHV use on the Forest are widely divergent, with some wanting major increases in access, and others just as strongly opposed to any OHV use on the Forest at all. A large amount of comment was received on this issue. Management options were based on the best science available and monitoring information.

Just as we considered eliminating OHV use of the Forest, we also considered a potential future increase in the miles of roads and trails accessible to OHVs. To comply with NEPA and its regulations, we considered a broad range of alternatives on this issue, from eliminating this use to expanding it. However, the programmatic revised plan does not at this time designate any new roads and trails or authorize any new OHV use of the Forest, though the Plan does establish objectives for additional OHV trail construction. Any future motorized trail development that does occur will be located in OHV management areas (about 18 percent of the Forest landbase), unless otherwise provided for by Plan amendment.

Previous (1988 plan, as amended) direction was reviewed, and comprehensive mitigation measures have been incorporated and adopted into the revised plan to control and reduce the environmental effects of OHV use on other resources. These mitigation measures, including provisions especially developed for OHVs, are found in Chapter 2 of the 2006 Forest Plan. Annual monitoring of road and trail condition and use will allow the Forest to evaluate the continued effectiveness of mitigation and management direction. If OHVs cannot be used on the Forest in manner which protects other resources, further management action will be taken, including closures, as appropriate. OHV recreation, like other permissible uses of the Forest, must occur in a multiple use context as prescribed by NFMA and MUSYA. The 2006 Forest Plan allows for continuation of existing access, but refines the management of that use to further reduce adverse effects that may occur. Sustainable, managed use is the overall guiding principle.

Development of new motorized trails that may occur over the next decade must first be preceded by environmental analysis and public participation. Project level analysis will examine impacts such as noise, wildlife effects, soil and water effects, invasive species, user conflicts, demand for such recreation, socio-economic factors (cost, benefits) and other issues and effects, as appropriate to the site-specific conditions and particular parameters of the proposal. The public will be involved in the development of new motorized trail proposals. The 2006 Forest Plan does not contain any such site-specific proposals.

The Forest also values the strong partnerships that have developed over the years with motorized trail users, communities, special interest groups, and other public land agencies to provide the best possible recreation opportunity while minimizing adverse impacts to natural resources or creating user conflicts. Partnerships are a key part of the successful management of OHV use on the Forest.

On November 9, 2005 the Forest Service published final rule governing travel management on National Forest System lands (70 Federal Register 68264). The Forest will be working to develop the travel map and meet the other requirements of this new regulation subsequent to this decision on the 2006 Forest Plan. We have considered the environmental documentation supporting the rule. We have also taken the information in the travel management rulemaking (both proposed and final rules, as well as comments on the proposed rule) into account in reaching our decision on the revised plan, and noted the considerable public involvement in the development of that regulation. Based upon this review and the public comment on the draft EIS for the proposed Wayne Forest Plan revision, we have determined that the best course of action for both protection of resources and allowing reasonable recreational use of the Forest is to continue to move forward with the Wayne Forest Plan revision. We have no information that suggests that the travel management rule in any way was intended to interrupt or terminate ongoing plan revisions, especially in cases such as the Wayne National Forest where the data collection, analysis, public participation, and development of the revised plan were substantially completed by the time the rule was promulgated. Shortly after the decision for plan revision we will turn our focus to compliance with the November 2005 travel management rule.

**367: The Wayne National Forest should not construct new OHV trails and should control illegal OHV use on the Forest.**

**a) By providing more funding for adequate monitoring, enforcement, and patrol of OHV trails.**

**Response (367):** Unmanaged recreation (principally uncontrolled OHV riding) is listed as one of the four primary threats to national forest lands in the 2004-2008 USDA Forest Service Strategic Plan. We recognize it is a significant threat on the Wayne National Forest. We also recognize that we have limited funds and resources to combat this illegal activity. However, the Forest Service is working with OHV groups and volunteers to form a trail patrol team that will help monitor and report illegal activities in and around the trail system. This team will also help inform riders of trail rules and regulations and educate them on what it means to ride responsibly.

Objectives 11.2f and 18.1b in the 2006 Forest Plan address the issue of controlling illegal OHV use.

As noted above, the 2006 Forest Plan allows for continuation of existing motorized recreation on the Forest. The Plan does emphasize control of illegal OHV use of the Forest. Future illegal actions on the Forest are very complex and difficult subject to analyze. We analyzed past Forest data and consulted with experts. The development of management direction and the decision for the 2006 Forest Plan were influenced by public concerns about illegal OHV use. Our concerns, as well as public comments, regarding illegal OHV activity and the difficulty in controlling illegal OHV riding shaped the OHV management direction in the 2006 Forest Plan. Neither NEPA, nor NFMA, prescribe any particular methodology, level of analysis, or consideration of particular data with regard to illegal OHV use. We are aware of the potential for adverse environmental effects and have taken action through management direction to facilitate better enforcement of the prohibition of cross-country use. We have crafted a reasonable response to this particular unmanaged recreation threat to the Forest at the programmatic level, and will aggressively implement the prohibitions to protect resources and reduce (or prevent) user conflicts.

There is no evidence presented here that the Forest failed to properly analyze illegal use or ignored available data or science in the development of the revised plan. We understand the commentor's preference is to dedicate additional resources to enforcement before any new trail for motorized use is developed. Development of new trails is a site-specific action that will require additional NEPA analysis and public involvement.

**368: The Wayne National Forest should complete a cost/benefit analysis to show that OHV trail expansion is feasible.**

**Response (368):** If the Forest Service determines that a cost/benefit analysis is required, one will be completed during project level analysis. Performing a cost-benefit analysis of expansion of trails at the programmatic level would involve speculation as to the time, place, and method of such proposals. This sort of speculation is not required by NEPA, NFMA, or MUSYA, and is inconsistent with the programmatic nature of the revised plan. When trail expansion projects are proposed, the socio-economic effects (including costs and benefits) will be addressed, as appropriate, as part of compliance with NEPA and other applicable federal law. The analysis suggested by this comment is better undertaken using the site-specific information available when a specific proposal is developed for public review.

**369: The Wayne National Forest should locate motorized trails away from forested riparian corridor.**

**a) Because a number of bird species uses these corridors.**

**Response (369):** Forest-wide guideline GFW-ARR-4 discourages constructing new trails within riparian areas. However, where trails must be located within riparian areas, they must be constructed and maintained in a manner that minimizes adverse impacts to these sensitive areas. Forest-wide Goal 3.1 and its associated objectives, standards and guidelines contain direction designed to minimize human disturbance to riparian areas. It should be noted that while deviation from guidelines does not require a Forest Plan amendment, the rationale for not following a guideline must be discussed in the site-specific analysis and environmental documentation.

There are no site-specific trail proposals analyzed as part of this programmatic planning effort. Therefore it is unclear whether any trails will affect any forested riparian corridors anywhere on the Wayne National Forest in the future. The 2006 Forest Plan includes an objective for additional OHV trail construction, but the actual amount and location of such trail construction is uncertain.

We understand the preference of the commentor regarding protection of these sensitive areas. Any proposal for site-specific development of trails for motorized use will include NEPA compliance and public involvement, at which time this issue can be examined in the context of a particular proposal, with site-specific information. The precise effects of trail expansion upon forested riparian areas can be evaluated with clarity and context at that time in a manner that is not possible in this Forest-wide programmatic analysis. For example, at the time of project proposal we can evaluate potential impacts upon particular bird populations (as the comment suggests) in the context of habitat available, location on the Forest, population trends for particular bird species, etc. There are presently no site-specific proposals before the agency in this decision, and thus such site-specific effects are not required to be analyzed as part of decision making for the programmatic plan. To do so would be speculative and contrary to the purposes of NEPA.

**370: The Wayne National Forest should cooperate with private landowners to develop more ATV riding areas.**

**Response (370):** Private landowners, especially those adjacent to the Wayne National Forest's OHV trail system, are encouraged to come and discuss with Forest Service staff if they are interested in developing connector trails or associated trail facilities, such as a campground, on private or national forest land. It should be noted that any development that occurs on private property is the responsibility of the private land owner and that the Wayne National Forest does not have maintenance or enforcement authority at these facilities.

**371: The Wayne National Forest should monitor 4X4-sized trails to determine if 50-inch OHV and full-sized 4X4 users can share riding areas or should be segregated for safety.**

**Response (371):** Under the 1988 Wayne Forest Plan (as amended), 4x4 vehicles were limited to Forest system roads open to the public for general vehicle use. There were no designated trails or routes for 4x4 vehicles. We have monitored this use and considered public comment during plan revision that both favors increase access to 4x4s and seeking to continue the status quo of the existing plan (allowing such vehicles to be used only on open roads).

Trails designated for motorized recreation on the Forest are designed to accommodate vehicles that are 50-inches wide or less. Based on field observation, monitoring data, and experience in managing competing recreation uses on the Forest, we have learned that 4x4 users are seeking a different recreational experience than most other OHV users (with vehicles 50 inches or less wide). For example, most 4x4 users seek routes that are impassible for even the most experienced rider with a vehicle 50 inches or less wide. We have learned from experience that these two types of motorized recreation do not mix well. Public safety concerns suggest that these uses be separated.

The 2006 Forest Plan does not authorize designation of any 4x4 trails or routes. We are closely monitoring the environmental effects and potential conflicts between different types of motorized use. This monitoring and analysis will help us determine whether smaller motorized vehicles may safely recreate with 4x4s.

**372: The Wayne National Forest should explain why other OHV trail systems in the eastern region were not considered when making the claim that there is a shortage of OHV trails to meet current demands.**

**Response (372):** The Wayne National Forest did take into consideration other OHV trail systems in the eastern region when analyzing the demands of motorized trail riders. Even with riding opportunities at trails systems such as the Hatfield-McCoy (WV), Daniel Boone National Forest (KY), Allegheny National Forest (PA), Huron-Manistee National Forest (MI), four Ohio state forests, and the Wayne, the growth and demand for motorized recreation exceeds current supply. This conclusion was drawn not only on public comments received here at the Wayne (field visits, letters, phone calls, e-mails, etc.), but also from discussion with other federal, state, and private OHV providers within the eastern region. Also, recent local, regional, and national surveys have all pointed to increasing demands for motorized recreation.

We considered the experience, monitoring information, and expert advice from other National Forests in the development of the 2006 Forest Plan. However, Forest-specific factors also dictate that a solution that works elsewhere may have to be modified or altered to fit the circumstances and resource conditions of the Wayne National Forest. It is unwise to attempt to apply a “cookie cutter” approach to OHV management by assuming that a management initiative or effort that worked in the Northeast will work equally well in southeastern Ohio. We have worked extensively with our neighboring Forests and considered the data, experience, and management challenges faced by other National Forests. Almost every National Forest in the East has experienced an increase in demand for motorized recreation access. The presence of opportunities elsewhere has not diminished the level of use or demand for recreation on the Wayne National Forest.



*OHV trail riders preparing for a ride on one of the Wayne National Forest OHV trails.*

**373: The Wayne National Forest should consider the rise in energy cost and its impact on OHV recreation when allocating Forest resources toward recreational uses.**

**Response (373):** The 2006 Forest Plan will not increase the area of the Wayne National Forest allocated to motorized recreation. The DEIS projects an increasing demand for OHV recreation opportunities. This projection is based on the increased usage documented from 1983 through 2000. While rising energy prices could reduce future demand for OHV recreation these prices have fluctuated greatly over time and it would not be prudent to base Forest management decisions on this alone.

Projecting demand for recreation, as well as energy prices, has a substantial degree of uncertainty. We acknowledge this and will monitor the actual level of recreation use on the Forest. Neither NEPA nor NFMA prescribe any particular method of evaluating recreation demand. Nor does any federal law require the Forest to speculate and project the impact of energy prices on OHV use over the 10-15 year life of the Forest Plan.

Given the limited time and resources available to develop a revised plan, we have reasonably used available information on the demand for recreation (including OHV use) and will monitor the actual level of use. There is no evidence that this analysis is incorrect, or that the management direction or alternative considered would have been different had energy price impact on OHV demand been predicted by the Forest. There is always more data that could be collected, more analysis that could be undertaken, in the development of a programmatic multiple use land management plan. The resources and time available for planning are finite. We have researched the best available information and developed a detailed analysis of recreation to fully inform both the public and decision-maker.

The 2006 Forest Plan does not authorize or mandate the construction of any specific trail. Prior to any such action, NEPA compliance, including appropriate analysis of socio-economic factors such as recreation demand and costs, will be undertaken. Consideration of such factors in the context of an actual on-the-ground proposal yields the comparison information that the commentator here seeks.

**374: The Wayne National Forest should allow ATV dealers to assist the Forest in advertising its trail system.**

- a) To increase revenue for trail maintenance.**
- b) To support local businesses.**

**Response (374):** We currently have 24 local business vendors participating in the Forest's trail permit program. These vendors help us sell trail permits and distribute trail maps and information to their customers. Vendors recognize that Wayne National Forest trail permits have the potential to attract



many customers to their stores and have taken the initiative to advertise about the trail permits. We have also developed and given vendors signs that inform customers of the Wayne's trail program and trail system. Many of these participating vendors are also ATV/OHM dealers. We will continue to work with vendors and other partners to help the public to become more aware of our trail program and trail system. However, the advertising issue is one that is considered to be outside the scope of the 2006 Forest Plan.

**375: The Wayne National Forest should factor in the cost of liability with respect to operating and maintaining OHV trails.**

**Response (375):** The Forest Service, as is the case with all government agencies, is self-insured. There has never been a liability suit filed against the Wayne National Forest so, to date, there have been no liability costs accrued. Organized groups using the trails under special use permits are required to purchase liability insurance for their event.

Thus, the issue of potential liability (public health and safety) has been considered in the development of the recreation management direction for the revised plan. The Forest allows limited motorized access and takes measures to ensure the health and safety of all Forest visitors. The Forest annually devotes considerable analysis, planning, and on-the-ground work to ensure public health and safety to anyone who visits the Forest for any reason. However, it is impossible to present to the public a risk-free, yet natural, recreation experience. The possibility of accidental injury is intrinsic to recreating in a natural and somewhat wild setting. This is obvious to any reasonable recreational user of the Forest. Like other recreational users of the Forest, OHV users ride the Forest at their own risk. Accidents may happen regardless of the form of recreation: hiking, horse riding, swimming, camping, hunting, pleasure driving, etc. There are risks associated with each type of recreation. Liability, if any, is a highly-complex legal inquiry that turns on negligence and the particular circumstances associated with specific incidents. It would be highly speculative for the Forest to project (guess really) what liability costs, if any, may be associated with OHV riding over the next 10-15 years. If past experience is an indicator, such costs will be zero. NEPA does not require such speculation in a programmatic EIS. In fact, engaging in such speculation risks diluting the analysis and defeating the purposes for which the EIS was prepared.

**376: The Wayne National Forest should develop a trail permitting system that would limit OHV use on peak use days. The high cost of implementing such a system could be deferred by raising permit fees.**

**Response (376):** This issue is considered to be outside the scope of the 2006 Forest Plan. However, this comment will be considered during project-level planning and implementation.

**377: The Wayne National Forest should increase fees for some recreation activities such as OHV use. However, the price of one and two-day passes should be kept at a reasonable level to encourage new users to ride the Forest trail system.**

**Response (377):** The level of fees and demand for various types of recreation were considered in revision of the plan. However, the determination as to whether fees should be increased is not appropriately part of development of the 2006 Forest Plan pursuant to NFMA and its regulations. Modification of fee structure and administration is outside the scope of the purpose and need for this NFMA-mandated revision of the Wayne National Forest Plan. We will, however, consider the preference expressed in the comment in administration of the recreation program for 2006 (subsequent to and apart from this forest plan decision).

**378: The Wayne National Forest should consider issuing and enforcing noise restrictions for OHVs.**

**Response (378):** The programmatic EIS for the 2006 Forest Plan analyzed and disclosed the potential noise (and user conflict) effects of the various alternative management direction scenarios. This programmatic disclosure is appropriate for the level of decision-making; no site specific proposals are included in this analysis or decision. It should be noted that most management areas, totaling thousands of acres, prohibit OHV use. Many areas of the Forest are available for relative quiet and solitude. Where OHV use is allowed on designated trails, standards and guidelines were developed to mitigate noise and other environmental effects from this use. We have monitored noise and other consequences of OHV use, and considered eliminating OHVs from the Forest entirely. Based upon monitoring information, field observation, public comment and more than a decade of experience with OHV use on the Forest, we crafted management direction to ensure reasonable access and resource protection. Where resource concerns develop, additional management measures, including closures, may be taken. The Forest did not ignore noise and other environmental consequences from allowing continued, limited access to the Forest. We have taken an reasonable, balanced, and informed approach to regulating a potential

“unmanaged recreation” challenge on this Forest, and will be closely enforcing and monitoring this direction.

The Forest Service is required to have ATVs and OHMs follow applicable noise emission standards established by any federal or state agency (36 CFR 261.13 (d)). State of Ohio Administrative Code 4501-29-01 requires all ATVs, OHMs, and snowmobiles to have a muffler system that is capable of precluding the emission of excessive smoke or exhaust fumes and of limiting the vehicles engine noise. Except for snowmobiles, State of Ohio law does not give a noise decibel level standard for ATVs and OHMs.

Noise and emissions effects would be analyzed in detail during project-level planning and would need to meet Ohio Environmental Protection Agency and U. S. Environmental Protection Agency standards.

**379: The Wayne National Forest should monitor the observed and potential effects of OHV use in accordance with 36 CFR 219.21(g).**

**Response (379):** We agree. Chapter 4 of the 2006 Forest Plan contains monitoring information directly related OHV use (refer to Table 4-2). The items were chosen to address public concerns, comply with National Forest Management Act and provide the Forest service with information to adapt management to changed conditions. There is no evidence that the Forest failed to develop an adequate monitoring strategy for the 2006 Forest Plan. We have over a decade of experience in monitoring and evaluating OHV use on the Wayne National Forest. This information was used in development of Plan OHV management direction, and influenced the content of the recreation monitoring strategy.

**380: The Wayne National Forest should ensure adequate parking, loading, sanitation facilities and trash removal in areas or trailheads with heavy concentrated use, such as the Hanging Rock and Monday Creek (page 2-37, Proposed Revised Forest Plan).**

**Response (380):** The adequacy of associated trail facilities in and around developed and dispersed recreation areas (including concentrated use areas) is based on level of public need and demand and will be considered during project-level planning.

**381: The Wayne National Forest should explain what is being done to prevent damage from illegal ORV use.**

**Response (381):** The DEIS discussed the effects of illegal OHV use (DEIS, pp. 3-194 and 3-195), and the 2006 Forest Plan includes objectives to reduce

such use (Objectives 11.2f and 18.1b), and monitor progress towards meeting these objectives (2006 Forest Plan, Chapter 4).

The Forest closely monitors resource effects resulting from various types of recreation on the Forest. Where necessary, management action, including closures are used to ensure the sustainability of Forest resources. Most effects, although they may be aesthetically displeasing, are not irreparable. NFMA and MUSYA contemplate conservation or wise use of the Forest for the long-term good of all citizens. The management direction for the 2006 Forest Plan was informed by monitoring of past OHV use, including the potential effects of illegal actions such as improper OHV riding. The Forest is working our partners to improve enforcement of restrictions and prohibitions pertaining to OHVs, as well as other forms of recreation. The Chief of the Forest Service has recognized that unmanaged recreation can have adverse resource effects. The 2006 Forest Plan addresses this issue aggressively, but reasonably. We considered elimination of all OHV use on the Forest, but recognized that this would likely not eliminate 100 percent of illegal OHV riding. With our partners' help, we will enforce the management direction of the 2006 Forest Plan to the best of our ability to prevent resource damage.



*OHVs can damage soils and water quality on both illegal user-created trails and on developed trails as in this photo. Control of illegal use, seasonal trail closures, trail design and maintenance, and cooperation with users are all needed to reduce resource impacts.*

**382: The Wayne National Forest should evaluate effects of OHVs more frequent than every five years.**

**a) Because of the rapid growth in OHV use.**

**Response (382):** We have the flexibility to adjust monitoring and evaluation strategies and techniques without having to amend the Forest Plan if conditions warrant. If annual monitoring points to the need to evaluate effects of motorized trail use more frequently than five years, we will do so.

**383: The Wayne National Forest should provide an OHV riding area for youth.**

**Response (383):** The idea of providing an OHV riding area for youth is one the Forest Service will consider when designing new OHV campgrounds and trails during project-level planning. Such site-specific proposals, if any, will be developed and analyzed subsequent to this decision. The 2006 Forest Plan does not contain, analyze, or authorize any site-specific proposals.

**384: The Wayne National Forest should give local communities opportunities to provide input for improving the Forest's OHV trail system.**

**Response (384):** The Wayne National Forest recognizes that its OHV trail systems are becoming popular attractions. We want to provide the best OHV recreation opportunity in Ohio and one that riders want to use and enjoy for many years. For this to be possible, we strongly encourage the public, which includes motorized trail users, local communities, and others, to participate and provide input at all levels of planning (programmatic and project level).

**385: The Wayne National Forest should copy the Hatfield-McCoy's Trail system.**

**Response (385):** The Wayne National Forest's OHV trail system is unlike West Virginia's Hatfield-McCoy's trail system in many ways, which makes it difficult for us to compete with or "copy" that trail system.

The Wayne's OHV trail system is located entirely on national forest lands and is governed by federal land management regulations. The Hatfield-McCoy trail system is located on privately leased or purchased property and is regulated by West Virginia's state and local laws, which are generally less restrictive for OHV use and development than federal regulations.

To be able to expand its trail system, the Wayne National Forest must acquire more land from willing sellers within areas allocated for OHV use and development. Conversely, the Hatfield-McCoy trail expansion capabilities are less restrictive because there are no set boundaries to expand within as long as land lease agreements can be obtained from private land owners to use their property for trail development.

There are opportunities for the Forest Service to learn new ideas and apply new techniques that have worked well for Hatfield-McCoy. One such idea that we are considering is the linking of trails to local businesses (hotels, restaurants, convenience stores, ATV dealers, etc.) that caters to riders. This not only provides riders with the basic support structure they want, but also enhances economic growth of the local community. Wayne National Forest managers visited with Hatfield-McCoy representatives during fall 2005 and toured their trail system.

**386: The Wayne National Forest should provide the number of ATV/OHM miles that has been inspected or evaluated for damage (Proposed Revised Forest Plan Chapter 4, page 4-18, Objective 11.2e).**

**Response (386):** Objective 11.2d in the 2006 Forest Plan addresses this issue, and this information is provided in our annual Monitoring and Evaluation Report.

**387: The Wayne National Forest should separate and maintain non-motorized trail uses from motorized trail uses.**

- a) To reduce illegal trail use.
- b) To reduce user conflicts.
- c) To enjoy activities in a peaceful setting.

**Response (387):** The Wayne National Forest recognizes the potential for user conflicts and the need for different recreation experiences between motorized and non-motorized trail users. We have approached the motorized/non-motorized recreation conflict by zoning the Wayne National Forest to separate motorized and non-motorized uses. The Forest Service began separating these two major trail uses in the 1988 Forest Plan by restricting motorized trail development to only lands allocated for OHV uses (Management Areas 2.3 and 3.2). The 2006 Forest Plan carries this policy forward by limiting motorized trail development to the Historic Forest with OHV and Diverse Continuous Forest with OHV Management Areas. With a few exceptions, non-motorized trails development is allowed across most of the Wayne National Forest.

**388: The Wayne National Forest should consider rewording Objective 11.2f (page 2-34 of the Proposed Revised Forest Plan) to say either “no net gain in illegal off-highway trails” or “no net gain in illegal off-highway trails and close 20 miles of existing illegal trails”.**

**Response (388):** We agree with the intent of this comment: to reduce illegal OHV trails. This objective (11.2e in the 2006 Forest Plan or “final revised forest plan”) includes “closing at least 20 miles of illegal off-highway vehicle trail with the next decade.” We believe the suggested language of “no net gain” in illegal off-highway trails would be difficult to monitor and verify, so Objective 11.2e instead provides a general direction to our OHV management: “Reduce and strive to eliminate illegal OHV use.”

**389: The Wayne National Forest should not allow OHV in the Historic Forest Management Area.**

**Response (389):** Three of the alternatives considered in detail (A, B and C) would have implemented this suggestion. The selected alternative does not. As discussed in Chapter 2 of the DEIS, alternatives modifying the management of OHVs on the Wayne National Forest were considered but eliminated from detailed analysis. Consequently, all the alternatives considered in detail left the areas allocated to OHV use essentially the same (about 18% of the Forest), while the vegetation management applied to these OHV areas does vary across the alternatives.

The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments on the DEIS. The selected alternative for the 2006 Plan allocates 20% of the Wayne National Forest to Historic Forest (47,552 acres), and about 45% of this total (21,274 acres) would permit OHVs. We do not believe that OHV use conflicts with the primary objective of the Historic Forest Management Areas, which is restoration and maintenance of the mixed oak ecosystem through a combination of uneven-aged timber harvest and prescribed fire.

The comment suggests that the Historic Forest Management Area is focused upon semi-primitive recreation, or a near-wilderness experience, which it is not. To the contrary, the focus of the management direction in this management area is to allow for future on-the-ground active silvicultural action (after site-specific analysis) for ecological restoration purposes. Based upon monitoring and field observation, as well as discussion with other resource experts, we have determined that OHV use will not thwart this goal, nor is it intrinsically in conflict with this goal. Notwithstanding the preference of the commentor, we have no evidence to suggest that allowing OHV use is incompatible with the Management Area objectives. We will, however, monitor recreation use in the management area, and, as appropriate, adapt and adjust our management to ensure that we are moving toward the desired condition for these areas.

**390: The Wayne National Forest should allow persons with a physical disability to use an ATV to access the Forest to hunt.**

**Response (390):** The 1988 Forest Plan and 2006 Forest Plan prohibit the use of motorized vehicles cross-country and off designated roads and trails. These OHV restrictions apply to all people, including people with disabilities. An exception is the use of a wheelchair that meets the legal definition, which may be used wherever foot-travel is permitted. Federal laws, regulations, and policies (including Section 504 of the Rehabilitation Act of 1973, as amended) that apply to Federal agencies such as the Forest Service, do not require areas restricting or prohibiting OHV use for all people to make exceptions to such use because a person has a disability.

A wheelchair is a device designed solely for use by a mobility-impaired person for locomotion that is suitable for use in an indoor pedestrian area. “Designed solely for use by a mobility-impaired person” means that the original design and manufacture of the wheelchair was only for the purpose of mobility for a person who has a disability. This does not include aftermarket retrofit of a motorized unit to make it useable by a person who has a disability. “Suitable for indoor pedestrian use” means useable inside a home, mall, courthouse, etc. A wheelchair, even a battery powered wheelchair, that meets this definition is permitted anywhere foot travel is permitted.

**391: The Wayne National Forest should reduce the number of horse and OHV trails permitted in the Forest.**

**a) Because it would help improve water quality.**

**Response (391):** We have analyzed the programmatic effects of the management direction for the 2006 Forest Plan, and developed mitigation (standards and guidelines) that control and prevent potential adverse effects on water quality from recreation activities such as horseback riding and OHV use on designated trails. Monitoring, field observation, and over a decade of experience managing these recreation activities on the Forest indicates that in the proper place and with good management the effects of such actions are within acceptable limits. Recreation such as OHV and horse use do not automatically result in irreparable harm to water quality, as the comment suggests. To the contrary, our monitoring indicates that soil erosion from properly managed recreation (horse riding, for example) results in very little soil erosion, and negligible effects on water quality. Notwithstanding the preference of the comment, we have no evidence to show that a dramatic area closure or other Forest-wide measures in this programmatic Forest Plan to eliminate public access are necessary to maintain water quality. We do acknowledge that there is potential concerns associated with these types of



recreation, just as there are with hiking, mountain bicycles, and other recreation activities, and will monitor recreation use closely. If necessary, further site-specific management action, including closure of trails, may be undertaken to protect water quality. However, there is no evidence that such measures should be adopted at this time.

As the analysis of watershed impacts in the FEIS (Chapter 3 – Watershed and Riparian Areas) indicates, the effects of trails on water quality is minimal compared to the residual effects of past mining, and agricultural uses on private land.

**392: The Wayne National Forest should consider developing additional parking (pull-offs) and campsites with direct access to the ATV trails.**

**Response (392):** We agree. We recognize the need to provide additional parking and campground facilities at or near the OHV trail system. The number and exact placement of these recreation facilities will be analyzed during project-level planning and implementation. The 2006 Forest Plan does not prohibit the expansion of existing or construction of new parking areas. Furthermore, the 2006 Forest Plan allows for the development of at least one OHV campground within the next decade (see 2006 Forest Plan, Objective 11.1a).

### 3. Hiking, Biking and Horseback Trails

**393: The Wayne National Forest should increase the targets for the "trail-movement-from-roads" and for the "foot-travel-only" conversions for the North Country Trail as mentioned in Objective 11-2b and 11-2c.**

**Response (393):** We believe Objectives 11.2a and 11.2b in the 2006 Forest Plan provide adequate and realistic direction for management of the North Country Trail. Specific trail reconstruction projects or conversion of sections of the North Country Trail to single-use would require site-specific analysis and public review and comment. Objective 11.2c has been eliminated as an objective in the 2006 Forest Plan because the issue is already discussed in the North Country Trail's Memorandum of Understanding which we have said we will follow in Objective 11.2a.

**394: The Wayne National Forest should reference North Country Trail's April 5, 2005 Memorandum of Understanding (MOU) to the Revised Forest Plan's GFW-REC-17.**

**AND**

**395: The Wayne National Forest should use of the current MOU among the Forest Service, NPS, and the Association (FS Agreement No. 05-MU-11090100-007), which was signed by the Eastern Regional Forester on April 5, 2005.**

**Response (394 and 395):** We agree. Please refer to Objective 11.2a in the 2006 Forest Plan. Forest-wide guideline GFW-REC-17 was changed to reference the North Country Trail's MOU (as amended) which would include the April 5, 2005 MOU and any subsequent North Country Trail MOU amendments.

**396: The Wayne National Forest should change Objective 11-2a (page 2-34, Proposed Revised Forest Plan) be rewritten to read as follows: "Cooperatively manage the North Country National Scenic Trail with the USDI National Park Service (NPS) and the North Country Trail Association (Association) as a path whose use is primarily for hiking and backpacking, consistent with the Memorandum of Understanding among the USDA Forest Service (FS), NPS, and the Association (FS Agreement No. 05-MU-11090100-007)".**

**Response (396):** We believe that Objective 11.2a in the 2006 Forest Plan adequately addresses this concern. Forest Plans provide general management direction and do not make site-specific decisions, such as what section of the North Country Trail should be converted to exclusive use by hikers. Such decisions will be made with the benefit of site-specific analysis and public involvement. We recognize that the North Country National Trail should generally be managed for hiking and backpacking, and it is a long-term goal we are working toward. However, we also understand that the 2005 MOU (FS Agreement No. 05-MU-11090100-007) also "allows low volume of other non-motorized use to continue where that use is not causing undue conflict or deterioration of the trail".

We presently allow mountain bikers to ride the North Country Trail on the Marietta Unit and horseback riders on a segment on the Athens Unit. Until we can develop new biking and horse trails or find other alternatives for reducing these uses on the North Country Trail, they will be allowed to continue using the trail in the interim. General direction for management of the North Country Trail under the 2006 Forest Plan is the same as under the 1988 Forest Plan.

Monitoring data and field observations on the NCT indicate that while the current situation is not ideal, it is a workable compromise until alternatives can be found to separate hikers, horses, and mountain bikes. The Forest has

limited resources and a strong demand for recreation on this particular Trail. We appreciate the assistance of our partners in maintaining the Trail, and are looking for innovative ways to allow these uses but protect the environment and eliminate user conflicts.

**397: The Wayne National Forest should open all Forest hiking trails, such as the Wildcat Hollow Trail and North Country Trail to mountain bike use.**

- a) **Because it is close to Athens and has a great design for mountain biking.**
- b) **Because it would help meet Objective 11.2g (page 2-34) and reduce the need for new trail construction as shown in Table 2-5 (page 2-35) in the Proposed Revised Forest Plan.**
- c) **Because it would provide a great opportunity for cyclists and minimize resource impacts.**
- d) **Because it would keep mountain bikers at a slower speed and minimize user conflict.**
- e) **Because cyclists would help keep the trail more passable and better maintained.**
- f) **Because the trail is currently receiving little hiking use.**
- g) **Because Congress amended the National Trails Act (1983) that supports diverse trails users, including bicycling.**
- h) **Because the “Desired Future Condition” statement for the North Country Trail was developed illegitimately because it received no public comment or involvement except from the North Country Trail Association.**

**Response (397):** We agree that there is currently unmet demand for mountain biking opportunities on the Wayne. This is why the 2006 Forest Plan sets objectives for trail construction for mountain biking. As the comment points out, this objective might also be met in some cases by permitting bicycle use on existing trails. The Forest Plan is a programmatic document that generally does not decide site-specific implementation questions. Whether or not to allow mountain bike use on a specific hiking trail is a question that is typically handled at project-level planning. Currently mountain bikes are allowed on the North Country Trail of the Wayne National Forest’s Marietta Unit.

It is our desire to continue to keep some of the Wayne’s premier hiking trails, such as the Wildcat Hollow Trail, as a hiking/backpacking only trail due to the need to minimize user conflicts and to retain the high quality recreation experience that hikers presently enjoy.

**398: The Wayne National Forest should follow the guidelines of the Recreation Enhancement Act and not charge mountain bikers a fee for riding.**

**Response (398):** The Recreation Enhancement Act does prohibit charging a “Standard Amenity” or an “Expanded Amenity” recreation fee for areas that does not provide some investment in facilities or services. Therefore, activities such as hiking, boating, and driving through Federal recreation lands would not be charged a fee. However, the Wayne National Forest’s trail program, which includes ATV/OHM, horse, and mountain bike use on designated trails, is under the Recreation Enhancement Act’s “Special Recreation Permit” fee category and not the “Standard Amenity” or an “Expanded Amenity” fee category. The “Special Recreation Permit” fee category allows the Wayne to charge a fee for ATV/OHM, horse, and mountain bike use because of the considerable amount of investments in terms of trail maintenance and facilities constructed that have occurred on these trails. Eighty percent of the revenues collected from the sale of trail permits are kept on the Wayne National Forest to help maintain or construct the trail system.

**399: The Wayne National Forest should change the proposed rules for mountain biking in the proposed draft forest plan.**

**Response (399):** This recommendation has not been adopted. We believe that 2006 Forest Plan Goals 11.1 and 11.2 (providing a range of recreation opportunities, including trails that provide safe and quality recreation experiences, while protecting other Forest resources) are best achieved with the direction provided in Forest-wide standard SFW-REC-15. This standard prohibits cross-country use by motorized recreation vehicles, bicycles and horses, and restricts their use to designated trails. Based upon consultation with other recreation experts, as well as monitoring data and field observations, the interdisciplinary team developing the 2006 Forest Plan concluded that allowing cross-country biking presented a safety hazard, as well as unacceptable resource effects on soil, water quality, and plants. A number of comments supported retaining the prohibition in the 1988 plan, as amended. After careful consideration of the physical, socio-economic, and biological effects and public views, we retained this prohibition in the 2006 Forest Plan.

**400: The Wayne National Forest should try to offer more single-track, shared-use trails.**

- a) **Because shared-use trails builds cooperation among users.**
- b) **Because it reduces the pressure to build additional trails for each user type, thus reducing the environmental impacts to trails.**

**Response (400):** We agree there is great benefit in having different recreation user groups working together to meet common objectives, including better understanding and appreciation for the needs and desires of others. The Wayne National Forest currently provides approximately 205 miles of single-tracked trails. Most of these trails are hiking trails with approximately 12 miles being motorcycle trails. Approximately, 90 miles of these single-tracked hiking and motorcycle trails are shared with mountain bikers. The 2006 Forest Plan proposes developing up to 30 miles of new hiking trails and 30 miles of new mountain bikes trails within the next decade. These trails will all be developed as single-tracked trails. They may or may not be shared with other non-motorized trail users. Trail use will be determined in project-level planning.



*Horse riders on one of the Wayne National Forest's horse trails.*

**401: The Wayne National Forest should extend the current mountain bike trail system, add more trail connectors, provide bike only trails, and convert some to one-way trails.**

**Response (401):** Trails are a large part of the overall recreation program for the Wayne National Forest. Overall, building additional mountain bike trails would be compatible with the 2006 Forest Plan. Generally, mountain bike trails are compatible with most management areas on the Wayne National Forest. The 2006 Forest Plan proposes developing up to 30 miles of new hiking trails and 30 miles of new mountain bikes trails within the next decade. The issues of adding more trail connectors, providing bike only trails, and developing one-way trails are ones we will consider and discuss during project level planning and implementation.

**402: The Wayne National Forest should consider connecting trails to other trail systems and to local businesses such as restaurants, gas stations, hotels, and campgrounds.**

**Response (402):** We recognize the importance of connecting trails to other trail systems, as well as to local communities. Therefore, new trail development will be accomplished in coordination with local communities to determine ways trails can be linked to benefit both the users and community businesses. The 2006 Forest Plan does not, however, authorize any particular trail routes or designations. This determination is best made at the site-specific level using local information.

**403: The Wayne National Forest should place more emphasis on trail maintenance rather than new trail construction, especially with respect to horse and hiking trails.**

**a) Because existing trails are under utilized.**

**Response (403):** We agree that trail maintenance is important in helping sustain the Wayne National Forest's non-motorized trails. Current partnerships with non-motorized trail organizations and volunteers are helping to keep some of the trails maintained to a quality standard. However, we recognize that more can be done. We will continue to work with our existing partners while developing new partnerships to help us with trail maintenance. We also recognize the need to expand the existing non-motorized trail system due to increasing public demands. We will evaluate use, demand, and costs prior to new trail construction, especially when proposing a new trail system. This would be completed during project-level analysis.





*Volunteers accomplish many trail maintenance projects on the Wayne National Forest.*

#### 4. Water-based Recreation

**404: The Wayne National Forest should consider as a management strategy, the development of transient/tie-up boating facilities and campsites along the Ohio River, Symmes Creek, Raccoon Creek, Little Muskingum River, and Hocking River.**

**AND**

**405: The Wayne National Forest should identify and assess existing and any potential sites for boating/canoe access along its streams and rivers.**

**Response (404 and 405):** The Forest Service is currently working with the Ohio Division of Wildlife to identify and assess areas along Wayne National Forest streams and rivers, such as Symmes Creek, and the Little Muskingum, Hocking and Ohio Rivers, for potential boating/canoe access development. An aspect of the Desired Future Condition for the River Corridor Management Area includes access for motorized and non-motorized boating.



*Canoers floating on Symmes Creek.*



**406: The Wayne National Forest should consider keeping the Hanging Rock area and Lake Vesuvius boat dock open for fishing year-round.**

**Response (406):** The Hanging Rock area and the Lake Vesuvius boat dock are open for fishing year-round. However, there are times when the road accessing these areas may be temporarily closed during severe inclement weather that results in hazardous road conditions, for maintenance and repair of roadways and facilities, or for special events. During these times of closure, foot travel is welcome unless signed differently.

## **IV. Heritage**

**407: The Wayne National Forest should not disturb any area that has significant historic sites.**

**Response (407):** We agree that significant historic sites merit special considerations. Forest-wide Goal 13.1 and its associated objectives, and standards SFW-HERT-1 through SFW-HERT-15 includes the direction we must follow regarding historic sites.

**408: The Wayne National Forest should develop a Forest standard that states no harmful activities would occur on or near any sensitive archaeological site or find.**

**Response (408):** Forest-wide standards SFW-HERT-6 and SFW-HERT-7 provide protection for all archeological sites or finds from ground disturbing activities.

**409: The Wayne National Forest should clarify the information on page 2-52, Inadvertent Discoveries: Are evident plantings, either at homesteads or CCC activities, included? The presence of these plantings may also serve to act as indicators of previous occupation of the site.**

**Response (409):** We agree that plants may serve as indicators of heritage resources. Inadvertent discoveries refer to heritage resources that were undetected by surveys prior to a project, and which become evident during project implementation (e.g. unearthed by a bulldozer).

**410: The Wayne National Forest should contact state and tribal Native American Grave and Protection and Repatriation Act (NAGPRA) representatives if any human skeletal remains and/or any objects falling under NAGPRA are discovered.**

**Response (410):** The Wayne National Forest does contact the State Historic Preservation Office and tribal NAGPRA representatives if any human skeletal remains and/or any objects falling under NAGPRA are discovered.

**411: The Wayne National Forest should add "and are not federally or state listed" to Objective 17.1b on page 2-55 to the Revised Forest Plan.**

**Response (411):** All structures are reviewed by the State Historic Preservation Office for eligibility for inclusion on the list of the National Register of Historic Places prior to decommissioning. Any structures that are determined eligible for the National Register are preserved and managed as historic sites.

**412: The Wayne National Forest should continue to interpret heritage sites on the forest.**

**Response (412):** We agree. The Wayne National Forest will continue to work with our partners to enhance the interpretation of known heritage sites like those pertaining to the Underground Railroad, the iron furnaces, and the covered bridges. Additionally, we are finding new opportunities to interpret other heritage sites that were associated with the area's rich brick, coal, gas, and oil history.



*Vesuvius Iron Furnace, located on the Ironton Ranger District.*

## V. Transportation and Facilities

**413: The Wayne National Forest should not construct any new roads and decommission all existing Level 1 (closed) roads.**

- a) Because roads are not maintained to standard due to insufficient budget.**
- b) Because roads were constructed in unsuitable locations.**
- c) Because roads encourages illegal OHV riding.**
- d) Because roads increase mobility of animals that thrive on edge habitat.**
- e) Because roads destroys avian nesting.**
- f) Because roads spread exotic/invasive plants and animals to interior areas of the forest.**
- g) Because roads are too numerous already.**
- h) Because roads cause forest fragmentation.**
- i) Because roads increase soil erosion and create long-term impacts to water quality and quantity.**
- j) Because roads cause micro-climate changes.**
- k) Because roads displace local animal community and eradicate fixed plant community.**
- l) Because roads affect threatened and endangered species.**
- m) Because roads affect aquatic habitat and population.**
- n) Because roads affect aquatic habitat and population.**
- o) Because roads compact soils and affects water bodies at road crossings.**
- p) Because roads increase animal road kill.**
- q) Because roads change animal behavior, movement patterns or home ranges, reproductive success, escape behavior, or physiological state.**
- r) Because roads disrupt the physical environment by changing soil characteristics such as density, surface runoff, and sedimentation.**
- s) Because roads alter the hydrology of slopes and stream channels, create barriers to the movement of fish and other aquatic animals, and altered channel and shoreline development.**
- t) Because roads affect the chemical environment by contributing pollutants such as heavy metals, salts, or nutrients to roadside**

**plant and animal communities as well as to aquatic ecosystems through runoff.**

- u) Because roads increase human access, and therefore increases poaching pressure, fishing, and passive harassment of animals.**

**Response (413):** This recommendation has not been adopted. The Transportation System section of the Analysis of the Management Situation (available in the administrative record and on the Wayne National Forest planning website) indicates that the Wayne is already extensively roaded, with approximately 1400 miles of roads within its proclamation boundary. Of this total, only 373 miles are under Forest Service jurisdiction; the remaining miles are state, county or township roads. About 300 miles of the 373 miles of Forest Service roads are closed to vehicle traffic, opened only as needed for resource management projects.

Because the transportation system is largely in place, the FEIS estimates road construction over the next decade will be limited to 24 miles of permanent roads and 50 miles of temporary roads (FEIS, Chapter 2 - Table 2-4). The majority of this new construction would be for specific resource management projects, closed when the projects are completed. Before a road is added to the transportation system, site specific project-level roads analysis and environmental assessment will be completed. The FEIS discusses the cumulative impact of road construction and other soil disturbing activities in the FEIS (Chapter 3 – Soils section).

Unneeded roads under Forest Service jurisdiction will be decommissioned (2006 Forest Plan, Objective 17.3b), especially those posing a risk to public safety or unacceptable resource damage. The decision to decommission a road will be based upon a site specific project-level roads analysis and environmental assessment. As roads are decommissioned, the existing road density in the project area will decrease. Access on roads may also be limited to reduce negative effects to the environment. If there is a need and such use is acceptable within the management area, an unneeded road may be converted to a trail.

**414: The Wayne National Forest should identify and repair roads that are causing stream sedimentation.**

**Response (414):** We agree. The 2006 Forest Plan includes direction on Road-Stream Crossings (see Forest-wide standards and guidelines SFW-ARR-7 through GFW-ARR-12). In addition, it provides Forest-wide direction for management of the Wayne's transportation system (see Goal 17.3 and its associated objectives, standards, and guidelines).

**415: The Wayne National Forest should change the following transportation guidelines to standards in the Proposed Revised Forest Plan: G-FOF-TRANS-2; G-FOF-TRANS-3; G-FOFM-TRANS-2; G-FOFM-TRANS-3; GFW-TRANS-8; GFW-TRANS-10; GFW-TRANS-11.**

**Response (415):** A “guideline” is a course of action that should be followed in most circumstances. They provide important resource protection. However, guidelines relate to activities where site-specific factors may require some flexibility. Deviations from a guideline must be analyzed and documented in a project level analysis but do not require a Forest Plan amendment while deviations from a “standard” require a Forest Plan Amendment. We have considered the commenter’s suggestion that these transportation guidelines be converted to standards, but we believe the management flexibility of guidelines is more appropriate for this direction.

**416: The Wayne National Forest should change the statement on page 3-37 of the Proposed Revised Forest Plan to say “Access to private inholdings and residences will be controlled”.**

- a) Because it was a sensitive issue with local residents in the Timbre Ridge area due to the unusually high incidence of vandalism and theft in this part of Lawrence County.**

**Response (416):** We have clarified the referenced wording in the 2006 Forest Plan (Chapter 3, Timbre Ridge Lake Management Area).

**417: The Wayne National Forest should include “damage to public roads and infrastructure” to list of reasons for removal of beaver dams in GFW-AAR-19 (page 2-9, Proposed Revised Forest Plan).**

**Response (417):** Public roads and infrastructure are considered a part of “improvements” under the bullet statement “Reduce effects of flooding on improvements” in forest-wide guideline GFW-AAR-19.

**418: The Wayne National Forest should monitor all types of roads and trails twice a year to determine if non-native invasive seeds are spread and established.**

**Response (418):** Chapter 4 of the 2006 forest Plan provides direction for monitoring Wayne National Forest lands for non-native invasive species. This includes all Wayne National Forest system roads and trails.

**419: The Wayne National Forest should include in GFW-TRANS-5 of the Proposed Revised Forest Plan (page 2-57) a statement about load limits need to be posted at road heads.**

**Response (419):** Forest-wide guideline GFW-TRANS-5 allows for posting of load limits at road heads as well as other appropriate locations. Including the words “load limits need to be posted at road heads” in GFW-TRANS-5 may limit our ability to post load limits at other locations that may require such posting (i.e. at parking areas, turn-arounds, intersection of alternate routes, etc.) However, our first priority is to post load limits at the beginning of each road segment with load restriction.

## **VI. Lands and Special Uses**

### **1. Land Acquisition and Property Boundary Lines**

**420: The Wayne National Forest should change their assumption that funding will continue to come for land acquisition.**

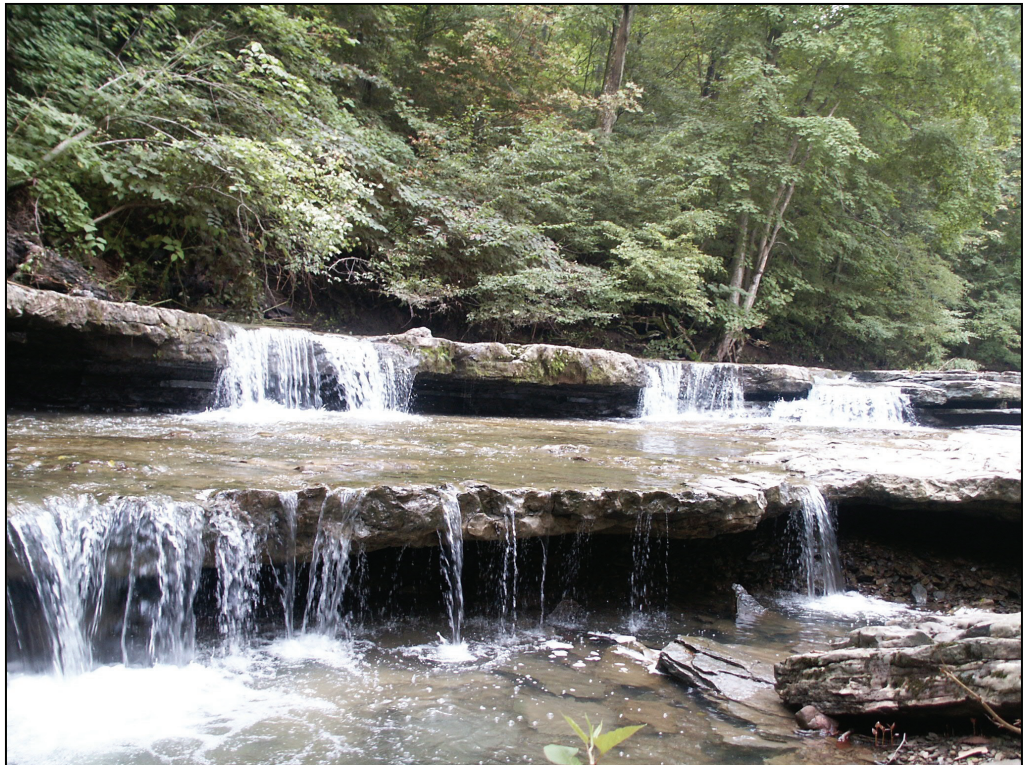
**Response (420):** We recognize that the funding for land acquisition received by the Wayne National Forest does vary from year to year. This fluctuation does not change the need to have direction in the Forest Plan to guide the program for when these funds are available. No changes have been made to the 2006 Forest Plan or FEIS based on this comment.

**421: The Wayne National Forest should place a high priority on an aggressive lands program to acquire and consolidate National Forest System lands.**

- a) **Because acquiring land and consolidating ownership provides the insurance that the "Desired Future Conditions" stated in the proposed Plan can, in fact, be met.**
- b) **Otherwise the fragmented ownership pattern of the Wayne National Forest will continue to impede future management.**
- c) **In order to supply the diversity of successional stages, habitat types, and patch sizes required by plant and animal species.**
- d) **Of both surface and subsurface ownership.**
- e) **To reach a size that can provide for viable populations of those birds most dependant on it.**
- f) **But be actively managed at a landscape level and restore forest lands to a well-defined desired future condition.**
- g) **Because without this, both terrestrial and aquatic ecosystems cannot be wholly conserved and managed.**



**Response (421):** We agree that consolidation of National Forest System lands, and the acquisition of both surface and sub-surface ownership, is advantageous for a number of management reasons. This is addressed in the EIS (Chapter 3 – Lands) and in the 2006 Forest Plan (Chapter 2, Land Ownership). Objective 14.1a in the 2006 Forest Plan identifies consolidation of National Forest System land ownership as a priority.



*Mill Creek Falls, on the recently acquired Dye Tract on the Marietta Unit*

**422: The Wayne National Forest should revise Forest Plan Objectives 14.1c (land ownership) and 15.1 (special uses).**

- a) **14.1c – Because “high potential”, “community development”, and “reasonable” are subject to interpretation.**

**Response (422):** The recommendation has not been adopted. We believe it is inevitable and desirable that there be some room for interpretation as 2006 Forest Plan direction is translated into site-specific management decisions.

**423: The Wayne National Forest should extend the proclamation boundary and/or the purchase unit boundary to include all of Sec. 32, T10N, R14W, [in] Athens County.**

- a) **Because it would include the current location of the Supervisor's Office and the Athens Ranger District office.**
- b) **Because it would provide potential trail access to the forest lands north and east of the offices.**
- c) **Because it would protect land adjacent to Highway 33 and the Hocking River.**
- d) **Because it would protect lands along the Hock-Hocking Bike Trail.**

**Response (423):** This recommendation to extend the proclamation boundary was considered, but not accepted because this proposal is outside the scope of the purpose and need for the revision of the Wayne Forest Plan. Coordination with local governments would occur before any proposed change would be considered.

**424: The Wayne National Forest should add "while retaining current proclamation boundaries" to Goal 14.1 of the Forest Plan.**

**Response (424):** This recommendation has not been implemented because retaining or changing the Wayne National Forest's proclamation boundary is beyond the scope of the revision of the Forest Plan. The proclamation boundaries are established, and can only be changed, by the U. S. Congress.

**425: The Wayne National Forest should handle acquisitions of in-holdings differently than acquisitions of lands outside the perimeter boundary/buffer.**

**Response (425):** We find that this was already addressed in the Proposed Revised Forest Plan (pages 2-52 and 2-53) and was not changed in the 2006 Forest Plan. Objective 14.1a in the 2006 Forest Plan identifies consolidation of National Forest System land ownership as a priority.



**426: The Wayne National Forest should work together with county governments on land acquisition issues.**

- a) To help achieve the Wayne National Forest's goals while keeping local entities solvent.**
- b) But should not give up a strong and progressive land acquisition program.**

**Response (426):** We find that the Proposed Revised Forest Plan addresses the relationship we want to follow with respect to local county and community governments. Please refer to the Proposed Revised Forest Plan (pages 2-52 and 2-53, Objectives 14.1a and 14.1c). This Forest-wide direction remains in the 2006 Forest Plan.

**427: The Wayne National Forest should buy up existing mineral rights.**

- a) Especially on the Ironton and Athens Units, where the Forest Service already has the highest percentage of mineral rights ownership.**
- b) Whenever possible when the Wayne National Forest acquires additional acreage.**

**Response (427):** The Forest Service acquires sub-surface rights of ownership when they become available. Consolidating surface and mineral estates is identified as a high priority for the land acquisition program (2006 Forest Plan, Objective 14.1a).

**428: The Wayne National Forest should consider exchanging some lands currently in proposed Forest and Shrubland to Diverse Continuous Forest.**

- a) The current diverse continuous forest is not likely to meet mature forest habitat needs for interior species because is spatially arranged linearly.**
- b) Where DFC does occur in blocks, the lands are mostly in private ownership, and unlikely to be acquired.**

**Response (428):** As noted in Chapter 2 of the EIS, the National Forest Management Act requires the development and analysis of a broad range of alternatives that respond to planning issues and concerns. The amount of Diverse Continuous Forest and Forest and Shrubland Mosaic varied among Alternatives A-F (see FEIS, Chapter 2 – Table 2-3). The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the

comments. In addition to the Diverse Continuous Forest Management Area, other management areas will provide mature forest habitat for interior species (i.e., Historic Forest, Future Old Forest). Late-successional forest habitat will predominate and increase over time with the implementation of the selected alternative (please refer back to the response to PC 135, 136, and 137, and refer to the FEIS, Chapter 3 – Habitat Indicator 4).

Forest-wide Goal 14.1 calls for the consolidation of ownership to enhance public benefits and improve management effectiveness. To achieve this goal, Forest-wide Objective 14.1a enables the purchase and exchange of lands on a willing seller – willing buyer basis.

**429: The Wayne National Forest should better mark their boundaries and map them in a way that is usable by the public.**

- a) Because it is very hard for a visitor to tell when they are on public land.**

**Response (429):** Wayne National Forest boundary lines are marked and maintained as budget and resources permit. There are Wayne National Forest maps, showing boundaries, available to the public at different map scales. These maps are periodically updated.

**430: The Wayne National Forest should strengthen the Forest Plan section on “Maintain Boundary Lines”.**

- a) Under 14.2a, indicate a desired program, possibly as a range,**
- b) Under 14.2, consider language to the effect "Utilize and Small Tracts Act to resolve situations which are incidental or are determined to be innocent trespass".**

**Response (430):** The 2006 Forest Plan includes a Forest-wide goal to maintain boundary lines (Goal 14.2), to achieve this goal, Forest-wide objective calls for the survey and posting of landlines not currently marked, and to maintain lines previously marked on a 10-year cycle. Incidents of trespass will be resolved on a case by case base.

**431: The Wayne National Forest should recognize that acquiring land and consolidating ownership provides the insurance that the "Desired Future Conditions" stated in the proposed Plan can, in fact, be met.**

**Response (431):** We agree, and point out that Forest-wide Goal 14.1 is entitled, “Consolidate Ownership”.

**432: The Wayne National Forest should consider removing or rewording Goal 14.1, Objective 14.1c, 1st and 2nd bullets [page 2-53]**

- a) to make the role of land acquisition and community relations negotiable and collaborative and that builds support for Wayne National Forest land acquisition decisions.
- b) Because the Wayne National Forest focus on logical patterns of land-use and needs based on an inherently sound biological management plan, and not adhere to county-wide land-use plans that simply do not exist in Appalachia Ohio.

**Response (432):** The two bulleted statements referred to in the comment have been reworded in the 2006 Forest Plan.

**433: The Wayne National Forest should increase the number of large, contiguous areas of hardwood forest would benefit interior forest migratory birds, as well as, numerous other forest dependent plant and animal species.**

**Response (433):** Consolidation of land ownership would improve management effectiveness. Land acquisition is on a will seller, willing buyer basis (see Forest-wide Objective 14.1a) and large contiguous areas could take many years to develop.

**434: The Wayne National Forest should acquire young forest and shrub/scrub lands.**

- a) To provide additional habitat for wildlife dependent on these conditions.
- b) To help mitigate the current low amounts of early successional habitat.

**Response (434):** We agree that acquiring cutover lands would provide a temporary increase in the amount of early successional forest habitat on the Wayne National Forest. Land acquisition is on a will seller, willing buyer basis (see Forest-wide Objective 14.1a); some lands offered for purchase possess early successional habitat, while others do not.

**435: The Wayne National Forest should not continue to acquire lands in Monroe County.**

- a) **Until you use what you do have.**
- b) **Until you help the county receive economic benefits from having the forest lands.**
- c) **Until you can prevent the eroding of our tax base when you acquire land in the county.**

**Response (435):** Acquisition of lands can serve many purposes, some of which cannot be readily seen. For example, lands that remain undeveloped may provide habitat to a myriad of plants and animals. Availability of these habitats to the public benefits local economies because as we've seen in previous comments, many people come to the Wayne National Forest to hunt, fish, or view these plants and animals. The FEIS also shows that viewing wildlife and viewing natural features are the two activities in which the most Wayne National Forest visitors participate (over 68 percent) (FEIS, Chapter 3, Recreation). Development of acquired lands can provide opportunities for hiking, camping, or other uses that also bring benefits to the local economies.

The FEIS contains a section that details the effects of national forest ownership on social and economic effects, including how the Federal government helps fund local governments through the 25 percent fund, Payment in Lieu of Taxes program, and through a share of mineral royalties (Chapter 3 – Social and Economic Effects section). Analysis shows that the presence of National Forest Land does not negatively impact local tax revenues, and contributes positively to rural community economic development. We believe that the Wayne will be better able to deliver the benefits the American public expects from its national forests, as national forest ownership with the proclamation boundary is increased through continued acquisition of undeveloped forest land.

## **2. Special Uses**

**436: The Wayne National Forest should consider adding “Provide cost effective management in agreement with all goals and objectives” to Goal 15.1.**

**Response (436):** The Forest Service routinely takes into consideration cost effective management and planning in the administration of special uses. The administration of special use authorizations is directed by code of Federal regulations, Forest Service rules, and the specific authorization (permit). The special uses program management and associated monitoring assume cost effectiveness to achieve compliance.

**437: the Wayne National Forest should not allow communications sites or utility corridors.**

**Response (437):** The land ownership pattern of the Wayne National Forest is such that private lands intermingle with National Forest System lands. As such, utility corridors are necessary to provide private citizens with utilities. If a utility company desires to cross the Wayne, a special use authorization or permit is required which is subject to rules, regulations, land-use fees, and administration coordination and review. Acquired lands in many instances contain existing utility corridors. Large contiguous blocks of consolidated ownership ultimately will reduce the number of utility corridors since there would be a reduction in the need to provide utilities to private lands.

Generally, telecommunication companies are reluctant to occupy National Forest System lands for communications sites, preferring to lease private lands. However, when that is not possible, authorization to provide communications sites on National Forest System lands comes from the Act of October 21, 1976 (43 USC 1761). Forest Service policy for communications sites use management is to authorize only those uses that meet 2006 Forest Plan direction (Goal 15.2, Objective 15.2a, and the associated standards and guidelines); to facilitate the orderly development of sites to provide a safe and high quality communication environment; to maximize efficient use of the communication site; and to collect fair market value fees for communications uses on the Wayne National Forest.

The 2006 Forest Plan does not authorize any site-specific communications sites or utility corridors. Prior to authorization of such projects the Forest would undertake appropriate NEPA compliance and public involvement. The 2006 Forest Plan considered this issue from a programmatic, Forest-wide view, but does not increase the availability of National Forest System land for such projects. When proposals are made to the Forest, site-specific evaluation occurs.

**438: The Wayne National Forest should clarify if existing utility corridors are grandfathered in GFW-SPEC-4 on page 2-54 of the Plan.**

**Response (438):** Forest-wide guideline GFW-SPEC-4 supports the location of new utility corridors outside of wetlands and riparian areas, and involves the issuance of new authorizations. If an existing utility corridor is within a wetland or riparian area, it is a pre-existing use or an outstanding right that likely precluded the ownership of the United States via an easement deed or legal instrument. When a utility company desires to relocate a utility from such an area on National Forest land, the Forest Service would direct the location to be away from riparian areas and designated wetlands. Existing utility corridors were considered part of the environmental baseline in the analysis of cumulative effects for the 2006 Forest Plan. These established uses are part of the existing condition of the land. The guideline is directed towards new utility corridor proposals.

**439: The Wayne National Forest should encourage utility companies to relocate utility line rights of ways to locations with better access to provide for better maintenance or repair of the utilities.**

**Response (439):** Many utility line rights of ways exist on the Wayne National Forest with outstanding rights of easements that existed prior to the acquisition of the land by the Forest Service. The easements provide the utility company the rights to access, maintain and service their property within the lands of the National Forest. If a utility company requests to construct a new line across National Forest land a special use permit for a utility is required. The terms and conditions of the permit allow the utility company to occupy National Forest land. Several utility companies have relocated their rights of ways closer to open existing corridors along the public roadways, but a special use permit is required and their easement is abandoned. Unless very unique circumstances exist, the Forest Service cannot require a utility company to relocate their easement and accept a special use permit.

**440: The Wayne National Forest should not allow National Forest land to be used by the military, including the use of airspace for flyover trainings.**

**Response (440):** The Forest Service Manual (1533.1) has a Master Agreement Concerning the Use of National Forest System Lands for Military Activity. The Forest Service has a long history of agreement on the use of National Forest land for training areas for the military to contribute to national security. The military also provides assistance on National Forest lands during wildfires and this cooperative use is essential in the protection of our National Forest. The Master Agreement concerning the use of National Forest lands for military purposes provides directions and coordination for the protection of the natural resources and the ability to provide for a training environment.

Military use of the Wayne National Forest has been minimal, primarily because the fragmented ownership pattern of the Forest does not provide suitable areas for the types of training exercises the military needs. Any proposed use would have to conform to the environmental protection measures of the Forest Plan, and would require site-specific analysis prior to approval. Nevertheless, we do not believe it would be appropriate to preclude the possibility of some future military use of the Forest, given the responsibility of all federal government agencies to cooperate in furthering the overall national objective of protecting the security of our citizens.

## VII. Special Designations

### 1. Roadless Areas and Wilderness

**441: The Wayne National Forest should protect the most suitable sites to begin the long-term process of preparing a large area for a future wilderness or national park.**

- a) Because Ohio is one of two states in the entire country without a wilderness area.**
- b) Because designating the area as national park will bring in more money to the state and the local area.**
- c) Because some current timber projects could affect future designation.**

**AND**

**442: The Wayne National Forest should consider establishing a wilderness area.**

- a) Because the Forest contains special elements, such as bobcats and bears.**
- b) Because of the Forest's large land size, such as tracts located on the Iron-ton District.**
- c) Because a wilderness ensures the survival of plant and animal species that depend on large tracts of contiguous old growth forests.**
- d) Because a wilderness would serve multiple needs simultaneously for the public, for wildlife habitat protection, and for the forest ecology.**

**Response (441 and 442):** Our analysis indicates that there are no areas of the Wayne National Forest which have roadless or wilderness character (FEIS, Appendix C). As noted in Chapter 2 of the EIS, alternatives that would have included recommendations for wilderness designation were considered, but were eliminated from detailed analysis because of the Wayne National Forest's lack of roadless areas. The comments expressed a preference for wilderness, but did not include any information that the Forest overlooked in its analysis of wilderness. There is no evidence that the Forest's methodology in analyzing this issue was flawed, or overlooked significant information that would have changed the range of alternatives, effects analysis, or decision. We have listened to the public on this issue, and have been sensitive to the concerns of those that are supportive of wilderness and those who oppose it. The analysis documented in Appendix C explains in depth the factors considered.

The conversion of the Wayne National Forest to a national park was also eliminated from detailed consideration because this is not within the authority of the Forest Service (DEIS, page 2-8).

We agree that it is appropriate to allocate parts of the Wayne to a management regime where natural processes predominate, and management is minimal. This is the prescription of the Future Old Forest (FOF) and Future Old Forest with Minerals (FOFM) Management Areas (see 2006 Forest Plan, Chapter 3). The DEIS identified Alternative E, with 10% of the Forest allocated to these management areas, as the preferred alternative. The Regional Forester has identified in the Record of Decision the alternative which provides the best balance in meeting the wide range of public desires evident in the comments; the selected alternative for the 2006 Forest Plan allocates approximately 3,000 additional acres to FOF (adjacent the Morgan Sisters Special Area), or total of 11% of the Wayne National Forest to the FOF and FOFM Management Areas.



*Much of today's Wayne National Forest looked like this 70 years ago. Eroding lands were purchased by the Forest Service and reforested with help by the Civilian Conservation Corps.*



**443: The Wayne National Forest should revise its roadless/wilderness inventory and analysis.**

- a) Because potential lands suitable for wilderness were not considered.
- b) Because national forest lands with outstanding mineral rights were improperly disqualified from the roadless inventory.
- c) Because potential lands suitable for wilderness were disqualified based on outside influences, such as sights and sounds from other areas.
- d) Because the Forest did not field check its roads to determine if they are “improved”.
- e) Because the Forest did not consider all criteria for roadless/wilderness evaluation as listed in Forest Service Handbook 1909.12, Chapter 7.11 and 7.11b.
- f) Because the Forest followed Forest Service Handbook 1909.12, Chapter 7.11 and Region 9’s directions for roadless area inventory, which was not subject to public comments and violates the Wilderness Act.
- g) Because the Forest did not consider if areas had outstanding opportunities for primitive and unconfined recreation.
- h) Because the Forest eliminated areas by applying criteria from both Forest Service Handbook 1909.12, Chapter 7.11 and 7.11b, not one or the other.
- i) Because boundaries could be changed to resolve road issue [areas not being considered for wilderness designation because of road density or roads on the boundaries].
- j) Because an area does not need to be able to provide solitude.
- k) Because an area does not require a 2,500 semi-primitive ROS core.
- l) Because the Forest Service could use the power of eminent domain to acquire any lands or subsurface rights to create roadless areas.

**Response (443):** The Forest Service is committed to protecting and managing roadless areas as an important component of the National Forest System. The National Forest Management Act, 36 CFR 219.17, and Forest Service Manual 1920, Section 1923, require that the identification and evaluation of roadless areas be considered for recommendation as potential wilderness areas during the forest planning process according to national protocol. Toward this goal, the Forest Service conducted roadless inventories using Forest Service Handbook 1909.12, Chapter 7 and Region 9 direction. These areas were then evaluated based on several criteria to determine if they should be recommended for the roadless area inventory. The discussion about the roadless inventory and conclusions are expanded in Appendix C of the

DEIS and FEIS. Based on our evaluation, none of the areas were found to be eligible for roadless nomination.

The following are responses to individual sub-concerns listed above:

The potential suitability of lands within the proclamation boundary of the Forest for wilderness was considered. Refer to Appendix C (Inventory Process) in the DEIS and FEIS. At every step of the analysis, results were evaluated so that areas that were close to, but did not meet the criteria, were considered. The comment did not identify specifically potential lands that the Forest failed to consider. The analysis was of potential lands was comprehensive and thorough.

National Forest lands with outstanding mineral rights were considered in the roadless inventory. These areas were eliminated because the Forest Service could not ensure perpetuation of wilderness values if an area met the inventory criteria. (FSH 1909.12, 7.11(b) 3) The comment does not explain why these areas which are subject to future mineral development should be included as part of the inventory, or what difference this might have made if they had been retained. No specific lands are identified in the comment. Subsequent mineral development which would alter the character of the land is a bona-fide factor for consideration; it is unclear why the commentor believed that such lands were “improperly disqualified.”

Potential lands suitable for wilderness were disqualified based on outside influences, such as sights and sounds from other areas, based on Forest Service Handbook 1909.12, 7.11(b) 4 which states: “The location of the area is conducive to the perpetuation of wilderness values. Consider the relationship of the area to sources of noise, air, and water pollution, as well as unsightly condition that would have an effect on the wilderness experience...” The comment does not identify any specific lands that were “improperly disqualified” but instead generally challenges the methodology used to conduct the analysis. The comment does not explain how the Forest’s methodology was inaccurate. Forest Service Handbook guidance for this analysis was carefully followed.

The Forest Service used its Geographical Information System (GIS) roads inventory in determining the boundaries of potential areas. The GIS roads inventory has been field checked to ensure accuracy. These field verifications may be found in the planning record, see also EIS Appendix C.

It was not necessary for the Forest Service to consider all criteria in Forest Service Handbook 1909.12, Chapter 7.11 and 7.11b for all of the areas. Some areas were eliminated by a single criterion so there was no need to consider additional criteria. The comment does not explain why consideration of all criteria, after it was determined that an area did not meet one of the criteria, was required, or would have made a difference in the decision. Once an area is disqualified, it is no longer relevant whether or not the area met other applicable criteria. The proposal in the comment would waste scarce time and resources in analysis that would not have had any practical outcome - the

areas still would not have met the criteria for which they were not recommended.

Forest Service Handbook 1909.12, Chapter 7.11 was subject to public comment in 1992. Region 9's letter of direction (August 13, 1997) was not subject to public comment. We disagree that following the directions in either of these documents violates the Wilderness Act. The Regional letter is an internal agency guidance document or policy interpretation of the existing Handbook, and as such is not required to be subject to public comment. The guidance has been in existence for nearly a decade, and the pattern of agency practice under the Handbook and guidance is well established. The comment does not explain what comments, if any, would have been submitted, or what revisions should be made in the Handbook. The alteration of national Handbook or regional guidance letters is not properly within the scope of purpose and need for revision of the Wayne Forest Plan.

The Forest Service did not consider if areas had outstanding opportunities for primitive and unconfined recreation because this criterion only applies to wilderness area evaluation (FSH 1909.12, Chapter 7.21(3)), not to roadless inventory and evaluation.

The Forest Service used both criteria (FSH 1909.12, Chapter 7.11 and 7.11b) for evaluating potential roadless areas. The criteria from Chapter 7.11 were only used in conjunction with criteria from 7.11(b). If the criteria from Chapter 7.11 were not used the results of the evaluation would remain the same with the areas being eliminated using the criteria from Chapter 7.11(b). (see DEIS, Appendix C). This approach is consistent with the Handbook, agency practice, and regional guidance. The comment does not explain why this methodology is incorrect, or how the decision would have been different had a different approach been used. The Forest used the best available information and applied it according to the analysis framework set forth in the Handbook and regional guidance. The Forest's detailed analysis of particular areas and rationale for its determination of particular areas is set forth in Appendix C. The comment challenges the general methodology used in evaluation of areas, but does not explain why particular areas were not properly analyzed.

The Forest Service utilized roads that are open and maintained for passenger cars (state, county, and township roads and Forest Service operation maintenance level 4 or 5 roads) to delineate the areas' boundaries and to determine road density within those areas. Most of these boundaries were formed using state, county, and township roads which are not under Forest Service jurisdiction and cannot be easily changed. These boundaries were established because they are easy to define, locate, and manage. This approach is consistent with the Handbook, agency practice, and regional guidance. There is no indication that this methodology was in error or not reasonable, given the limited time and resources available for analysis. Appendix C sets for the rationale for the Forest's decision to use roads as boundaries. Notwithstanding the commentor's preferences, this is a reasoned approach.

The Forest Service did not use “the ability to provide solitude” as an evaluation criteria.

The Forest Service did not use a requirement of a 2,500-acre semi-primitive ROS core area as an evaluation criterion.

As the commenter suggested, the Forest Service could technically use the power of eminent domain to acquire any lands or sub-surface rights to create roadless areas. However, we have committed to only use power of eminent domain under rare circumstances (see 2006 Forest Plan, Forest-wide standard SFW-LAND-2).

**444: The Wayne National Forest should provide adequate information (i.e. maps and detailed information of the areas evaluated) so the public can adequately comment on the Wilderness and Roadless analysis.**

**Response (444):** The Roadless Area inventory was completed in November 2003 and made available to the public at that time. The GIS maps used in this inventory were available in the administrative record at the Wayne National Forest headquarters in Nelsonville, Ohio since the analysis was completed.

Maps were not included in the appendix of the DEIS because no areas on the Forest met the inventory criteria. The interdisciplinary team received and reviewed a significant amount of public comment on the wilderness and roadless area issue. This public input was very useful in the development of the 2006 Forest Plan, and suggests that adequate information was available to the public regarding this issue. Based upon the high quality and large quantity of public comment received on wilderness and roadless areas, it is reasonable to conclude that the public had adequate information to review and comment upon. There is more information that can be made available, but time and resources for producing this information as well as for review by the public are limited. There is no evidence that any essential information was not available to the public, nor is there any indication that the public did not understand the alternatives and analysis. The commentator does not indicate that they were unable to comment, but only suggests that had more information been available, their comments might have been different. This is speculative; nor is it clear how this would have changed the decision.

## 2. Special Areas

**445: The Wayne National Forest should not eliminate roadless areas, old growth forests, old growth areas, wilderness areas and unique habitat areas for rare plants and animals.**

**Response (445):** We agree that protecting unique habitat for rare plants and animals is a high priority. We have allocated 7,546 acres to the Special Area management area to protect such values. One of these Special Areas (Morgan Sisters Woods) is the closest thing to old growth on the Wayne National Forest. The Wayne National Forest does not have any roadless areas or wilderness areas (see DEIS/FEIS, Appendix C).

**446: The Wayne National Forest should add a standard on Page 3-43 requiring continued monitoring for suitability and inclusion and a requirement to survey potential new recruits to the Special Areas Management Area on both new and current lands.**

**AND**

**447: The Wayne National Forest should [Page 3-40] identify gaps in the knowledge/research base which could be somewhat rectified by the search for and identification of new candidates for this [special area] management category.**

**Response (446 and 447):** The Candidate Areas (CA) Management Area provides the opportunity to add “new recruits” to Special Areas. As noted in the desired future condition for CAs, these areas are analyzed to determine their suitability for Special Area or Research Natural Area consideration. We are continually surveying newly acquired and exiting national forest ownership for potential Candidate Area designation. Any suggestions from the public with knowledge of such areas would be welcome.

**448: The Wayne National Forest should consider that primary benefits of special areas may also include acting as controls for management used in other locations, thus, there is a management information component, as well as, scientific value (Page 3-41).**

**Response (448):** The suggested change has been incorporated into the 2006 Forest Plan.

**449: The Wayne National Forest should give special attention toward protecting Special Areas from motorized recreation use.**

**Response (449):** Motorized trail use is not permitted in the Special Area Management Area (2006 Forest Plan, Forest-wide standard S-SA-REC-1).

**450: The Wayne National Forest should modify the description of the Handley Branch Special Area.**

- a) **To indicate that a second population of blue scorpionweed exists in Lawrence County outside Handley Branch.**

**Response (450):** This change has been made in the 2006 Forest Plan.

**451: The Wayne National Forest should modify the description of the Minnow Hollow Special Area.**

- a) **To indicate that several state listed plants occur in Minnow Hollow.**
- b) **To indicate that beavers are modifying the Area's vegetation along the stream.**

**Response (451):** The description of Minnow Hollow has been modified in the 2006 Forest Plan.

**452: The Wayne National Forest should monitor the population of nutrush in Fradd Hollow Special Area.**

**Response (452):** The 2006 Forest Plan includes the goal of maintaining viable populations of native plants and animals (Goal 4.1). The Special Area Management Area was established in large part to provide habitat and protection for rare plants, such as the nutrush. The 2006 Forest Plan does not include an objective for monitoring rare plant populations in special areas, although such populations are monitored when possible, often with the assistance of interested and knowledgeable volunteers.

There is no requirement in NFMA or its regulations that specifically mandates monitoring of plants such as the nutrush in special areas. Such plants will be monitored and, of course, protected under the management direction of the 2006 Forest Plan. We have informally monitored the species in the past, and maintain knowledge of the population dynamics of the species on the Forest. There is no indication that an explicit monitoring requirement would enhance the protection of the species beyond the comprehensive resource protection for nutrush already in place in the 2006 Forest Plan.

**453: The Wayne National Forest should consider adding Fradd Hollow, Minnow Hollow, Waterfall Cove, Special Areas, Research Areas, and Candidate Areas to Concern Level 1 and County Road 4, Etna Waterloo (all), County Road 18 (all), County Road 37 (1/2 mile on each side of entrance to Timbre Ridge Lake) to Concern Level 2 for scenery management.**

**Response (453):** Special Areas, Research Areas, and Candidate Areas were designated for the protection or maintenance of the unique geological, ecological, cultural characteristics, or other scientific values of these areas. The purpose and desired future condition for each of these management areas are outlined in Chapter 3 of the 200 Forest Plan. Although important, scenery was not the predominant value for designating these special areas. For this reason, they were not assigned a Concern Level 1 for scenery management. However, these special areas will be managed in such a manner that would minimize impacts to their scenic resources.

The commenter did not specify which county from which County Road 18 was located. The Forest Service presumed it to be located in either Hocking or Perry County because they traverse through the Wayne National Forest. County Road 18 in either of these counties does not contain any unique or special scenic values that warrant a Concern Level 1 or 2 designations. Approximately 5 miles of County Road 4 (Etna Waterloo) that can be seen from the Lake Vesuvius Recreation Area is in the Concern Level 1 area. The remainder of this road will be managed under Concern Level 2 or 3 for scenery. With respect to County Road 37, approximately one-half mile of the road falls within a Concern Level 2 area. The remainder of this road will be managed as a Concern Level 3 for scenery.

### 3. Wild, Scenic and Recreation River Designation

**454: The Wayne National Forest should promote the designation of the Little Muskingum River into the Wild and Scenic Rivers program.**

**Response (454):** The Wayne National Forest completed a Wild and Scenic Rivers analysis in 2004 of the Little Muskingum River and found the river to contain no values that were considered “outstandingly remarkable” and therefore, it was determined to be ineligible for Wild, Scenic, or Recreation River nomination. Please see the DEIS (Appendix B, pages B-14 through B-17) for more information about the Wild and Scenic Rivers analysis process.

## VIII. Social and Economic

### **455: The Wayne National Forest should add (P. 2-58) "Production of illegal drugs" to the list of law enforcement priorities.**

**Response (455):** We agree that controlling illegal drug production is an important law enforcement priority. This is reflected in national Forest Service priorities and policies. However, state and local law enforcement agencies generally have the lead in drug law enforcement. Also, some national forests have an especially large problem of illegal drug production (e.g. marijuana cultivation or methamphetamine “cooking”). This problem has not been particularly prevalent on the Wayne. Whenever illegal drug production is reported on the Wayne National Forest, it moves to the top of the law enforcement priority list.

### **456: The Wayne National Forest should encourage economic development in adjacent communities.**

- a) To compensate for National forest lands removed from local tax base.**
- b) To compensate for inadequate PILT payments.**
- c) To build better relations with Monroe County.**

**Response (456):** We agree that the economic development of adjacent communities is desirable. To that end we have retained Objective 14.1c in the 2006 Forest Plan. “Foster good neighbor relations with local communities” and Goal 15.1 “Authorize special use s that serve the public, promote public health and safety...” The Forest Service is also committed to participating in national Forest Service programs that contribute to local communities. Please refer back to PC 435 for information on social and economic effects of national forest ownership.

### **457: The Wayne National Forest should encourage private cooperators to provide resources such as canoe rentals, campsites, etc.**

- a) To improve recreational opportunities.**

**Response (457):** We agree that is desirable for private cooperators to provide recreational opportunities and will cooperate in providing necessary permits as appropriate. This is consistent with 2006 Forest Plan Goal 15.1 “Authorize special uses that serve the public...” We do not believe that it is necessary to develop a standard or guideline to achieve this result.



**458: The Wayne National Forest should develop and employ economic incentives to protect or restore the ecological integrity of intact forest ecosystems.**

**Response (458):** We agree that we need to protect or restore the ecological integrity of intact forest ecosystems. The 2006 Forest Plan goals and associated objectives and standards and guidelines are designed to move toward this on national forest ownership. The Forest Service authority to offer economic incentives to private landowners for ecological restoration is limited to what Congress appropriates in certain State and Private Forestry programs. The 2006 Forest Plan does not address these programs.

**459: The Wayne National Forest should discourage local communities from developing unsuitable lands.**

**a) To prevent erosion, non-point pollution, destruction of habitat, and disturbance to wildlife.**

**Response (459):** We agree that unsuitable lands should not be developed. However, it would not be appropriate or within its authority for the Forest Service to intervene in the economic development decisions made by local communities.

**460: The Wayne National Forest should encourage surrounding communities to buffer the forest core with low-impact economic industries such as agriculture.**

**a) To support vibrant rural economies while protecting ecological values.**

**Response (460):** We do not believe that it would not be appropriate or within the authority of the Forest Service for it to intervene in the economic development decisions made by local communities.

**461: The Wayne National Forest should recognize the governing rules of corporation dominated globalization.**

**a) To better contribute to the economics of local communities.**

**Response (461):** We believe that the rules governing corporations are beyond the scope of this analysis.

**462: The Wayne National Forest should include the cost to the taxpayer of employee salaries in economic analysis.**

**a) To make the analysis more equitable.**

**Response (462):** All Wayne National Forest expenditures, including employee salaries, represent a net economic benefit to the region. Please refer to the DEIS, Appendix B (page B-39).

**463: The Wayne National Forest should manage the mineral and timber extractions from national forest so that the fair market value is produced.**

**Response (463):** The Forest Service offers timber sales on the open market and awards the timber sales to the highest bidder, therefore, in a market such as the Wayne National Forest where there are many timber purchasers, the fair market price is generally paid. Other items such as minerals are offered at fair market values at the time the commodity is offered.

**464: The Wayne National Forest should use mineral/timber extraction agreements that produce fair-market value income.**

**Response (464):** The rules and regulations governing the sale of Federal minerals and timber insure that the Federal government receives a fair return for all sales.

**465: The Wayne National Forest should recognize that the development of timber, oil, and gas are not critical to the local economies as it once was.**

**a) Because with GATT and WTO, the world is now a global economy.**

**Response (465):** The economic impact of timber harvest and mineral extraction is described in the DEIS (pages 3-249 through 3-292).

**466: The Wayne National Forest should promote economic development through ecotourism and recreation-based management.**

**Response (466):** We agree that ecotourism and recreation are activities that should be encouraged in and around the Wayne National Forest. These activities are consistent multiple use management and with 2006 Forest Plan Recreation Goal 11.1- "Provide broad range of recreation".



*Community involvement during project-level planning led to the construction of the Lake Vesuvius boardwalk. This one-quarter mile long, over-the-water boardwalk offers Forest visitors of all ages and abilities the chance to enjoy the outdoors, whether it means fishing, watching birds, or just relaxing in a forest setting.*

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## Responses from Agencies, Elected Officials and Tribal Governments

The Wayne National Forest received responses from other federal agencies, from State of Ohio Department of Natural Resources, one local elected official and one tribal government as shown below. Copies of their response letters, in their entirety, follow in the same order as they listed below.

### **Federal Government Agencies**

U.S. Environmental Protection Agency, Region 5; Chicago, Illinois.

Signed by: Kenneth A. Westlake, Chief, NEPA Implementation Section, Office of Science, Ecosystems and Communities

U.S. Federal Aviation Administration, Detroit Airports District Office; Detroit, Michigan.

Signed by: Katy (Katherine) Jones, Community Planner

U.S. Department of Interior, Office of Environmental Policy and Compliance; Philadelphia, Pennsylvania.

Signed by: Michael T. Chezik, Regional Environmental Officer

### **State of Ohio Agencies**

Ohio Department of Natural Resources, Division of Real Estate and Land Management; Columbus, Ohio.

Signed by: Randall E. Sanders, Environmental Administrator

Ohio Department of Natural Resources, Division of Wildlife; Columbus, Ohio.

Signed by: Stephen A. Gray, Chief

### **Local Elected Officials**

Monroe County Auditor; Woodsfield, Ohio.

Signed by: Pandora J. Neuhart, Auditor

### **Tribal Government**

Eastern Shawnee Tribe of Oklahoma; Seneca, Missouri.

Signed by: Jo Ann Beckman, Administrative Assistant



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590  
**JUL 01 2005**

REPLY TO THE ATTENTION OF

**B-19J**

Robert M. Gianniny, Forest Planner  
Wayne National Forest  
13700 Highway 33  
Nelsonville, Ohio 45764-9880

**Re: Draft Environmental Impact Statement for the Proposed Land and Resource Management Plan for the Wayne National Forest, Athens, Gallia, Hocking, Jackson, Lawrence, Monroe, Morgan, Noble, Perry, Sciota, Viton and Washington Counties, Ohio - EIS No. 20050133**

Dear Mr. Gianniny:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed the Draft Environmental Impact Statement (EIS) and the Proposed Land and Resource Management Plan (Forest Plan) for the Wayne National Forest (Forest) in accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA). We are pleased to have this opportunity to add U.S. EPA's suggestions to the planning effort for the Forest.

Located in southeastern Ohio, the Forest consists of approximately 238,050 acres of forested hills, rock bluffs and shelters, sandstone and shale caves, riparian habitat, a deciduous forest canopy consisting predominantly of oak-hickory forest with scattered pines, and temporary openings created by timber harvests. There is a mix of public and private lands within the Forest's proclamation boundary. The Forest is managed under the multiple use concept, providing for the conservation and wise use of natural resources.

Several issues identified as important to forest planning and the need for change include watershed health, plant and animal habitat, recreation management, land ownership, minerals resource management, and roadless areas, wilderness and wild and scenic river recommendations. The U.S. Forest Service (USFS) evaluated six alternatives in the Draft EIS for revision of the Forest Plan. The six alternatives address these issues in a variety of ways, such that each would meet the stated purpose and need. The Preferred Alternative, Alternative E, provides for diverse wildlife habitats, including extensive tracts of mature forest, and early successional habitat. It would also provide more management for restoration and maintenance of the mixed oak ecosystem than any other alternative, while meeting species viability needs.

This planning effort is timely and critical to the continued health of the Forest. The Forest remains among the few areas capable of maintaining plant and animal diversity on a landscape scale while providing recreational opportunities to satisfy the growing public demand for outdoor recreational experiences in natural settings.

Because of these demands upon the Forest, the U.S. EPA supports the preferred alternative identified in the Draft EIS. The preferred alternative appears to strike a balance between conservation of the species found on the Forest and wise use. Specifically, the U.S. EPA would like to commend the USFS for recognizing the importance of restoring an oak-hickory composition within its natural range.

Based on our review of the two documents, we have assigned a rating of **EC-2 (Environmental Concerns-Insufficient Information)** to the Draft EIS and the proposed Forest Plan. A summary of the rating system used in the evaluation of these documents is enclosed for your reference. We offer the following comments on the Draft EIS for consideration during development of the Final EIS and the final Forest Plan.

***Management for early-successional and grassland habitat***

We recommend further justification be included in the Final EIS to support proposed management activities pertaining to these two habitat types. We believe it would be useful to include additional information pertaining to Neotropical migratory bird species (NTMB), many of which have declined during the past 50 years, as a benchmark for the necessity to manage these seral stages.

We appreciate your discussion of population trends for all NTMB Management Indicator Species on their breeding grounds. We suggest the following additional detail be included in the Final EIS: 1) tract size needed to maintain viable populations, particularly for area sensitive species; 2) whether appropriately-sized tracts of suitable habitat currently exist, how many tracts, and where they are located on the Forest; and 3) possible reasons for population declines. Exploring this information for the NTMB associated with the early-successional and grassland habitats should support the DEIS conclusion that proposed management is consistent with the goal of maintaining species viability for the entire suite of NTMB species that use the Forest, which is a major breeding area within the State of Ohio.

***Selection of Alternative E as the Preferred Alternative***

We recommend the Final EIS and/or Record of Decision include a summary paragraph explaining why Alternative E provides the best management direction for the Forest when compared to Alternatives C, D, or F, which are variations on a theme and thus vary on within a small range. An analysis of the benefits and detriments associated with this management selection over the other three alternatives would make the USFS's reasoning clearer in support of the selection of the preferred alternative. A summary would describe for the public how the USFS will make progress toward its goals for the Forest, particularly with regard to the viability of all species and a suitable mix of habitat.

***Increased monitoring***

We believe the proposed management activities could be enhanced by including additional monitoring events for species of global concern and invertebrate species, brown-headed cowbirds, and white-tailed deer.

The invertebrate taxa generally do not receive adequate representation in conservation planning largely due to the paucity of data regarding their status. With a concerted sampling effort, baseline information including distribution and population numbers could be developed.

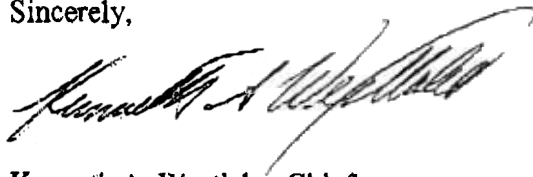
We recommend continued monitoring of brown-headed cowbirds and their effect on the breeding success of NTMB. According to discussions with Forest personnel, recent monitoring efforts have discovered that brown-headed cowbird parasitism is lower in Ohio than levels discovered in Southern Illinois and Southern Indiana. This lower amount of cowbird parasitism on the Forest may be attributed to the fact that the area within the Forest's proclamation boundary is fairly contiguously forested (approximately 80% forested), with less agriculture surrounding the Forest.

We feel continued monitoring of this species and its effect on NTMB is warranted given NTMB's global declining status. Nest parasitism by cowbirds has been shown to be a chief constraint on the breeding success of many Neotropical migrants, effectively causing some breeding areas to become sink populations for certain species because viable populations cannot be maintained with cowbirds present. Because the Forest is one of the last remaining major tracts of forested habitat in the Midwest, cowbirds' effect on Neotropical migrant breeding success is of particular importance. If, in the future, it is discovered that cowbirds are negatively affecting NTMB breeding success at unsuccessful levels, we suggest adaptive management, include a cowbird trapping program.

We also recommend using the data compiled from exclosures to study fuels on the Forest to monitor herbivory effects of white-tailed deer. The results of such monitoring are important to determine the impacts of deer on forest structure and ecology, particularly ginseng. While we acknowledge that the Ohio Department of Natural Resources (ODNR) establishes target numbers for deer harvests, not the USFS, interaction between the USFS and the ODNR would provide useful information to set harvest targets that would, hopefully, keep the deer population to a size not detrimental to the habitat. Lastly, we support the development of a monitoring approach to assess the status of ginseng populations on the Forest and the effects, if any, from selective browsing and harvest. Information regarding these activities should be included in the FEIS.

We welcome the opportunity to meet with the Forest Plan Revision Team to discuss the identified issues and assist the USFS in any way possible between now and the publication of the Final EIS and the Record of Decision. Thank you for your willingness to consider our comments; we hope they will be useful to you. If you have any questions concerning these comments, please contact Kathleen Kowal of my staff at (312) 353-5206.

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Science, Ecosystems and Communities

cc: Randy Moore, Regional Forester  
Enclosure – Summary of Rating Definitions

WYNF0171



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604-3590

OFFICE OF STRATEGIC ENVIRONMENTAL ANALYSIS FAX COVER SHEET  
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Wayne National Forest

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7/1/05

NO. OF PAGES:

4

COMMENTS:





Katherine.S.Jones@faa  
.gov

06/17/2005 03:22 PM

To: comments-eastern-wayne@fs.fed.us  
cc: John.Wesley@faa.gov, Irene.Porter@faa.gov  
Subject: Wayne National Forest Land and Resource Management Plan DEIS

The Federal Aviation Administration (FAA) has reviewed the location of this project. The closest publicly owned/publicly used NPIAS airport is approximately 20 miles away. The FAA has no comments.

Katy Jones  
DET ADO

*Received  
6/17/2005*



# United States Department of the Interior

WYNF0189

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904



IN REPLY REFER TO:

June 29, 2005

ER 05/287

Mr. Randy Moore  
Regional Forester  
Eastern Region Office  
U.S. Forest Service  
626 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

Dear Mr. Moore:

The Department of the Interior (Department) has reviewed the March 2005 Draft Environmental Impact Statement (EIS) and Draft 2005 Land and Resource Management Plan (LRMP or Forest Plan or Plan) for the Wayne National Forest (NF) in Athens, Gallia, Hocking, Jackson, Lawrence, Monroe, Morgan, Noble, Perry, Scioto, Vinton, and Washington Counties, Ohio. The Department offers the following comments and recommendations for your consideration.

## GENERAL COMMENTS

The Draft EIS provides a good overview of each of the alternatives, with sufficient information provided to allow the reader to understand the components of each of the proposals. We recognize the difficulty in considering competing interests in formulation of a management plan, including a balancing of differing and often conflicting needs of various plant and animal species. The Wayne NF has done a commendable job in developing an array of alternatives that address a range of multiple resource management issues, including the interests and needs of the public in Ohio. The Forest Service's assessment approach is particularly thorough, incorporating the use of advanced land management science and maintaining a commitment to protecting resources for future generations. The format and style of the documents are such that the reader is progressively introduced and eased into the complexity of managing a significant landscape in southern Ohio. We appreciate the fact that the website for the planning documents provided single consolidated files for both the EIS and the Forest Plan, in addition to the section-by-section files needed for uses without high-speed internet connections. Having each of the documents in a single consolidated file allows users with high-speed internet connections to download the files to their hard drives and review the documents much more easily, including being able to quickly do word searches of an entire document for topics of most interest. Users can also easily make a CD-ROM copy of the document file, if needed.

The Wayne NF is a very important natural resource asset for the State. It is the only National Forest in the State and one of only four Federal land management entities: the others include the Ottawa National Wildlife Refuge in Lucas and Ottawa Counties, the Cuyahoga Valley National Recreation Area in Cuyahoga and Summit Counties, and the Hopewell Culture National Historic

Park in Ross County. With a population density of more than 250 people per square mile in Ohio, the competition for quality outdoor recreational experiences is great.

## **DETAILED COMMENTS**

### **Water Quality Restoration**

One of the largest areas of the Wayne NF with water quality problems due to past coal mining activities is the Monday Creek Watershed in Athens, Hocking, and Perry Counties. About forty percent of the watershed is currently contained in the Wayne NF. The Monday Creek Watershed group has been very active and successful in stimulating interest and obtaining funding for many restoration projects in the watershed. The Ohio Department of Natural Resources (DNR) has partnered with the watershed group on many projects. Because the need for funding is great, the U.S. Army Corps of Engineers (Corps) just completed a draft feasibility report for over 200 water quality restoration projects in the watershed. In addition, the Wayne NF has several restoration projects on its lands in the watershed. We encourage the Forest Service, the Corps, and the Ohio DNR to collaborate very closely to ensure that the Monday Creek restoration projects are planned and implemented in the most efficient manner possible, with minimal duplication of effort.

### **Forest Fragmentation**

The Forest Service faces a number of challenges for the Wayne NF to meet its goals in terms of natural resource management. As stated in the documents, the Forest's land holdings are one of the least continuous of all National Forests in United States. In particular, this makes management of large tracts of forest difficult. An increase in the number of large, contiguous areas of hardwood forest would benefit interior forest migratory birds, as well as numerous other forest-dependant plant and animal species. The U.S. Fish and Wildlife Service (FWS) supports habitat management that will support thriving populations of the vast array of bird species historically native to these forests. Some plant and animal species have been adversely affected as a result of persistent high populations of other wildlife species in Ohio that favor fragmented forest habitats. Management of large tracts of relatively unbroken hardwood forests should result in a decrease in habitat suitability for some of these problematic species, such as whitetail deer and brown-headed cowbirds. This, in turn, may provide benefits to forest-interior plant and animal species, thus contributing to the preservation of regional biodiversity. To achieve a Forest that is more continuous with large unbroken tracts of forest habitat, we recommend that land acquisition be considered a high priority for the Wayne NF. Although the Forest Service's preferred alternative (Alternative E) will provide less continuous forest habitat than would Alternative A (the no action alternative), the preferred alternative will provide a diversity of habitats to support species of particular concern to the FWS and the Department.

### **Mineral Rights**

Other challenges for the Wayne NF involve management of land parcels without owning the mineral rights. In most cases, these rights cannot be usurped and may be impractical for the Forest Service to acquire. Strip mining for coal results in the most impacts to fish and wildlife resources in the vicinity. We understand that in addition to the 1,250 acres of Forest lands that

could be surface mined for coal, the surface disturbance of 20 acres is proposed to allow for the set-up of an underground mine. There are also impacts associated with the substantial number of oil and gas wells on the Forest; however, those impacts are much less severe. We recommend that whenever possible, mineral rights be included when the Wayne NF acquires additional acreage.

### **Motorized Recreational Vehicles**

Recreational use on the Wayne NF appears to have presented one of the greatest challenges in recent years for management of the Forest. The exploding popularity of off-highway vehicles (OHV's) has pressured the Wayne NF to expand those opportunities. We note that it is lagging behind its goals as expressed in the 1988 Forest Management Plan and commend the Wayne NF for proceeding with caution in this expansion. If OHV enthusiasts adhered to the rules for using such vehicles and only stayed on trails designated for that purpose, there would be fewer concerns. Riders entering unauthorized trails cause erosion, destroy vegetation, pollute the air, and pollute the surroundings with noise. We recognize that many are well-intentioned OHV participants. It's imperative that they work with other OHV participants who are not so inclined. In addition to this, we highly recommend more enforcement by Wayne NF staff. Unauthorized driving of vehicles should not be tolerated on the Wayne NF. We recommend a plan to provide for the maximum separation of non-motorized users from motorized users. For example, common trailheads invite illegal motorized use of trails closed to such use. Any use conflicts should be resolved in favor of hikers and backpackers over motorized uses.

### **Logging**

Currently, only "thinning" of trees is occurring on the Wayne NF. A couple of years ago, several FWS biologists viewed examples of pre- and post-selective tree cutting on tracts in the Wayne NF. It appeared that the tract with selective tree removal, using the FWS guidance for maintaining Indiana bat habitat, actually had better conditions for both roosting and foraging bats. We believe this is an example of the benefits of close coordination with the FWS. The revised Plan would allow for small "clear cuts" up to 20 acres. Standards and guidelines for the Indiana bat include leaving riparian habitat, maintaining corridors, and leaving groups of trees within the clear cut areas.

### **Migratory Birds**

We support the Wayne NF's efforts to protect the wide range of natural habitats native to this region and the full complement of breeding and migratory birds that reside in these habitats. The preferred alternative's emphasis on management for the restoration and maintenance of a mixed oak/hickory forest ecosystem should help slow the decline of this forest type in the Wayne NF, as well as slow the regional decline of populations of the red-headed woodpecker and sub-populations of the cerulean warbler that make use of this habitat type. Other proposed management actions directed toward the maintenance of mature forest habitats in the Wayne NF should also be of substantial benefit to the cerulean warbler. The FWS also strongly supports the Forest Service's assessment of the value of, and need to manage for, early-successional forest habitat, which will benefit yellow-breasted chat and ruffed grouse, as well as associated species such as blue-winged warbler and American woodcock. A number of bird species, including

Louisiana waterthrush, black-billed cuckoo, yellow-billed cuckoo, and Acadian flycatcher, make extensive use of forested riparian corridors. We recommend that wherever possible, trails for motorized recreational use be located away from such corridors. We appreciate the fact that the Forest Service made extensive use of Partners in Flight, as well as The Nature Conservancy's Western Allegheny Plateau Assessment, as data sources for developing associations between bird species and indicator habitats. We also note that Audubon Ohio's Important Bird Areas Program has nominated each of the three units of the Wayne NF as an important bird area.

### **Support for Designating Little Muskingum River in the Wild and Scenic Rivers Program**

The State of Ohio has not had any additions to its Wild and Scenic Rivers Program for many years. Also, southeastern Ohio is a part of the State without any designated rivers. We believe that efforts to promote the designation of the Little Muskingum River into the Wild and Scenic Rivers Program would be worthwhile. It could involve a comprehensive educational program for adjacent landowners that covers the benefits of having a stream with this designation.

### **Threatened and Endangered Species**

The FWS concurs that the federally listed species identified in the Draft EIS constitute an accurate listing of the species known to be present within the project area. The FWS recognizes the important contribution of the Wayne NF to the recovery of the bald eagle, American burying beetle, and Indiana bat and anticipates that the Wayne NF will continue to provide suitable habitat or implement additional measures to adequately ensure secure populations of these species in Ohio for the foreseeable future. We strongly support the approach set out in the proposal Forest Plan of managing for a mosaic of wildlife habitat across the landscape. Management areas such as "Diverse Continuous Forest" and "Historic Forest" will provide continued suitable foraging and roosting habitat for the Indiana bat on the Wayne NF, and methods such as prescribed fire that encourage the regeneration of the oak/hickory plant community will benefit Indiana bat habitat over the long term.

The FWS has been involved with the Wayne NF throughout the Forest Plan revision process. The FWS has met a number of times with Forest Service staff and has had several opportunities to provide comments on the standards and guidelines for threatened and endangered species on the Wayne NF. The FWS also reviewed several drafts of the Forest Plan and Biological Evaluation before the Draft EIS was released. The FWS continues to coordinate with the Forest Service on the completion of section 7 consultation for this project in accordance with the Endangered Species Act of 1973, as amended. Following the final decision on the selected plan alternative, the Wayne NF will finalize a Biological Assessment of the selected alternative and initiate formal section 7 consultation. The FWS anticipates providing the Wayne NF with a Programmatic Biological Opinion prior to the Record of Decision for this project.

### **North Country National Scenic Trail & Other Recreational Use**

Draft EIS, Chapter III, page 3-181: The Department believes that where signage is to be provided, signage which indicates permissible activities survives better than signage that indicates prohibited activities.

Draft EIS, Chapter III, page 3-183: Land available for semi-primitive non-motorized (SPNM) recreation is limited in the Midwest. We recommend that the preferred alternative be modified to increase the acreage for SPNM recreation to levels roughly equivalent to that proposed in Alternatives C and F, which provide the most acreage in the SPNM category.

Draft EIS, Chapter III, page 3-190: We believe it is reasonable to assume the cost of energy will continue to rise. A rise in energy costs may impact the assumption in the EIS that off-highway vehicle and motorized uses will continue to increase. This assumption may need to be reconsidered when allocating Forest resources toward recreational use. An impact of this type would be greater on people who travel from other States to participate in motorized recreational activities in the Forest.

Draft EIS, Chapter III, page 3-206: The Department agrees with placing the travel corridor for the North Country National Scenic Trail (NCT) within the High Scenic Integrity Objective.

Draft LRMP, Chapter II, page 2-34, Goal 11.2 – Provide Safe, Quality Trails:

*Objective 11-2a*: We recommend use of the current memorandum of understanding (MOU) among the Forest Service, NPS, and the Association (FS Agreement NO. 05-MU-11090100-007), which was signed by the Eastern Regional Forester on April 5, 2005, and suggest that Objective 11-2a be rewritten to read as follows:

“Cooperatively manage the North Country National Scenic Trail with the USDI National Park Service (NPS) and the North Country Trail Association (Association) as a path whose use is primarily for hiking and backpacking, consistent with the Memorandum of Understanding among the USDA Forest Service (FS), NPS, and the Association (FS Agreement NO. 05-MU-11090100-007).”

*Objectives 11-2b and 11-2c*: We would certainly like to see higher targets for the “trail-movement-from-roads” and for the “foot-travel-only” conversions for the NCT.

Draft LRMP, Chapter II, page 2-37, Trails, GFW-REC-17: We recommend including reference to the MOU among the Forest Service, NPS, and the Association (FS Agreement NO. 05-MU-11090100-007), which was signed by the Eastern Regional Forester on April 5, 2005.

Draft LRMP Maps: The Department believes it is extremely important to include the route of the NCT on all maps associated with this LRMP.

## SUMMARY COMMENTS

The Department supports the selection of Alternative E as the preferred alternative for implementation in the Forest Plan. It will provide for management of a wide range of natural habitats native to this region, including extensive areas of mature forest with emphasis on restoration of mixed oak/hickory forest habitat. It will also provide for a substantial amount of early-successional forested habitat, as well as some grassland areas. This diversity of habitats can be expected to support numerous species of breeding and migratory birds, as well as other wildlife. The proposed management actions should also be of benefit to the Indiana bat.

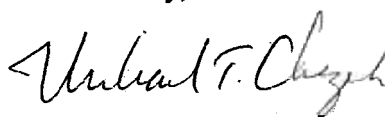
Because land available for semi-primitive non-motorized (SPNM) recreation is quite limited in the Midwest, we recommend that the preferred alternative be modified to increase the acreage proposed for this type of recreational use. We encourage the Forest Service to set higher goals for relocating portions of the North Country National Scenic Trail off roadways and converting to foot travel only. The EIS and Forest Plan are thorough and comprehensive but relative complex. We recommend that the management guidance from the two documents be distilled into implementation guidance for Wayne NF staff to utilize in conducting management activities on the Forest.

Ohioans are very fortunate to have a National Forest within the State in spite of the many associated issues, such as the after-effects from coal mining practices in some areas of the Forest, fragmentation of the Forest, and conflicting uses of the Forest. Over the years, the FWS has seen many improvements on the Wayne NF and looks forward to being a participant in the planning of activities to improve its diverse fish and wildlife resources, in particular Federal trust resources. In recent years, the Wayne NF staff has greatly increased its coordination with the FWS's Reynoldsburg, Ohio, Field Office. We applaud those efforts and believe they will benefit both agencies in meeting their respective responsibilities, while helping to ensure that the Forest is able to serve the varied interests of the American public.

The Department has a continuing interest in working with the Forest Service to ensure that impacts to resources of concern to the Department are adequately addressed. For matters related to fish and wildlife resources and federally listed threatened and endangered species, please continue to coordinate with Ms. Mary Knapp, Field Supervisor, U.S. Fish and Wildlife Service, 6950 Americana Parkway, Suite H, Reynoldsburg, Ohio 43068, telephone: (614) 469-6923. For matters related to concerns of the North Country National Scenic Trail, please contact Mr. Fred Szarka, North Country Trail Manager, or Mr. Ken Howell, North Country Trail Land Protection Coordinator, phone: (608) 441-5610.

We appreciate the opportunity to provide these comments

Sincerely,



Michael T. Chezik  
Regional Environmental Officer

cc:

Ms. Mary O. Redden  
Forest Supervisor  
Wayne National Forest  
13700 U.S. Highway 33  
Nelsonville, Ohio 45764-9880

L. MacLean, FWS, Ft. Snelling, MN  
N. Chevance, NPS, Omaha, NE



# Ohio Department of Natural Resources

SAMUEL W. SPECK, DIRECTOR

**Division of Real Estate and Land Management**

*Paul R. Baldrige, Chief*  
2045 Morse Road, C-4  
Columbus, OH 43229-6693  
Phone: (614) 265-6384

1 July 2005

Wayne National Forest  
Forest Plan Revision Team  
13700 Highway 33  
Nelsonville OH 45764-9880

RE: Comments on Proposed Land and Resource Management Plan - Wayne National Forest

Dear Forest Plan Revision Team:

The Ohio Department of Natural Resources (ODNR) has completed a review of the Wayne National Forest's Proposed Revised Forest Plan and Draft EIS (March 2005). These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Ohio Revised Code and other applicable laws and regulations.

In addition to Director Speck's letter to Ms. Mary Reddan dated July 2, 2002 (attached) and Division of Wildlife Chief Gray's recent letter (attached), the ODNR Division of Watercraft provides the following comments.

"GFW-AAR-22: Remove large woody debris from streams only if it poses a risk to water quality, degrades habitat for aquatic or riparian-dependent species, impedes recreational watercraft, or when it poses a threat to private property or infrastructure. Where it impedes passage for recreational watercraft, restrict removal to the minimum amount necessary for safe passage." The Division of Watercraft supports this management strategy.

Since boating is identified as one of the most popular recreational activities in the Wayne National Forest (and nationwide), Division of Watercraft requests that the Wayne consider, as a management strategy, the development of a transient/tie-up facility on the Ohio River. The need for additional transient tie-up sites on the Ohio River was identified in the Division of Watercraft's 2004 Boating on Ohio Waterways Plan, a planning effort designed to improve recreational boating opportunities in Ohio.

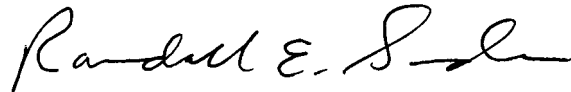
Additionally, the BOW Plan identified the need for canoe access and canoe camping sites. Division of Watercraft believes that canoeists that float Symmes Creek, Raccoon Creek, Little Muskingum and Hocking River could benefit from additional boating access on these watercourses. We encourage the Wayne planning section to explore the Boating on Ohio Waterways Plan at <http://ohiodnr.com/watercraft/plan/default.htm> for more information. Furthermore, Division of Watercraft and its partners are currently in communication with Symmes Creek watershed partners



regarding the possibility of establishing an Ohio Water Trail on Symmes Creek. The Ohio Water Trails Program goal is to identify and assess existing and potential access sites to Ohio streams and to increase hand carry access on Ohio's canoeable streams. Please visit: <http://www.dnr.ohio.gov/watercraft/watertrails/downtinfo.htm> for more information concerning the Ohio Water Trails Program.

ODNR appreciates the opportunity to provide these additional comments. Please contact Randy Sanders at 614.265.6344 if you have questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall E. Sanders". The signature is fluid and cursive, with a long horizontal stroke at the end.

Randall E. Sanders, Environmental Administrator  
Division of Real Estate and Land Management



# Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

## Office of the Director

1930 Belcher Drive – Bldg. D-3

Columbus, OH 43224-1387

Phone: (614) 265-6879 Fax: (614) 261-9601

July 2, 2002

Ms. Mary Reddan, Forest Supervisor  
NOI-FP Revision  
Wayne National Forest  
13700 US Highway 33  
Nelsonville, OH 45764

Dear Ms. Reddan:

The Ohio Department of Natural Resources (ODNR) has completed the following list of topics of interest concerning the Wayne National Forest (WNF) Revised Land and Resource Management Plan, as outlined in the Federal Register (Vol. 67, No. 65, April 4, 2002). These comments were generated by an interdisciplinary review in consultation with divisions within ODNR. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the National Environmental Policy Act, and other applicable laws and regulations. The comments are organized in order of "revision topics," as listed in the Federal Register notice.

### **Watershed Health:**

In 2001, the ODNR Division of Mineral Resource Management (DMRM) entered into a Memorandum of Understanding (MOU) with the USDA Forest Service regarding abandoned mine reclamation on the Wayne National Forest. This MOU is aimed at addressing the coordination between our agencies regarding selection, development, implementation and reclamation of abandoned coalmines in watersheds within the Wayne. ODNR supports revisions to the Plan that are consistent with the language in the MOU. ODNR also encourages WNF personnel to work closely with the Division of Forestry regarding best management practices for soil erosion and sedimentation control, particularly adjacent to streams and tributaries.

### **Ecosystem Restoration:**

ODNR believes that it is important to acknowledge and understand the forest's past when charting a path to the "desired future condition." Abused, worn out farms with very few timber stands were acquired to form the WNF. Forest management techniques have restored many acres on the WNF to productive levels. These same forest management techniques will provide for today's needs, with an eye toward maintaining the productivity of the forested landscape for the future.

Employing a full array of forest management treatments available in the WNF is of utmost importance. Based upon the Forest Service's own research, ODNR believes that vegetation management is complementary and can even enhance other uses of the forest. Sound forest management serves to sustain the forest for the future. The true threats to the forest may be the exclusion of forest management and fire.

ODNR also believes that habitat-based conservation is key to sustaining viable populations of native wildlife species. The ODNR Division of Wildlife (DOW) has long advocated and implemented ecosystem-based conservation for the benefit of the entire suite of wildlife species dependant upon that habitat. DOW's 2000-2010 Strategic Plan clearly conveys this philosophy and the methods employed to

ensure wildlife and their habitat are sustained. ODNR believes this process is a viable way to proceed in the revision of the plan for the WNF.

Ohio's forests are maturing. The increase in Ohio's forest lands since 1940 was due primarily to the reversion of abandoned pasture to brush and ultimately mature forest in eastern Ohio. The brushy stage of forest succession is declining as Ohio's forests mature. Since 1968, acreage in the seedling/sapling size class (i.e. trees less than 5 inches diameter breast height) decreased over 50% from 3.7 to 1.8 million acres, whereas acreage in the saw timber size class (i.e. trees greater to or equal to 11 inches diameter breast height) more than doubled from 1.9 to 4.0 million acres. As of 1991, the age/size class distribution of Ohio's forestland habitat base was 24% seedling/sapling, 23% pole timber, and 53% saw timber.

Forest composition also is changing. Forests once dominated by oak and hickory are becoming increasingly dominated by red maple and yellow poplar. In fact, red maple has become the dominant tree species in Ohio. The WNF resides in what was the heart of Ohio's oak-hickory forest. Unfortunately, this forest type is increasingly becoming rare. As land disturbance (forest management and fire) has been eliminated or occurred with decreasing frequency, red maple begins to dominate forest stands at the expense of oak. Forest management has been, and will continue to be, critical to ensuring that the oak ecosystem continues to exist and biodiversity is thereby maintained. Undisturbed pre-settlement forests were an anomaly, and the original predominance of oak in these stands is testament to this. Clearly, oaks are dependent upon some degree of disturbance.

Managing forested landscapes for wildlife diversity involves managing patterns of succession. For forest wildlife, age classes can be broken down into four stages: seedling-sapling, pole timber, saw timber and mature forest. Some wildlife species are restricted to the earliest stage, some are dependent upon the latter stages of succession, and some are generalists. To maximize forest wildlife diversity, all age classes must be present in suitable amounts across the landscape at any given time. If an age class is altered or missing, the wildlife species dependent upon that age class for survival and reproduction will be adversely affected. Forested landscapes should be managed with an emphasis on maintaining a representative mix of forest types and age classes to meet the habitat requirements of all forest species native to the region. Establishing and maintaining the age/size class distribution of Ohio's primary forestland habitat base as 30% seedling/sapling, 25% pole timber, 25% saw timber, and 20% mature forest (i.e., no harvest activity) should provide adequate amounts of vertical and horizontal structure across the landscape for all forest wildlife species.

Forests have characteristic patterns of natural disturbance. Uneven-aged forests with small-scale, frequent disturbance and even-aged forests with large-scale, infrequent disturbance correspond with two harvesting systems that imitate natural disturbance patterns - selection cutting and clearcutting. If the trend toward increasing forest maturity continues, populations of forest wildlife species dependent on young woodlands will likely decline in the future. In the absence of fire, it is likely that the relative occurrence of oaks and hickories will decline as they are replaced by late-successional, shade-tolerant species. Acorns and hickory nuts are staple foods of many forest wildlife species. Consequently, as forest composition shifts from oak and hickory dominance to red maple and yellow poplar, declines in mast-dependent species are likely. In addition, a loss of oaks may result in a general deterioration of foraging conditions for migratory forest birds. ODNR recommends that the revised WNF Plan include management activities designed to counter the adverse impact of these trends on forest wildlife.

Several of Ohio's rare wildlife species are dependent on disturbed forest conditions that can be created through proven forest management techniques. A variety of forest age-class/size-class distributions are required to achieve a level of biodiversity most would consider desirable. This requires use of the full range of all-aged, un-even aged and even-aged stand management systems.

Furthermore, the WNF plan should be revised to allow the inclusion of the WNF in research conducted by the Forest Service. The fire surrogates study serves as a primary example. Inflexibility in the

implementation of the existing plan prevented WNF sites from inclusion in the Forest Service's fire and fire surrogates study because it involved forest management.

The ODNR Division of Natural Areas and Preserves (DNAP) cooperates with Wayne National Forest staff in the identification of significant plant communities and locations of state listed species. These areas are an integral part of the current forest plan. ODNR suggests that populations of state-listed plants and significant plant communities continue to be recognized in the new forest plan with respect to use designations and management activities.

DNAP personnel are available to offer technical assistance with respect to the control of noxious invasive plants in the WNF as well. Likewise, ODNR believes that active forest management serves as an important tool in dealing with both floral and faunal types of invasive species. Active management of forest composition and vigor to control gypsy moth populations below levels that can cause massive mortality in stands and/or landscapes serves as a good example.

#### **Recreation Management:**

ODNR is updating its Trails Plan to help guide the development and expansion of a statewide system of recreational trails throughout Ohio. The Plan recognizes the increasing popularity of all types of trail-related activities and envisions a goal of providing an easily accessible trail opportunity within 10 minutes of all Ohioans. The Plan is intended to stimulate a coordinated and strategic approach for creating a system of recreational trails in Ohio by all levels of government and private trail groups and organizations. ODNR looks forward to future partnerships with the Wayne to assist in realizing our shared vision of increased recreational trail development and use.

The ODNR Division of Watercraft recently began a planning effort, the Boating on Ohio Waterways Plan, with the goal of improving recreational boating opportunities in Ohio. Public input received thus far in the planning process, primarily from boaters, indicates growing interest in "waterway" trails. ODNR recommends enhancing recreational boating opportunity along the Wayne's waterway corridors.

ODNR encourages the WNF to utilize active forest vegetation management techniques to enhance both the quality and quantity of recreational experiences. Additionally, the use of geographic information system techniques can be used to model viewsheds, the development of trails and recreational access points and the timing of recreational activities in the forest (to ensure adequate protection and safety of recreationalists and wildlife).

#### **Land Ownership:**

ODNR suggests that the WNF purchase lands on a willing seller basis and remain sensitive to local community needs by: 1. Concentrating acquisition efforts on lands suitable for the growth of forests, and 2. Avoiding acquisition of productive agricultural lands and lands suitable for community development. ODNR also recommends the Wayne divest or trade lands currently held that possess high potential for community development or agricultural production. Additionally, ODNR acknowledges that proactive property boundary management protects not only the Federal interest, but also protects the interests of adjacent neighbors.

#### **Mineral Resources Management:**

ODNR supports any actions by the WNF to minimize environmental impacts when mineral resources are developed. ODNR also supports actions by the WNF to identify areas appropriate for leasing of federally held oil and gas rights. The ODNR DMRM stands ready to offer any technical assistance needed regarding oil and gas development on the WNF.

**Roadless Area Inventory and Evaluation; Wilderness Recommendation; and Wild and Scenic River Recommendations:**

ODNR supports any inventory or analysis performed by the WNF to ascertain whether any stream systems might qualify for inclusion in the National Wild and Scenic Rivers system.

**Other:**

Forest Service research indicates that U.S. demand for wood fiber will increase and outpace population growth. ODNR encourages the WNF to serve as a partner in meeting local, regional and national needs for wood fiber. Ohio is a net importer of wood fiber. The WNF should contribute to reversing this trend. Further, providing wood for sustaining Ohio's population keeps existing jobs in the wood industry and provides economic development opportunities. It also promotes economic efficiency in the existing wood industry if supply originates from local sources. The WNF can help Ohio's forest industry continue to be a significant contributor to Ohio's economy, as indicated below:

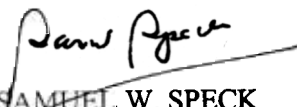
- Ohio Ranks 7<sup>th</sup> nationally in forest related employment;
- 72,000 people are employed by forest industries in Ohio;
- There are approximately 2,000 wood manufacturing companies in Ohio;
- The forest industries in Ohio earn \$2.2 billion annually;
- The paper industry in Ohio ranks 4<sup>th</sup> in the nation in earnings;
- Eight percent of all manufacturing in Ohio is wood based;
- Direct payroll for Ohio's forest industry is in excess of \$1 billion per year; and
- Ohio's wood products industry annually adds \$7 billion of value to Ohio's economy each year.

**Conclusion:**

In summary, and based on the comments provided above, it would be irresponsible of ODNR, given our long history and technical expertise in managing Ohio's wildlife and forests, to not strongly advocate active vegetation management and habitat-based conservation on the WNF. ODNR requests that WNF staff give great weight to our comments, given our mission and experience.

ODNR appreciates the opportunity to provide these comments on such an important issue. If you have any questions or need for additional information, please contact Ms. Kim Baker of the Division of Real Estate and Land Management (614/265-6411) or Mr. Scott Zody, ODNR Deputy Director (614/265-6845). Best wishes regarding your planning process, and let me thank you for your support in our shared management of Ohio's forest, natural and recreational resources.

Sincerely,

  
SAMUEL W. SPECK  
Director

SWS/kab

cc: Scott Zody, Administration  
Paul Baldrige, REALM  
John Dorka, Forestry  
Mike Budzik, Wildlife  
Stu Lewis, DNAP  
Mike Sponsler, DMRM  
Jeff Hoedt, Watercraft



# Ohio Department of Natural Resources

SON TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

Division of Wildlife  
Steven A. Gray, Chief  
1840 Belcher Drive  
Columbus, OH 43224-1300  
Phone: (614) 265-6300

Wayne National Forest  
Forest Plan Revision Team  
13700 Highway 33  
Nelsonville, OH 45764-9880



Dear Forest Plan Revision Team:

The Ohio Department of Natural Resources, Division of Wildlife reviewed the proposed Revised Forest Plan and Draft Environmental Impact Statement (DEIS). The Forest Plan Revision Team should be commended for using panels of experts in the species viability evaluations as part of the revision process. These evaluations demonstrated that habitat diversity is the key to conserving plant and animal communities on the Wayne National Forest (WNF). This habitat diversity will be provided by implementing Alternative E with the modifications described herein. Our comments will focus on restoring and maintaining extant forest wildlife species on the WNF.

Land acquisition has increased the size of WNF by 54,000 acres since 1988. This aggressive land acquisition program must be continued over the next 10 – 15 years. Otherwise, the fragmented ownership pattern of the WNF will continue to impede future management initiatives. Establishment of large, landscape blocks of National Forest land, managed on a rotational basis, will supply the diversity of successional stages, habitat types, and patch sizes required by plant and animal species on the WNF.

The importance of oak-hickory retention to forest wildlife species on the WNF was outlined well in the DEIS. Oak and hickory trees provide nuts that are consumed by dozens of species, feeding substrate to bark-gleaning avian species, and critical roosting habitat for forest bats, including the Indiana bat. The management prescriptions emphasized in the Forest and Shrubland Mosaic and Historic Forest management units, even-aged management and a combination of uneven-aged management and frequent prescribed fire, respectively, are the best known tools available to regenerate oak and hickory. Implementation of Alternative E will regenerate oak and hickory on more WNF acres than any other alternative. These management prescriptions must be applied on a rotational basis throughout the Forest and Shrubland Mosaic and Historic Forest management units beginning in decade one and continuing through decade ten.

Ohio's forestland supports over 100 avian species, 30 mammalian species, 48 reptilian and amphibian species, 58 lepidopteron species, and thousands of other invertebrate

species. Each of these species has unique habitat requirements. Some species can survive and reproduce only in the early stages of forest succession, whereas others need mature forest. Some species require a diverse forest with good interspersions of different age classes and habitat types, whereas others require large blocks of contiguous, mature forest. The varied needs of all extant plant and animal species on the WNF can be met by managing plant succession through sound forest management practices. For forest wildlife species, four stages of forest succession are important: seedling-sapling (0 – 19 years old), poletimber (20 – 39 years old), sawtimber (40 – 99 years old), and mature forest ( $\geq 100$  years old). To maximize forest wildlife diversity, an adequate amount of each successional stage must be present throughout the WNF at any given time. If a successional stage is altered or missing, the wildlife species dependent upon that stage for survival and reproduction will be adversely affected.

Managing patterns of succession on the WNF requires disturbance in the form of forest management practices (i.e., uneven-aged and even-aged silviculture), prescribed fire, and mowing. Conservation of biological diversity in forested landscapes requires management plans that mimic the long-term historical and natural disturbance regime (see Lorimer 2001 [Wildlife Society Bulletin 29(2):425-439]). That is, management practices should provide a similar mix of habitat conditions that species of plants and animals evolved with and have adapted to.

Under the current amended plan, which has guided management of the WNF since 1988, acreage in the seedling-sapling stage of forest succession has dropped to 5.4%, whereas acreage in the sawtimber and mature forest stages has increased to 67.0%. North American Breeding Bird Survey data for the Central Hardwoods (which includes the Ohio Hills Physiographic Area 22) shows that since 1980, 41% of the avian species that nest in seedling-sapling forest have declined, whereas 10% of the avian species that nest in sawtimber or mature forest have decreased. In addition, 36% of the sawtimber/mature forest nesting species have increased, while 18% of the seedling-sapling nesting birds have increased. Clearly, the continued decline of early successional forest habitat and their associated wildlife species must be addressed.

The preferred alternative, Alternative E, does the best job of addressing the needs of all forest wildlife species, including those dependent upon early successional forest habitats. Alternative E also provides the best management direction for grassland-dependent wildlife species such as the Henslow's sparrow. North American Breeding Bird Survey data show that the Ohio Hills Physiographic Area 22 (in which the WNF is located) is the only portion of the Henslow's sparrow range where the species is not declining. Thus, reclaimed coal mine lands on the WNF that currently support nesting populations of Henslow's sparrow should be managed to maintain and improve the existing grassland ecosystem. Habitat for the pine warbler, another indicator species used during the plan revision process, can be improved by implementing Alternative E. Pine warblers prefer mature stands of mixed pine and hardwoods for nesting but they will also use mature pine plantations. Application of uneven-aged forest management

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For maximum benefit to the entire forest wildlife community on the WNF, one large block of contiguous National Forest Service land at least 20,000 acres in size should be established in each of the three administrative units and placed under a 100-year timber harvest rotation that emphasizes even-aged forest management (i.e., clearcutting, shelterwood cutting, and prescribed fire). Areas of 20,000 acres or more are large enough to support viable populations of all the management indicator species referenced in the DEIS (i.e., yellow-breasted chat, ruffed grouse, cerulean warbler, worm-eating warbler, pileated woodpecker, and Indiana bat). Over a 100-year period, adequate amounts of each of the four successional stages of forest habitat will be provided at all times on all three administrative units of the WNF.

The timber harvesting rotation length within the Forest and Shrubland Mosaic created by implementing Alternative E should be shortened from 120 years to 100 years. Placing each of the three Forest and Shrubland Mosaic management units under a 100-year timber harvesting rotation equates to harvesting 10% of the acreage within each unit per decade. A 100-year timber rotation more closely mimics the natural disturbance regime of 1% per year throughout the Central Hardwood forest (Lorimer 1994 [Journal of Forestry 92(1):33-38]). A 100-year timber rotation must be implemented to insure that an adequate and dependable amount of seedling-sapling forest is available on the WNF at all times. Research conducted by the Ohio Division of Wildlife in southeastern Ohio indicated that 10 – 15% of mature oak-hickory forest landscapes needed to be in the seedling-sapling stage to maintain ruffed grouse populations (Stoll and Culbertson 1995 [Ohio Wildlife Bulletin 12]). And finally, to support the entire early successional shrub avian community, Partners in Flight (2004 [cited in the DEIS]) stated that 2,026,220 acres of the 19,751,691-acre Ohio Hills Physiographic Area 22 must be maintained in scrub-shrub habitat (i.e., seedling-sapling habitat). This acreage amounts to about 10% of the area in the physiographic area, not 3% as stated on page 3-53 of the DEIS. Thus, there is significant support for the changing of the timber harvest rotation schedule from 120 to 100 years.

Timber harvesting within each of the three Forest and Shrubland Mosaic management units should begin in decade one and continue through decade ten. In Figure 3-22 on page 3-57 and in the text on page 3-58 of the DEIS it states that timber harvesting will be delayed within each Forest and Shrubland Mosaic management unit for at least three decades after the initial decade until stands reach an age of 120 years. If timber harvesting within each Forest and Shrubland Mosaic is delayed for 20 to 30 years, the age class distribution will be further skewed toward the sawtimber and mature forest successional stages and indicator species like the yellow-breasted chat and ruffed grouse will disappear. Thus, to insure a continuous and dependable amount of early successional forest habitat, do not delay timber harvesting in any of the Forest and Shrubland Mosaics.

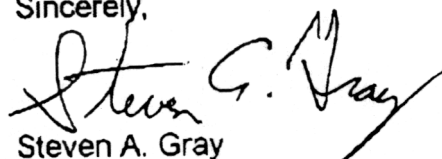


Forest and Shrubland Mosaic management units will not only provide needed habitat for early successional forest wildlife species but for mature forest nesting birds as well. Research conducted by The Ohio State University (Vitz 2003 [Thesis, The Ohio State University, Columbus]) has shown that adult and fledgling ovenbirds, worm-eating warblers, red-eyed vireos, hooded warblers, scarlet tanagers, and wood thrush use early successional forest during the post-breeding period. Thus, a 100-year rotational timber harvest should provide needed habitat for the entire spectrum of forest nesting birds within each Forest and Shrubland Mosaic.

To further mimic natural disturbance, clearcut size should be limited to 30 acres. Most of the clearcuts (75 – 80%) should be 5 – 15 acres in size. Within each clearcut stand, retain all hickory trees, cavity trees, and snags. Hickory trees are important sources of food for dozens of forest wildlife species. In addition, the bark of hickory trees, especially shagbark and shellbark, provides important roosting habitat for forest bats, including the Indiana bat. About 30 avian species used cavities for nesting in Ohio's forests. Dozens of other forest mammals, reptiles, amphibians, and invertebrates use tree cavities sometime during the year. Snags provide critical feeding habitat for woodpeckers and other forest wildlife species while standing and after they fall to the forest floor.

No single forest management strategy benefits all forest wildlife species. Whenever forest vegetation is disturbed by timber harvesting, some forest wildlife species lose habitat and others gain. The plan implemented by the WNF should produce a mosaic of different successional stages, habitat types, and forest patch sizes across the National Forest landscape to provide the requisites needed by all forest wildlife species for survival and successful reproduction at all times. To do otherwise would be irresponsible.

Sincerely,

  
Steven A. Gray  
Chief



WYNF 0170

# Ohio Department of Natural Resources

BOB TAFT, GOVERNOR

SAMUEL W. SPECK, DIRECTOR

## Division of Wildlife

Steven A. Gray, Chief

1840 Belcher Drive

Columbus, OH 43224-1300

Phone: (614) 265-6300

RECEIVED

Wayne National Forest  
Forest Plan Revision Team  
13700 Highway 33  
Nelsonville, OH 45764-9880

Dear Forest Plan Revision Team:

The Ohio Department of Natural Resources, Division of Wildlife reviewed the proposed Revised Forest Plan and Draft Environmental Impact Statement (DEIS). The Forest Plan Revision Team should be commended for using panels of experts in the species viability evaluations as part of the revision process. These evaluations demonstrated that habitat diversity is the key to conserving plant and animal communities on the Wayne National Forest (WNF). This habitat diversity will be provided by implementing Alternative E with the modifications described herein. Our comments will focus on restoring and maintaining extant forest wildlife species on the WNF.

Land acquisition has increased the size of WNF by 54,000 acres since 1988. This aggressive land acquisition program must be continued over the next 10 – 15 years. Otherwise, the fragmented ownership pattern of the WNF will continue to impede future management initiatives. Establishment of large, landscape blocks of National Forest land, managed on a rotational basis, will supply the diversity of successional stages, habitat types, and patch sizes required by plant and animal species on the WNF.

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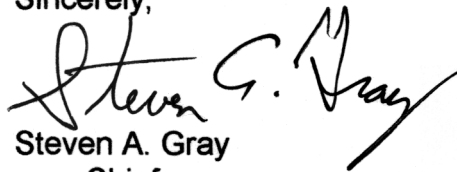
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Sincerely,

  
Steven A. Gray  
Chief

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MID	OT	S	RT	DT	IA	UT	LG	F	CIC	RI	CE

WYNF0035

# MONROE COUNTY AUDITOR

**Pandora J. Neuhart, Auditor**

101 North Main Street, Room 22

Woodsfield, OH 43793

Phone (740) 472-0873 Fax (740) 472-2523

E-mail [monauditor@isl.net](mailto:monauditor@isl.net)

May 2, 2005

Dear Wayne National Forest:

I was elected Auditor 7 years ago, and have fought the WNF's principles of purchasing land in Monroe County since I was elected. My fight with the WNF is that they are eroding away Monroe County's tax base by purchasing more and more land. The WNF now owns over 8% of Monroe County or over 25, 000 acres. In previous years we have received a minimal \$1.27 per acre, and last year we received \$2.02 per acre. My greatest concern is that you continue to purchase more and more land in Monroe County and have failed miserably in helping us see income from the forest. Why do you need more when you do nothing with what you already have? The WNF boundary lines in Monroe County would encompass over half of the County if you could purchase all of the land in the boundary area.

I now have decided to change my fight with the WNF and try to work with you to help Monroe County realize growth in the following areas: economic development, tourism, recreation, oil, gas and mineral production, and timber harvesting. I totally agree that the people of the United States deserve national forests, but the communities where the forest is located should not suffer financially from it. How would Cuyahoga, Franklin, or Hamilton County feel if we told them we needed 25,000 acres of land for a specific project, but we could only pay \$2.02 per acre? I would guarantee you would have a tremendous fight on your hands. The U.S. government needs to fully fund the PILT payment, but even that is not nearly enough. I do not want anyone to feel sorry for Monroe County, I just ask that they look at our point of view and weigh the evidence.

The schools in Monroe County are deplorable and there is no hope in sight. We have one high school that has been housed in portable buildings for over 11 years at the site of our vocational school. The newest school we have was built in the late 1960's. There are school districts in the State of Ohio that are tearing down schools that were built after our newest school was built. We have tried several times to pass a levy to support a new school, but due to the amount of millage needed they have all failed. The millage has to be so high, because we have 25,000 acres that are exempt owned by the WNF. We have several County agencies that have had to pass levies because the County's general fund could no longer support them. These are very basic services, which all residents should have access to such as O.S.U. Extension (4-H), Soil and Water Conservation District, Senior Citizens, and Emergency Medical Transportation. When there is only so much land, every acre that the WNF purchases is gone from the tax base forever. Some people say that CAUV hurts the County's tax base and that is true to a point. When some one is on CAUV, they are using their property for agricultural purposes. Many of the people on

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CAUV live in the County, have homes, barns, and other buildings that they are paying taxes on, and help support the community by purchasing items in Monroe County.

I highly support alternative plans that include oil, gas, and mineral production, timber harvests, and recreational development in Monroe County. Very few things in life are free, and I am just asking that we be compensated for the over 25,000 acres that are forever gone from our tax base. In my opinion, those 25,000 do not even exist, because we will never have them returned. It is like cutting off part of your body, a part that you did use, but now it is gone, and it is a struggle to figure out how to function without that part.

The proposed revised land and resource management plan under budgets states, "Annual Forest budget proposals are based on the activities and actions required to achieve the desired conditions and objectives of the Forest Plan." I believe that statement needs to be continued to include, "and hold entities harmless of the lost of tax revenue from land acquisition." Under Forest-wide Goals, "Work with our partners-the public, local communities, the private sector, and other public agencies-in a collaborative effort to promote education, safety, conservation, sustainable ecological management practices, and community economic development and sustainability." Nothing has been done to help Monroe County under the management plan or goals, and this must be addressed immediately. I do not think the WNF would like a revolt because you have failed to work with Monroe County.

Under aquatic and riparian resources --removal of materials from streams-prohibit removal of sand, gravel, and other material from the streams with a few exceptions. One of the exceptions is not to remove sediment to help with flooding of streams. Monroe County has had several floods, part of the reason being the build up in the streams with sand and gravel. There are many streams in the County that need dredged to prevent further flooding. In September of 2004 Monroe County experienced a severe flood, and our EMA director Richard Schuerman along with FEMA identified 106 streams that needed dredged to prevent future flooding. The sediment that would be removed could be used by ODOT, Monroe County, all Townships and Villages for road cover, slip repair, etc. Dredging of streams must be considered as an option to help prevent future flooding. This dredging could be done so as not to go against WNF guidelines and help the County.

The recreation goal states, "Provide a broad range of developed and dispersed outdoor recreation opportunities and experiences within the ecosystem's acceptable limits of change. Manage recreation facilities and opportunities to respond to public demands and promote local economic development." I was told about 5 years ago by the WNF that Monroe County is on the tail end of the forest, and we would not see any improvement or development. If the WNF wants to work on collaboration with counties in the WNF, this attitude must change towards Monroe County, and we must see progress towards helping us financially. I know Commissioner Forni is working with you on possible horse trails, but this development needs to be much broader. Boating and canoeing on the Little Muskingum should be developed. Also, the trails in the WNF need to be more publicized to attract more visitors to our very beautiful County.

The forest goal under land ownership is to "purchase, exchange, accept donations, or convey lands and mineral rights on a willing seller, willing buyer basis. Give high priority to acquisition of land that will consolidate National Forest ownership." The WNF does not

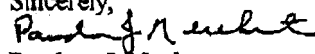
need to acquire any more acres in Monroe County until you use what you have. It is almost like children seeing who can acquire the most toys, and then not play with them.

In my opinion the WNF is a very negative factor when it comes to Monroe County. Our tax base is eroding away and we cannot fight the GIANT (WNF). We have land that is selling for over two thousand dollars an acre in larger tracts, and fifteen to twenty thousand for smaller tracts. There is a great demand for land in Monroe County, and if we can sell the land for this kind of money, and then see homes, barns, buildings being built on these tracts helping our tax revenue why should the WNF have priority to purchasing this land at a cheaper price? Our poorest Townships are where WNF owns the most land. There is a **very direct** correlation between the amount of acres owned in a township and taxable value. The following chart shows this correlation:

Township Name	Acres owned by WNF	Total Res/Ag Value
Benton	3645	\$ 3,865,540
Bethel	2825	\$ 3,514,830
Center	410	\$14,453,340
Green	585	\$ 5,323,670
Jackson	3720	\$ 5,752,500
Lee	264	\$10,907,230
Perry	4426	\$ 4,762,740
Washington	5165	\$ 4,703,830
Wayne	2484	\$ 3,870,580

As more land is purchased in the above Townships their future grows dimmer and dimmer. The vision of people all over the United State's in having the forest was not to **destroy entities in its path**, which is what is actually happening. We all need to work together to achieve the WNF's goals and keep our entities solvent.

I look forward to working with you in the very near future on this project.

Sincerely,  
  
 Pandora J. Neuhart



WYNF0035

MONROE COUNTY AUDITOR'S OFFICE  
PANDORA J. NEUHART  
101 NORTH MAIN STREET ROOM 22  
WOODSFEILD, OH 43793  
PHONE 740-472-0873  
FAX 740-472-2523

FACSIMILE TRANSMITTAL SHEET

TO: Wayne National Forest May 23, 05  
COMPANY: Forest Plan Revision Team 4  
FAX NUMBER: 740-753-0118 TOTAL NO. OF PAGES INCLUDING COVER:  
PHONE NUMBER: SENDER'S REFERENCE NUMBER:  
RE: YOUR REFERENCE NUMBER:

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Comments on Forest Plan from  
Pandora Neuhart



# EASTERN SHAWNEE TRIBE OF OKLAHOMA

P.O. Box 350 · Seneca, MO 64865 · (918) 666-2435 · FAX (918) 666-2186

March 21, 2005

Wayne National Forest  
Forest Plan Revision Team  
13700 U.S. HWY 33  
Nelsonville, OH 45764

**RE: PROPOSE WAYNE NATIONAL FOREST LAND AND  
RESOURCE MANAGEMENT PLAN**

*To Whom It May Concern:*

*Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.*

*The Eastern Shawnee Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.*

*Sincerely,*

  
Jo Ann Beckham  
Administrative Assistant

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MAR 25 2005