

Detailed SELC Analysis of Jefferson Roadless Inventory Process Paper and Decisions 4-21-04

Lynn Camp Creek (Wythe District)
(VMT at 64 and 1999 Process Paper at 27)

Lynn Camp Creek is described on page 64 of Virginia's Mountain Treasures. The area is just south of Beartown Wilderness and just a bit west of Garden Mountain recommended wilderness study area. The area identified in VMT includes more than six miles of the Appalachian Trail. The Forest Service evaluated an area of 3,451 acres and found it had a 2,294 semi-primitive core.

There appears to be one main reason the Forest Service did not include the area. It drew the northern boundary as 222 and the tracts of private land between 222 and the area. Had the boundary been drawn as it was in the Mountain Treasures map, there would be no intrusions (fingers) of private land into the area. The 10/22/98 letter from Estill to Peter Kirby (attached) describes Forest Service Road 632 that runs along Lynn Camp Creek. This road was classified as unimproved for the purpose of the roadless inventory so the area meets the road density standards and the road does not disqualify the area. The letter says the road is used frequently by both the Forest Service and Virginia DGIF to monitor and improve aquatic habitat. The 7/28/97 letter to Kirby from Damon says the area's "location, size, and boundaries do not ensure perpetuation of wilderness values." The 10/22/98 letter says the area "is not a self contained ecosystem."

However, the 10/22/98 letter notes that "without the intrusions of private land, Lynn Camp Creek could be considered a self-contained ecosystem" as the creek runs through the middle of the area and both ridges forming the drainage basin are included within the area. Thus, if the boundary had been drawn to exclude the private land intrusions as shown in VMT at 64, the area would be a self-contained ecosystem. The refusal to make the simple boundary adjustment to include this area in the inventory is arbitrary. Making the boundary adjustment would have addressed all the agency's stated concerns. (It is important to note an area need not be a self-contained ecosystem if it is manageable in its natural condition. FSH 1909.12, 7.11(2).)

The arbitrary nature of the decision to exclude this area can be seen when we look at a neighboring area, Garden Mountain (3,900 acres), that was included in the roadless inventory and ultimately recommended for wilderness by the Forest Service. Garden Mountain is bordered on its longest (southern) side and its western side by private property. Its eastern side is bordered by an open state road. Its northern side is bounded by the Appalachian Trail. This is often the case for wilderness in Virginia. Like Lynn Camp Creek, it is separated from potential addition to Beartown Wilderness by only a short distance (either a road or private property). Lynn Camp Creek's core shape is no less conducive to wilderness management than Garden Mountain.

It appears the only real difference between the areas is the unimproved road and this is not a viable reason for excluding the area under the criteria for eastern roadless inventory. Areas in the east can have a half mile of improved road per 1000 acres. It is worth noting that Garden Mountain has a semi-primitive core of 2,648 acres whereas Lynn Camp Creek's semi-primitive core is only 2,294 acres. It appears the 2,500 acre semi-primitive core screen may have played a role in the decision here as well.

Stone Mountain (Clinch District)

The Stone Mountain area is instructive in assessing the arbitrary nature of the agency's roadless inventory decisions. In the 10/22/98 letter from Estill, the agency states:

“The boundaries, subsurface ownership, physiography, and vegetation of the Stone Mountain Area are not conducive to management in a natural condition. Stone Mountain is not a self-contained ecosystem.”

Most of these same factors are cited for excluding other areas from the roadless inventory addressed in the 10/22/98 letter. In 1997, the FS just said the area was too small and isolated (also noting the reserved mineral rights). However, despite the agency's claim that the area had all these problems, the final Forest Plan recommended the area for wilderness designation. The only thing that changed from the time of the inventory to the time of the recommendation for wilderness was the status of the subsurface ownership of minerals- according to the record of Decision, the private mineral rights and the earlier lease have expired. (It is worth noting that North Fork of the Pound was included in the inventory despite the fact it had existing federal leased mineral rights.) Thus, the agency is implicitly acknowledging that at Stone Mountain its concerns about boundaries, physiography, vegetation and self-contained ecosystem are not significant reasons for disqualifying an area from the roadless inventory, or even from wilderness recommendation.

The inventory is just supposed to identify those areas that have potential for wilderness and will be reviewed again in the wilderness evaluation. Excluding areas that are virtually the same as areas included in the inventory based on arbitrary, and in some cases irrelevant, factors is improper. Stone Mountain's recommendation for wilderness helps makes the case that the agency's exclusion of comparable areas from the inventory was arbitrary.

Devil's Den - Ewing Mountain - Mt Rogers NRA (VMT at 66 and 1999 Process Paper at 16-17)

The total area studied by the Forest is 7,349 acres with a 4,234-acre semi-primitive core which is divided in two parts by private land and a state road. The Wilderness Society, et al., asked the Forest Service to look at the western Devil's Den, Mount Rogers National Recreation (3,385 acres) and eastern Ewing Mountain (3,964 acres) Areas separately. (6/13/97 letter attached and in Virginia National Treasures (VMT at 66). The Forest Service responded in their July 28, 1997 letter to Peter Kirby and in the Roadless

Inventory Process Paper (1997 Process Paper) signed by Damon on 8/4/97. The Forest Service acknowledges that each area has a 2,100-acre semi-primitive core and meets the road density standard. The Forest Service incorrectly notes that Devil's Den is on the east side of the area, when in fact Devil's Den is on the west side and Ewing Mountain is on the east side.

The Forest Service notes that the southern end of Ewing Mountain contains a recent timber sale and closed temporary roads and many regenerated clear cuts older than ten years. 1999 Process Paper at 17.

The 1999 Process Paper notes that neither side meets the criteria of "self-contained ecosystem or contiguous to an existing wilderness or primitive area." "The state road, the private land in the center, and the configuration of the National Forest land led to my decision not to include this area in the roadless inventory." Thus, the FS refused to consider the area as two areas since it disqualified based on road and private property dividing it in part.

This area was improperly rejected because Chapter 7.1 of the Forest Service Handbook (FSH) does not require that an area be a self-contained ecosystem or contiguous to existing wilderness. An area less than 5,000 acres can qualify if it is "manageable in [its] natural condition." FSH 1909.12, 7.11(2).

Furthermore, it is important to note here and elsewhere in this appeal that the agency uses the fact of a recent timber sale along with closed temporary roads as a reason for not including the area. Thus, allocation of roadless areas to management prescriptions that allow temporary roads and harvesting will jeopardize an area's qualification as a roadless area, as this example shows. Thus, prescription 12A and 12B (allows logging) ? (others) are not protective of roadless areas.

Dismal Creek Area - Blacksburg District (VMT at 47 and 1997 Process Paper at 8)

The Forest Service examined a 6,906-acre area with a 2,818 semi-primitive, non-motorized core. The agency found the road density to be .63 miles per thousand acres based on 1.27 miles of FS 10281 and 3.1 miles of FS 1015. The agency said it looked at several different boundary locations in an attempt to reduce road density but claimed that the "location of the improved roads resulted in significant acreage reductions or unmanageable boundaries." 1997 Process Paper at 8. This configuration failed to fully consider the proposal submitted by Peter Kirby of TWS, et al., on 6/13/1997. See attached. The portion of 1015 parallel to 201 could have been easily excluded to meet improved road density standard.

Dave Muhly also presented a proposal for Dismal Creek that would have included only 1.7 miles of FS 1015 yielding a road density figure of .43. See May 1999 proposal on Dismal Creek/Highlands Management Area attached. Muhly also notes that FS 10281

was constructed as a “pre-road during the early 1980s for anticipated timber sales that never materialized.” He suggested that the road could be obliterated.

In any case, given the size of the area, it is clear that the boundaries could have been drawn to meet road density standards. It is arbitrary for the Forest Service to ignore the many other attributes of the area that qualify it for the roadless inventory: (1) the area included the entire headwaters of the upper Dismal Creek from ridge top to ridge top. Thus, it provides a self-contained upper watershed which would be easy to manage as a whole. The area provides a significant buffer for the Appalachian Trail corridor which is considered unique by the Appalachian Trail Conference because of its location within a National Forest watershed and its relatively level gradient until it descends towards High Point (See Muhly); (2) the area clearly provides opportunity for solitude or unconfined recreation - the large semi-primitive, non-motorized core, 2,818 acres, emphasizes that.

Furthermore, the regional forester wanted to ensure that it is “not just the location of the boundary that causes an area to fall out of the inventory.” Letter from Joslin, Regional Forester, to James E. Loesel, August 19, 1995. Detailed decisions on boundaries need not be made until the wilderness evaluation, step two of the process.

Here, it is very clear from just looking at the maps that the area around the 2,800-acre semi-primitive, non-motorized core (the triangle with Flat Top and High Point at two corners) and its many valuable assets qualifies for the roadless inventory.

Hickory Flats - Blacksburg District (VMT at 39, 1997 Process Paper at 5 and 1999 Process Paper at 6)

This 5,037-acre tract was included in the 1995 and 1997 roadless inventories because it had a semi-primitive core of 3,393 acres and road density of .42 miles per thousand acres. The Forest Service reviewed the area in 1999 and disqualified it from the inventory due to road density, based on changing its finding that roads were unimproved to a finding that Forest Service Roads 10522, 10521 and a portion of 10481 were improved according to criteria established by the Regional Forester in May 19, 1995 guidance. It also eliminated the semi-primitive core based on the changed classification of the roads.

This decision was arbitrary because there were a number of ways the area could be configured to meet the road density standards and, as discussed elsewhere, the semi-primitive core is not necessary. First, Forest Service Road 10521 could easily be left out of the area as it is along the southeast boundary. See VMT at 39. Second, some portions of FS 10481 are not improved and excluding any unimproved sections would help meet road density. Third, the size of the area could be expanded to meet the road density requirement. The 1997 Process Paper acknowledges that acreages up to 6,000 acres had been discussed. In “pre work notes: meeting with Joy and individual rangers, June 1994”, the Forest Service was looking at a larger area which would have allowed the road mileage set forth in the 1999 Process Paper. The area considered was 6,557 acres and could have 3.3 miles of roads at this acreage. For example, the area could be expanded along Peter’s Mountain to the southwest, or to the northeast of the area.

The pre-work notes state “this area contains quite a few old closed roads the District agrees are primitive, but have a lot of cut and fill”. But how much of FS 10481 which follows a relatively flat valley, especially in its upper reaches, has any cut and fill?

The Improved Road Issue

As noted above, it is not clear whether the change from unimproved road to improved roads is accurate or consistent with FSH 1902.12, 7.11(3) or with 5/19/95 Regional Guidance. The pre-work notes state that the area has “old closed roads that the district agrees are primitive, but have a lot of cut and fill.” An improved road is a road “maintained for travel by standard passenger-type vehicles.” FSH 1909.12, 7.11(3). If the road is only passable by high clearance, off-road vehicles which still happen to be street legal, it should not be classified as an improved road pursuant to 7.11(3). Such a road is not maintained for travel by standard passenger vehicles.

The Regional Guidance (May 19, 1995) says that for maintenance level 1 and 2 roads, “the underlying actual conditions” of the road are what make the determination as to whether or not it is an improved or unimproved road. The issue under the Regional Guidance is whether a maintenance level 2 road is currently being maintained for “standard passenger-type vehicles”, including street-legal vehicles. Thus, if a road is not being maintained for use by a street-legal vehicle and is not usable by most vehicles types (Regional Guidance at 9), then it should not be classified an improved road even if it is possible to discern some definable constructed cross section. Bottom line, if the roads are old, closed and primitive, and only have some remnants of cut and fill, that should not render them improved roads.

Furthermore, we disagree with the region’s finding that standard passenger-type vehicles include all types of street-legal vehicles. Just because some high-clearance vehicles can navigate the road does not mean the road is “maintained for standard passenger-type vehicles”.

Sinking Creek Mountain - New Castle

(VMT at 34, 1997 Process Paper at 19 and 1999 Process Paper at 21)

The eastern end of Sinking Creek Mountain, 2,858 acres, has almost no roads and is a very important scenic feature as it can be viewed from route 311 and New Castle and from the Appalachian Trail on Cove Mountain near Dragon’s Tooth area. TWS et al. recommended this areas in their 6/13/97 letter. It has a semi-primitive core of 2,287 acres. The area is disqualified because it is not a self-contained ecosystem nor contiguous to existing wilderness. This decision is arbitrary because it ignores the fact that the area can be managed in its natural condition. An area does not have to be a self-contained ecosystem or contiguous if it can be managed in its natural condition. See FSH 1909.12, Section 7.11.

Blacksburg District - (1997 Process Paper at 5 and 1999 Process Paper at 26)

The Forest Service divided this area into a western area of 4,057 acres and eastern area of 3,731 acres. The two areas are bisected by a power line. It disqualified the western area because of road density even though it acknowledges that a boundary modification could easily bring the road density below .5.

There is also a significant area between Huckleberry Knob and Sinking Creek Mountain through which the Appalachian Trail runs which the Forest Service did not adequately consider in their roadless inventory. This area runs from the east end of FS 630 to route 209. It contains a significant portion of the Appalachian Trail and the Niday Shelter. There is apparently a large low road density core of 1,000 acres (99 James Ohear map) in the center of the area. The agency identified a fairly large area, 3,731 acres, in this approximate area in their 1994 roadless maps, but disqualified based on sights and sounds. Bamford spreadsheet.

This area is also across route 621 from Brush Mountain East an inventoried roadless area that has been recommended for wilderness by the Craig County Board and should be included in legislation introduced by Senator Warner and Congressman Boucher. The exclusion of this area based on sights and sounds when an adjacent area is being included in a wilderness bill demonstrates the arbitrary and improper use of the sights and sounds criteria.

Potts Arm - New Castle (1999 Process Paper at 20)

The Forest Service evaluated a 4,311-acre area which meets the road density requirement. The area borders the Barbours Creek Wilderness to the northeast and Shawver's Run Wilderness to the northwest. The agency found the area had no semi-primitive core, but this is puzzling given the full shape of the area. The Forest Service appears to have disqualified the area because it is popular and receives significant use. The 1997 Process Paper states, "The area and access roads are popular for hunting, fishing and other dispersed recreation and receives heavy use. Maintenance of the area for general public access is desirable."

This area meets all the criteria for roadless areas in the east. FSH 1909.12, Section 7.11b.

The agency has improperly used a wilderness evaluation consideration in determining whether the area should be included in the roadless inventory. The fact that the area experiences significant recreation use can be considered in determining whether the area is available for wilderness. However, the popularity of the area should not disqualify it from the roadless inventory. Furthermore, the fact that the area is adjacent to existing wilderness areas, separated only by Forest Service Roads, further indicates the area should have been included in the roadless inventory so that it could be fully reviewed for its wilderness potential. 1997 Process Paper at 18. Also note this area was raised in TWS's 6/13/97 submittal to the Jefferson National Forest and responded to in the 7/28/97 letter from Bill Damon to Peter Kirby.

Wilson Mountain - Glenwood District
(VMT at 13 and 1997 Process Paper at 13-14)

This six-mile long scenic area is made up of a series of quartzite and metasiltstone ridges facing the James River. Virginia Mountain Treasures describes the area's natural and recreation assets including three trails at VMT 13. The Forest Service included the area in the draft roadless inventories dated 5/23/94, 7/25/94 and 3/2/95. The area meets road density standards and is nearly 5,000 acres.

The agency provides two main reasons for not including the area: (1) the land is not regaining a natural, untrammelled appearance, and (2) the location of the area is not conducive to perpetuation of wilderness values. 1997 Process Paper at 13-14. The agency further states, "The Skillern Mountain ridge line is dotted with regenerated cutting units and linear wildlife strips affording a visitor the sights and sounds of the surrounding valleys including the Norfolk and Western Railroad on both sides of the James River, the Interstate 81 corridor, and residential housing developments. The agency fails to note that the top of Pine Mountain has a band of 124-year forest. VMT at 13.

With regard to the roadless inventory decision, the primary factors on whether an area is regaining a natural appearance are found in FSH Section 7.11b(6)(7). The area meets the requirement to have less than 20% of the area harvested within the past ten years and no more than 15% of the area in non-native plant vegetation. The focus of the naturalness evaluation should be on the area itself, not surrounding private lands. Also, the agency fails to acknowledge that the former cutting units are regenerating towards a natural status over time.

Furthermore, the use of the "sights and sounds" criteria for disqualifying an area from the roadless inventory is clearly improper. In fact, Congress intends that areas in proximity to the sights and sounds of man be available for wilderness designation. The agency's conclusion that "the location of the area is not conducive to the perpetuation of wilderness values" is based on the sights and sounds of the valleys visible from the area. If this criteria is used in eastern forests, particularly in the ridge and valley area of Virginia, many important roadless areas or wilderness areas could be disqualified. Again, the agency may not rely on sights and sounds from outside the area. The same railroad track runs all along the northern border of the James River Face Wilderness. Clearly, it did not disqualify that area.

The only other reasons set forth for disqualifying the area are that it is not a self-contained ecosystem and is not contiguous to an existing wilderness. An area need not meet these requirements to be included in the roadless inventory so long as the area is manageable in its natural condition. See Forest Service Handbook 1909.12, Section 7.11(2).

The Wilderness Society and others submitted extensive materials supporting Wilson Mountain as a roadless area. See 7/28/97 letter from Bill Damon to Peter Kirby attached.

Also, TWS and 33 other groups submitted Virginia's Mountain Treasures to the Forest Service which described Wilson Mountain and articulated the reasons it should have been included in the roadless inventory. VMT at 13.

James River Face Additions - Glenwood District
(1997 Process Paper at 13)

James River Face Additions includes 1,084 acres on the west and northwest sides of James River Face Wilderness. The Forest Service disqualified these areas because of past timber harvesting and because of sights and sounds from private land adjoining Forest Service boundaries. Sights and sounds outside of the areas should not serve to disqualify them for the roadless inventory. 1997 Process Paper at 13. Areas raised by Bamford and Krichbaum.

Cove Mountain - Glenwood District
(VMT at 15 and 1997 Process Paper at 11-12)

Cove Mountain is described in Virginia Mountain Treasures at page 15. The area includes six miles of the Appalachian Trail. The Forest Service found that 3,930 acres meets road density standards and the area meets naturalness standards within the area. The area includes important trout streams and a special biological area.

The Forest Service disqualifies the area because of the limestone quarry on the north side of the area and the fact that Interstate 81, the railroad track and the town of Buchanan can be seen and heard from the area. The agency concludes that the location of the area is not conducive to the perpetuation of wilderness values. 1997 Process Paper at 11-12. Again, the agency uses sights and sounds outside of the area under consideration to disqualify it from the roadless inventory. As noted above, sights and sounds from outside the area should not be used to disqualify the area from the inventory. Furthermore, the quarries are on slopes facing away from the area studied.

The Forest Service does note that the Appalachian Trail was relocated off the ridge top to avoid the sights and sounds of the quarries. This shows that the area does have opportunities for solitude or unconfined recreation.

Terrapin Mountain - Glenwood District (VMT at 10, 1997 Process Paper at 12-13 and 7/28/97 letter to Peter Kirby)

The Terrapin Mountain/White Oak Ridge Area is 2,761 acres. It meets the road density standards and naturalness requirement, but according to the Forest Service has no semi-primitive core. The area has a manageable shape. The agency seems to reject it because it is small. It also notes that it is not a self-contained ecosystem or contiguous to existing wilderness, but as stated before, an area need not meet these latter two requirements as long as it is manageable in its natural condition. FSH 1909.12, Section 7.11.

This area should have been included in the inventory as it has steep terrain ranging from the base of the mountains to the crest of the Blue Ridge, a dramatic 2,800-foot elevation change. See VMT at 10. Furthermore, the size of the area is comparable to Thunder Ridge Wilderness which is just across the Blue Ridge Parkway from the area. While not contiguous, it is separated only by the Blue Ridge Parkway. This area meets all the criteria for the roadless inventory in the east and provides opportunities for solitude or unconfined-type recreation. Disqualification of the area based on its size and lack of a semi-primitive core is improper. 1997 Process Paper at 12-13 and 7/28/97 letter to Peter Kirby.

Floyd Mountain/Apple Orchard Falls - Glenwood District
(VMT at 11 and 12, and 1999 Process Paper at 14)

This area just west of the Blue Ridge Parkway includes the Appalachian Trail, Apple Orchard Falls and Cornelius Creek Trail. The area is described in Virginia Mountain Treasures at page 11 and 1997 Process Paper at 12.

An area can be drawn that meets road density and naturalness standards which is larger than 5,000 acres. See VMT at 11 and Bamford spreadsheet. The area does not have a semi-primitive core according to 1999 Process Paper at 3, but does not need one because of its size and because it provides the opportunity for solitude or unconfined-type recreation. The Forest Service looked at an area of 4,287 acres. The agency rejected the area because of established recreation use and potential improvements to Apple Orchard Falls Trail and Cornelius Creek Trail.

The established recreation use is not a proper factor for disqualifying the area from the roadless inventory. Consideration of the extent of recreation use should have waited until step 2, the wilderness evaluation, in considering the area's availability for wilderness designation. The agency also notes that improvements are not disappearing or muted. These relate primarily to the hiking trails and bridges. These types of improvements do not disqualify it from the roadless inventory and any substantial improvements could be drawn out of the area as it has significant size. See 1999 Process Paper at 14.

Mill Creek - Blacksburg District
(VMT at 46 and 1999 Process paper at 7)

The Wilderness Society recommended the western portion of Mill Creek be included in the roadless inventory. See letter to Peter Kirby 7/28/97 from Bill Damon, letter of 10/22/98 to Peter Kirby from Elizabeth Estill and Virginia Mountain Treasures at 46. The western area is approximately 2,500 acres with a 2,148 semi-primitive, motorized core. The agency acknowledges the area is remote with a number of remarkable features including the Appalachian Trail and that the area has no roads. The main reason for disqualifying the area is the supposed need to maintain access to the power line at the

eastern end of the area and its size. These management concerns should have been addressed in the wilderness evaluation. (There is no road access to power lines now and it may be preferable to access by helicopter should maintenance be necessary.) Excluding the area because of its smaller size given the semi-primitive core is arbitrary. Thunder Ridge Wilderness is only 2,344 acres in size. (This area was a 4,000 acre RARE II area and was designated as a Wilderness Study Area by the 1975 Wilderness Act. A 1981 wilderness study EIS decided not to recommend the whole area as wilderness due to its size and the transmission lines, but did not address the roadless inventory issue for the western area.) 1999 Process Paper at 8.

Areas with Minerals Issues

The roadless inventory criteria specifically allow for areas to be included in the inventory if they have outstanding mineral leases or subsurface rights. Paragraph 7.11a(4) provides that roadless areas may include mineral leases having a “no surface occupancy” stipulation or mineral leases that have not been exercised for development or occupancy. It further provides that if and when the occupancy rights are exercised, remove the area or portion affected from the inventory unless possible to maintain for wilderness values. Paragraph 7.11b(3) regarding roadless areas in the East provides that areas qualify if “the area has existing or attainable National Forest System ownership patterns, both surface and subsurface, that could ensure perpetuation of identified wilderness values.” Thus, if these areas meet the roadless criteria they should be included. They can be removed if incompatible surface development becomes likely.

Roaring Branch and Devil’s Fork in the Clinch District were included in the RARE II inventory. Devil’s Fork was included in the 1997 inventory despite the existence of private subsurface ownership. The 1997 Process Paper stated the area is manageable in its natural condition. 1997 Process Paper at 10. Since that time, Devil’s Fork has been removed from the roadless inventory based on a note that the subsurface rights are not attainable, although the Process Paper does not explain why they are not attainable or whether there are proposals for development and surface occupancy. 1999 Process Paper at 11.

Furthermore, the Roaring Branch Area was not included in the 1997 inventory due to the private subsurface rights. The agency provides no information indicating the subsurface owner plans to develop the mineral rights. It was arbitrary to include Devil’s Fork, but not Roaring Branch in the 1997 inventory. Now it is arbitrary to drop Devil’s Fork from the inventory having decided it meets the criteria, without evidence of a proposal for occupancy by the subsurface owner.

Moreover, the North Fork of the Pound area was included in the roadless inventory even though it had federal leased mineral rights, some of which were held by production. 1997 Process Paper at 10-11.

All of these areas are prime roadless areas meeting all roadless criteria, with only the issues regarding their mineral rights. The agency should have included all of them in the

inventory and if proposals were to arise wherein there is no way to avoid substantial impacts on the roadless character of the area 7.11a(4)(b), then the area could be removed from the inventory. See Bamford spreadsheet on Roaring Branch and Devil's Fork.

The treatment of Stone Mountain demonstrates the arbitrary nature of the decision to exclude Roaring Branch and Devil's Fork. Stone Mountain was excluded from the roadless inventory despite a 2,500-acre semi-primitive, non-motorized core because of its size and because there was 580 acres of reserved mineral rights. The reserved mineral rights have expired and now the agency in the final plan is recommending the area for wilderness designation. We strongly support that recommendation. However, it does demonstrate that it was arbitrary to leave Stone Mountain, Roaring Branch and Devil's Fork out of the roadless inventory without proposals for upcoming development of reserved mineral rights.

Stone Coal Creek - New Castle District
(1997 Process Paper at 18 and 1999 Process Paper at 20)

This 2,772-acre roadless area is surrounded on two sides by the second largest roadless area on the Jefferson, Broad Run, and is adjacent to the North Mountain Roadless Area to the south divided only by a power line. The area was rejected because it does not contain a semi-primitive core. 1997 Process Paper at 18. The disqualification of an area based solely on the lack of a semi-primitive core is arbitrary and contrary to the roadless inventory criteria in the Forest Service Handbook.

List of Other Areas Rejected Because of the Lack of a Semi-Primitive Core

- Pine Mountain East - 4,700 acres in an 8.5 mile-long area in the Clinch District including the remote Pine Mountain Trail. 1997 Process Paper at 8. Raised in Wildlaw 7/3/03 comments at 69.
- Pine Mountain West - 2,800-acre area 5.5 miles long in the Clinch District including the remote Pine Mountain Trail. 1997 Process Paper at 8. Raised in Wildlaw 7/3/03 comments at 69.
- Graves Mountain - 3,300 acres in Mount Rogers which meets road density standard rejected for lack of semi-primitive core. 1997 Process Paper at 15. Raised in Wildlaw 7/3/03 comments at 68.
- Round Mountain (North) - 4,869 acres. 1997 Process Paper at 23. Raised in Wildlaw 7/3/03 comments at page 69 and raised by Bamford and Krichbaum in 1994 and 1995.
- Round Mountain (South) - 3,866 acres rejected for lack of semi-primitive core. 1997 Process Paper at 23. Raised in Wildlaw comments 7/3/03 and by Bamford and Krichbaum in 1994 and 1995.
- Glade Mountain - 3,738 acres rejected for lack of semi-primitive core. 1997 Process Paper at 22. Raised in Wildlaw 7/3/03 comments at 69 and Bamford and Krichbaum in 1994 and 1995.
- Six Valley Tract - 3,983 acres just across FS 221 from Bear Creek Roadless Area. Bamford estimates 2,500-2,700 acres, no road density core. The Forest Service

disqualified because of lack of semi-primitive core and the two fingers which are not included in the 3,983 acres. The area was raised in the Wildlaw 7/3/03 comments and by Steve Krichbaum in 1994 and 1995.

- Bald Mountain - Little Mountain - 3,600-acre area which has some old mine sites. Disqualified because of lack of semi-primitive core. Raised by Bamford and Krichbaum. 1997 Process Paper at 19-20.
- Bald Mountain - 3,800-acre area nine miles long disqualified for lack of semi-primitive core. Raised by Bamford and Krichbaum. 1997 Process Paper at 20.
- Spesard Knob - 2,500-acre area separated from Broad Run Roadless Area only by a transmission line. Area dropped due to lack of semi-primitive core. VMT at 22. 1999 Process Paper at 21.
- Spec Mines (3,002 acres) and Curry Creek (2,580 acres) Glenwood. The Forest Service acknowledges that these two areas could be combined. However, it disqualifies both areas because of the lack of a semi-primitive core and sights and sounds from outside the area. 1997 Process Paper at 11. Raised by Bamford and Krichbaum in 1994 and 1995.

Areas where Boundary Adjustments would Allow Areas to Meet Road Density Standards

- Bournes Branch (Mount Rogers Eastern Portion) - 4,600-acre area with plenty of acreage to meet road density standards and have solid area remaining. 1997 Process Paper at 14. Raised by Wildlaw 7/3/03 at 68 and by Bamford and Krichbaum in 1994 and 1995.
- Hussy Mountain - Perkins Knob - 4,400-acre area where boundary adjustments could lower road density below .5. Krichbaum raised this area. 1997 Process Paper at 17.
- Big Bend (Seven Sisters (Stony Fork) - In Virginia Mountain Treasures). Forest Service estimates 3,500-4,000 acres south of route 717 with fairly large low road density core (1,100-1,200 acres). This sizeable southern portion was not given full consideration. Also rejected because of lack of semi-primitive core. See VMT at 52 for description. Raised by Bamford and Krichbaum in 1994 and 1995 and Wildlaw 7/3/03.
- Feathercamp (VMT at 72 and 1999 Process Paper at 17)
The Feathercamp Area west of FS 615 and 90 includes 4,974 acres including 3,560 acres of semi-primitive, motorized area. The area exceeds road density standards, but many of the roads are in the southwest portion of the area near Damascus and if excluded, an area could be drawn that meets road density standards. The 6/13/97 letter from TWS to Damon at 1 notes that most of the off-road vehicle trails and use are in the eastern portion, not this western portion, of Feathercamp. Even so, high recreation use and motorized use should not disqualify the area for the roadless inventory. These issues should be considered in the evaluation for wilderness potential in step 2 of the process.

Footnote: Note the references to Bamford and Krichbaum refer to Bamford - letters and maps submitted December 30, 1994 and for Krichbaum, letters and maps submitted in 1994 and June 20, 1995.