



Friends of Allegheny Wilderness seeks to foster an appreciation of wilderness values and benefits, and to work with local communities to ensure that increased wilderness protection is a priority of the stewardship of the Allegheny National Forest.

September 14, 2017

Tracy Ridge Project
USDA Forest Service
Allegheny National Forest
Bradford Ranger District
Attn: Sherry Tune
4 Farm Colony Drive
Warren, PA 16365

Re: Formal Objection to the Tracy Ridge Shared Use Trails and Forest Plan Amendment Project and Accompanying Environmental Assessment pursuant to 36 C.F.R. § 218.

Dear Forest Supervisor Tune,

This document serves as a cover letter and preface to the Friends of Allegheny Wilderness 219 and 218 Objections to the Tracy Ridge Shared Use Trails and Forest Plan Amendment Project.¹ As such, this document provides the analytical backdrop through which our Objections should be understood.

The Eastern Wilderness Areas Act of 1975 legislated that “in the more populous eastern half of the United States there is an *urgent need* to identify, study, designate, and preserve areas for addition to the Nation Wilderness Preservation System... Therefore, the Congress finds and declares that it is in the national interest that these and similar areas in the eastern half of the United States be promptly designated as wilderness within the National Wilderness Preservation System.”² [emphasis added]. In issuing a Draft Decision Notice that contains a Finding of No Significant Impact, the Allegheny National Forest (ANF) has disregarded the legislative will of Congress – and therefore the will of the people of the United States of America. Instead of acting with care and urgency in furtherance of the Congressional will, the ANF has acted hastily and carelessly, taking as valid only those assertions that support their predetermined agenda. Neglecting, in their wake, the fact that the perspective of wilderness advocates has already been endorsed by Congress.

¹ These Objections serve as a rebuttal to the information contained within the Tracy Ridge Shared Use Trails and Forest Plan Amendment Project: Environmental Assessment (December, 2016) & the Tracy Ridge Shared Use Trails and Forest Plan Amendment Project: Draft Decision Notice and Finding of No Significant Impact (July, 2017)

² S. 3433 (93rd): Eastern Wilderness Areas Act

Friends of Allegheny Wilderness recognizes as valid the ANF's assertion that, "[i]n NEPA, a 'significant impact' has a very specific meaning. A number of factors are considered when determining impact including context and intensity."³ However, we disagree with the ANF's analysis and have shown in our Objections pursuant to 40 C.F.R. §1508.13 and 40 C.F.R. §1508.27 that a "significant effect"⁴ does in fact exist. Under 40 C.F.R. §1508.27 a finding of significance requires a two-part analysis. Subsection (a) of 40 C.F.R. §1508.27 discusses the "context" of an action, while subsection (b) discusses the "intensity" of a particular action.⁵

Our Objections are parsed pursuant to 36 C.F.R. Part 219 and 36 C.F.R. Part 218, where Objection 219 represents our Objections to the Forest Plan Amendment and Objection 218 represents our Objection to the Project.⁶ In addition to this distinction, however, we would like Objection 219 to represent an elaboration of the context of the effects of the proposed action, while Objection 218 represents an exposition of the intensity of the proposed project.

As far as any part of Objection 219 represents an element of intensity under 40 C.F.R. §1508.27 that part of Objection 219 is to be given full weight as an element of intensity under 40 C.F.R. §1508.27. As far as any part of Objection 218 represents an element of context under 40 C.F.R. §1508.27 that part of Objection 218 is to be given full weight as an element of context under 40 C.F.R. §1508.27. It is important to note that the fulfillment of any subsection or element of 40 C.F.R. §1508.27 taken individually, provides enough to conclude a finding of significance.⁷ The documents that follow, taken individually and together, provide sufficient evidence of significant effects resulting from the proposed Project and Plan Amendment, as such an Environmental Impact Statement at a minimum is required.

Sincerely,



Kirk Johnson, Executive Director
Friends of Allegheny Wilderness

³ Tracy Ridge Shared Use Trails and Forest Plan Amendment Project: Environmental Assessment, Page, 32

⁴ 40 C.F.R. §1508.13

⁵ 40 C.F.R. §1508.27

⁶ 36 C.F.R. Part 219 & 36 C.F.R. Part 218

⁷ 40 C.F.R. §1508.27