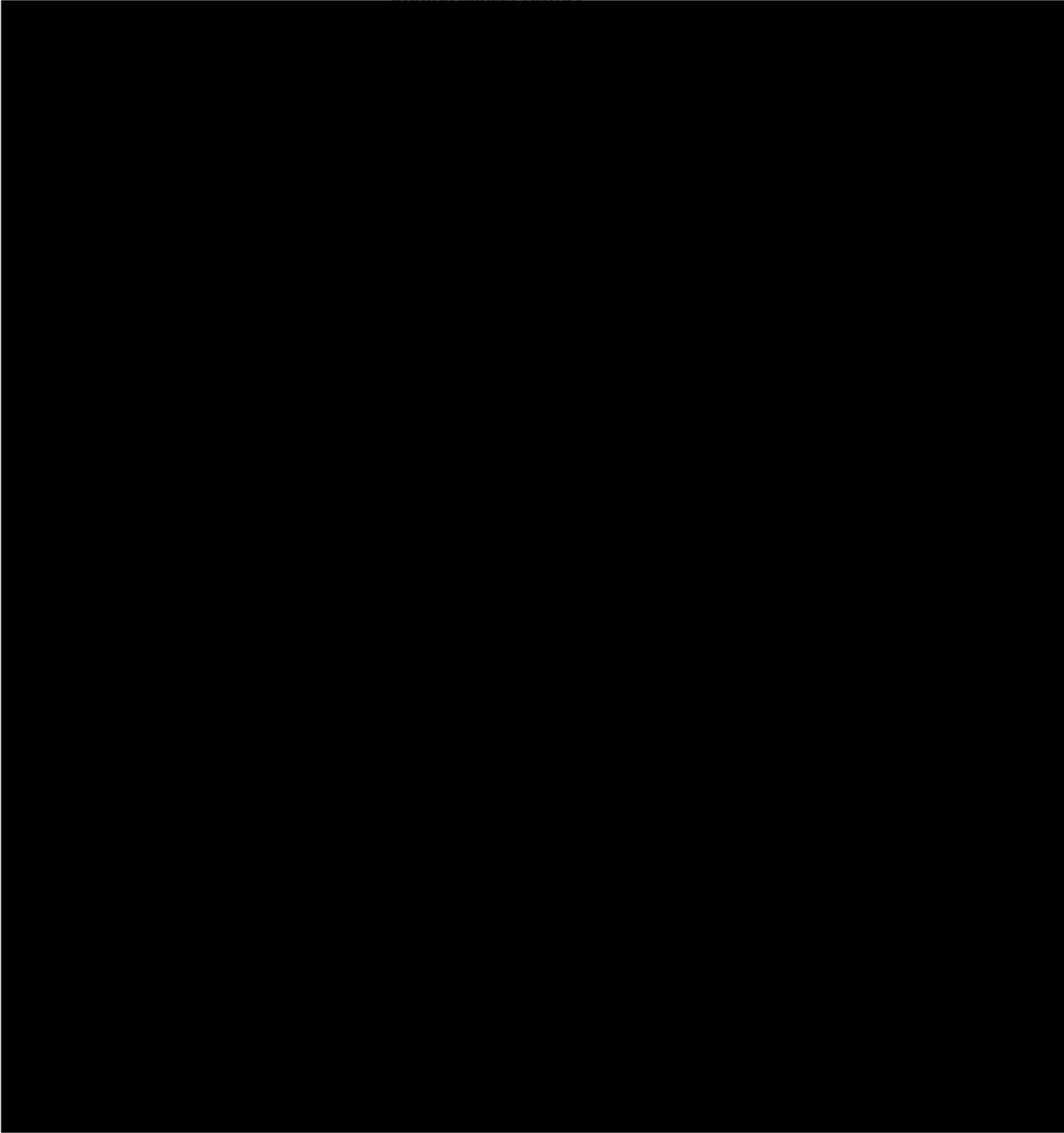


Project Title: The Sunny Oaks Project  
Responsible Official: Timothy D. Slone, Ironton District Ranger  
Wayne National Forest  
Ironton Ranger District

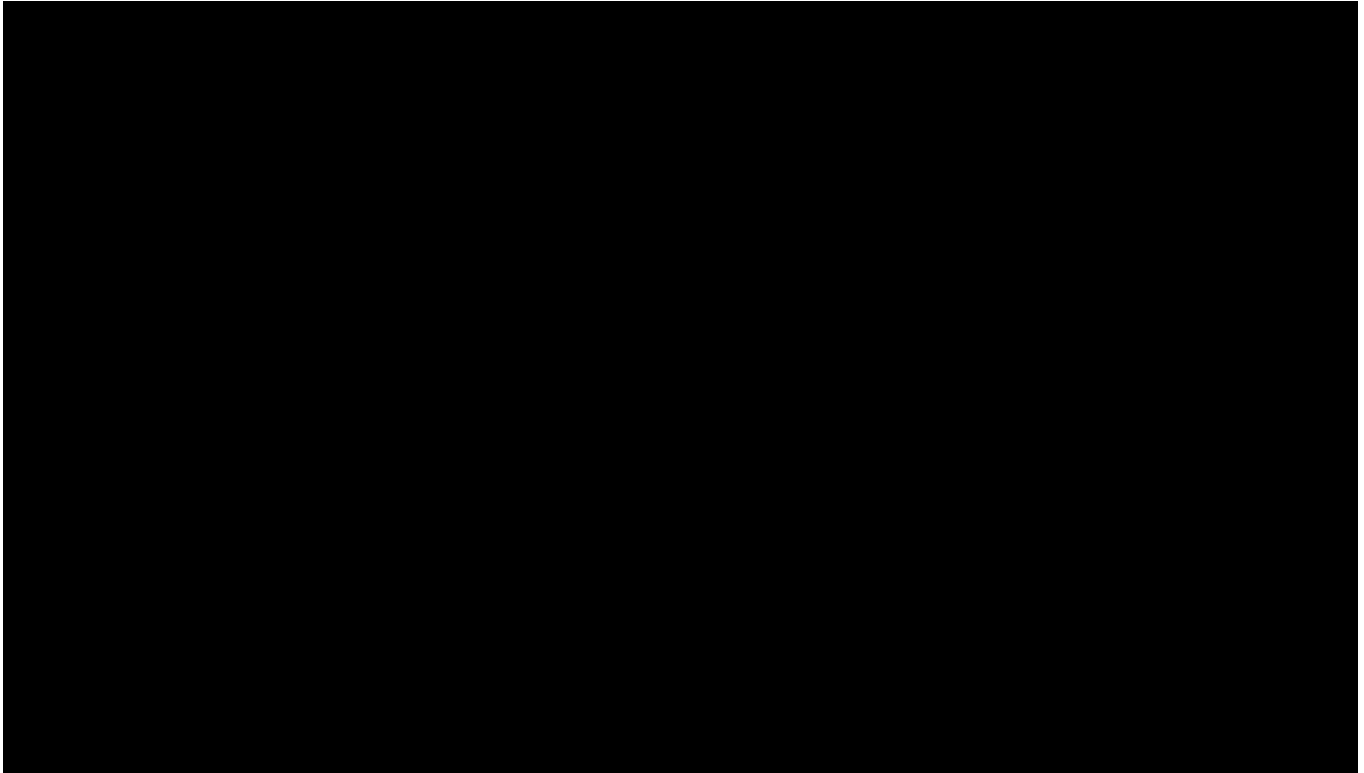
 Objections

Project Title: The Sunny Oaks Project  
Responsible Official: Timothy D. Slone, Ironton District Ranger  
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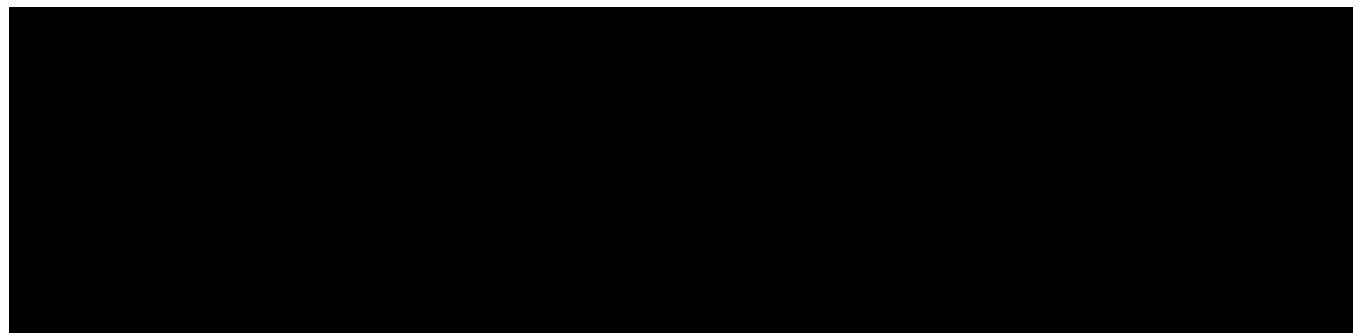


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**Reference to written comments:** These comments requested site-specific information of actions and a complete analysis of the effects of these actions in the short term and cumulatively over time and area. If there is no clear list of actions, there can be no clear and complete analysis and implementation of the proposed action. The Forest Service failed to disclose all actions and the actions impact on the local human environment.



## Our objections are:

**First Objection:** The decision maker did not disclose the site-specific actions and effects of the proposed adaptive management strategy, (DDN page 2&3). The decision and EA did not disclose the impacts in the analysis of all the Sunny Oaks project actions, adjustments, or use of acceptable tools, and the monitoring methods to be used to determine the effectiveness of each proposed stages of action. Also the decision maker did not clearly disclose the site-specific information on all actions as defined in on pages 7 of 47, in the Forest Service Handbook (FSH) 1909.15 – National Environmental Policy Act Handbook, Chapter 10 Environmental Analysis, Amendment No.: 1909.13-2012-3, Effective Date: June 25, 2012, found at [https://www.fs.fed.us/cgi-bin/Directives/get\\_dirs/fsh?1909.15](https://www.fs.fed.us/cgi-bin/Directives/get_dirs/fsh?1909.15). FSH 1509.11.2 “A proposed action is a proposal by the Forest Service to authorize, recommend, or implement an action to meet a specific purpose and need. All proposed actions have five parts that comprise their whole: **who, what, how, where, and when.**”

Nowhere in the documents list on the Wayne National Forest website were all the actions in the project listed clearly where Citizens who are “non-Forest Service NEPA experts” can find them without extreme burden. Even when asked, Forest Service employees and decision maker could not or would not describe and explain all the proposed actions. On page 8 and 9 of this objection document, is a list of Sunny Oaks proposed actions to be implemented with the DDN. The list was the best that we could determine, of the non-site-specific actions, which were scattered throughout the many documents available on the Wayne National Forest website. See attached screen shot of Sunny Oaks project webpage.

<https://www.fs.usda.gov/detail/wayne/landmanagement/projects/?cid=FSEPRD603728>

The Sunny Oaks Draft Decision Notice states on page 2 and 3:

I intend to allow an **adaptive** approach to shelterwood harvests that may include different sequences and outcomes than what was initially described in the EA that would ensure better success at regenerating oak forests (Purpose and Need statement #2). Stands identified in updated Alternative 2 to have shelterwood harvests would receive treatments that fit conditions as they develop to promote regeneration of oak. During implementation, staff would determine the appropriate treatments based on stand examination data coupled with best available science and their expertise implementing forestry practices. Existing stand examinations would inform determining the first treatment, and subsequent examinations would determine the timing of treatments to follow. Timber stand improvement (TSI) and/or site preparation treatments would be conducted before and/or after harvest treatments and in as many locations applicable across the project area to help ensure oak maintains a competitive position across the landscape.

**14.1 - Adaptive Management Strategy** as directed in FSH 1909.15 Chapter 10 Amendment No.: 1909.15-2012-3, Effective Date June 25, 2012, pages 32 through 35 of 47, Section 14.1.

[https://www.fs.fed.us/cgi-bin/Directives/get\\_dirs/fsh?1909.15!..](https://www.fs.fed.us/cgi-bin/Directives/get_dirs/fsh?1909.15!..)

When using adaptive management, display the proposed action as an initial management action and a collection of possible adjustments or acceptable tools to be used to modify the initial action to achieve the intended effects. **Disclose the site-specific effects of all of these actions, adjustments, or use of acceptable tools in the analysis along with the monitoring methods to be used to determine the effectiveness of each.** If monitoring demonstrates that the intended effects are not being achieved through the initial management action, the action can be modified using one or more of **the identified adaptive management actions** in a way that better achieves the intended effects.

**Second Objection**, the decision maker did not disclose all the known significant impacts of all the actions to be implemented on the locale both short and long term. 40CFR 1508.27

We compiled and attached a list of actions to be approved for implementation in the Updated Alternative 2 by the (Draft) Decision Notice & Finding of No Significant Impact. These actions are scattered throughout the Draft Decision Notice & Finding of No Significant Impact (DDN) or in the Sunny Oaks Purpose & Need, Actions/Alternatives, & Design Criteria Presentation (P&N). Nowhere on the Wayne National Forest website could we find a complete or clear list of the proposed Sunny Oaks actions. We do not know if this is a complete list.

The Forest Service representatives need to disclose all proposed actions in a clear and site-specific manner so that the public can understand, and employees can do a complete analysis of all actions to be approved by the Decision Notice. The analysis needs to show both the negative and beneficial impacts. If an action does not have significant positive impacts for humans as a society, regionally, locality or by interest, why is the Forest Service spending time and money on the project and disrupting forest visitors and the natural processes of the forest?

40 CFR § 1508.27 Significantly. Significantly as used in NEPA requires considerations of both context and intensity: (a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, **the affected interests, and the locality**. Significance varies with the setting of the proposed action. For instance, **in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.** (b) Intensity. This refers to the severity of

impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity: (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. (2) The degree to which the proposed action affects public health or safety. (3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. (4) The degree to which the effects on the quality of the human environment are likely to be highly controversial. (5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. (6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. (7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts. (8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. (9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. (10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. [43 FR 56003, Nov. 29, 1978; 44 FR 874, Jan. 3, 1979] <https://www.govinfo.gov/app/details/CFR-2012-title40-vol34/CFR-2012-title40-vol34-sec1508-27>, July 1, 2012.

*"A proposed action is a proposal by the Forest Service to authorize, recommend, or implement an action to meet a specific purpose and need. All proposed actions have five parts that comprise their whole: who, what, how, where, and when."*

**Who will implement the Sunny Oaks actions:** The USDA Forest Service, this is clear (and for example, not the State of Ohio ODNR)

**What When Where How:** is not clear or site-specific for most of the proposed actions to be implemented.

**Please define the following non-specific terms found in the Draft Decision Notice and in the Sunny Oaks documents on the Wayne National Forest website.**

**1) Define “Approximate”** in the context of: “Overall, we are still expecting an approximate 20-year timeframe to fully implement the project.” (DDN page 4)

**Define “Approximate”** in the context of: P&N slide 27. Second entry starts 5 to 15 years after initial entry. Third entry would be 5 to 15 years after second entry

**Therefore**, the DDN and EA implies that **“Approximate”** could impact the local area up to 38 years and not 20, if third harvest entry could be 10 to 30 years after initial harvest entry on the 2,612 acres. The first harvest cut will be within the first 8 years of implementing this decision. The decision also allows within the 38 years that TSI project could continue yearly across the project area of 25,000 acres.

TSI project will have the greater impact to the local citizens and business and the diversity of the forest of the Ironton Ranger District than the timber harvest. 25,000 acres of understood disturbance by fire, herbicides, and mechanical means, the biodiversity of the Wayne National Forest will be reduced. The thin bark trees that provide spring and fall colors such as dogwood, redbud, and maple will be greatly reduced. This will have impacts on tourism in Lawrence County. The USDA research says the prescribe fire is bad for commercial timber because it lowers the value of the timber, (see attached report)

**2) Define “Generally” in the context of:** “While the TSI activities could occur across the project area, they would generally not be ground disturbing” (DDN page 10)

**Is it ground disturbing or not? How much?**

**For example:** one impact that has incomplete cumulative analysis is Air quality and the effect on humans and animals. The 4000 acres of annual prescribed burn had a good analysis. But what was not analyzed was the cumulative impact of the current prescribe burns of 2288 acres a year (2014 Sunny Oaks Effects Analysis Air slide 13) plus the 4000 new acres to be burnt each year. That is over 6,000 acres that could be burnt each year on the Ironton Ranger District for the next 38 years. Other examples of incomplete site-specific analysis are throughout the EA, however, due to time restraints, are not listed here.

**A significant local impact is that local businesses which are valuable partners to the Forest Service would experience significant negative impacts which would cause a successful viable business to shut down. The impact would be significant because of the repeated harvest disturbance to the Lake Vesuvius Horse Trail System. Harvest entries will happen potentially over 24 time along the horse trail causing trail closures. TSI burn could potentially ever 3 to 6 years on each of the different burn units along the trail and camp. (We could not find**

on the WNF website documentation that show how many burn units are in the Sunny Oaks Project). In the past prescribe burns have closed the trail for weeks. Prescribe burns have caused smoke to settle in the Elkins Creek valley around the local horse dependent business, causing health issues for horses and humans. The harvest and burning proposed actions will cause significant negative impacts causing the horse business to shut down during the limited trail season. (limits set locally by Wayne National Forest personnel). The average horse-riding forest visitor travels 252 mile to ride the Lake Vesuvius Horse Trial System and stay at [REDACTED]. The horse-riding community usually plans well in advance of their trips and events, therefore, to arrive in Ohio and have the trails close would be a significant impact on these forest visitors. (Attached is the [REDACTED] data)

**Solutions:**

**Do not use trails as logging transportation routes or skid trails. OR permanently reroute the four sections of trail before harvest activities start.**

**Do not implement burns, TSI, or timber harvest actions between April 15 and December 15 on or near the Lake Vesuvius Horse Trail System or near private and public horse campgrounds.**

### **PROPOSED ACTION LIST MAYBE?**

The following is a list of actions to be approved for implementation in the Updated Alternative 2 by the (Draft) Decision Notice & Finding of No Significant Impact. These actions are listed in the Draft Decision Notice & Finding of No Significant Impact (DDN) or in the Sunny Oaks Purpose & Need, Actions/Alternatives, & Design Criteria Presentation (P&N).

Nowhere on the Wayne National Forest website could we find a complete or clear list of the proposed Sunny Oaks actions. We do not know if this is a complete list.

#### **Action Type 1. Commercial Harvest 2,612 acres**

Initial entry into each stand will be cut at a rate of 1/8 of proposed acres per year for the first 8 years of the approximate 20 years Project timeframe. This is approximately 326.5 acres per year (DDN page 10 at top and in P&N slide 27). Second entry starts 5 to 15 years after initial entry. Third entry would be 5 to 15 years after second entry (totaling 10 to 30 years after initial harvest entry). "Overall, we are still expecting an approximate 20-year timeframe to fully implement the project." (DDN page 4)

One or more of the following harvest methods will be used in each stand (see EA maps & Appendix B):

- clear cut with one harvest entry,
- clear cut with reserve (with 2 entry into stand for harvest),
- two stage Shelterwood (with 2 entries into stands for harvest 5 to 15 years apart- P&N slide 18)
- three stage shelterwood (with 3 entries into stands for harvest each 5 to 15 years apart)
  - (DDN, Appendix B, and Purpose & Need Presentation)

**Action Type 2.** Final determination of harvest method and TSI actions is by "Adaptive Management Strategy." (Draft Decision Notice page 2 & 3). "Overall, we are still expecting an approximate 20-year timeframe to fully implement the project." (DDN page 4)

#### **Action Type 3. TSI actions defined with parameters:**

- Each TSI action may happen on 25,000 acres (across project area) for approximately 20 years therefore Draft Decision Notice will potentially approve a maximum cumulative action of 500,000 acres for each type of TSI over an approximately 20-year period.
- 25,000 acres = "Timber stand improvement (TSI) and/or site preparation treatments would be conducted before and/or after harvest treatments and in as many locations applicable across the project area" (DDN page 3)
- The project area includes about 25,000 acres of National Forest System lands of the Ironton Ranger District" (DDN page 9)
- "While the TSI activities could occur across the project area, they would generally not be ground disturbing" (DDN page 10)

TSI actions include prescribed fire, herbicide applications, and manual tree/shrub cutting (collectively referred to as timber stand improvements or TSI) treatments. (DDN top of page 2)

**Action 3.a.** TSI Prescribed burn across project area on 2000 to 4000 acres per year for 20 years. This is in addition to current levels of Prescribed burn acres on Ironton Ranger District In 2014 there was 2,288 acres treated with prescribed burns on the Ironton Ranger District, (Air Quality Presentation slide 13)

**Action 3.b.** TSI Herbicide on 25,000 ac. Project area. For 20 years. Could be multiple times on each stand. No site-specific limits are set in Draft Decision Notice about time, location or acres. (DDN page 5) (could be annually for 20 year across the project area)

**Action 3.c.** TSI Mechanical removal of unwanted trees and plant on 25,000-acre project. Across the project area (DDN page 5) In Area where fire is not feasible (P&N slide 26)? (could be annually for 20 year across the project area)

**Action 3.d.** Supplemental tree planting – primarily for native pine stands but allowed elsewhere. 25,000 acres possible. (P&N slide 26 and DDN page 5)

**Action Type 4:** Connected Actions: (Purpose and Need slide presentation with notes page 25)

- The same log landings, roads, and skid roads would be used to access the stands. Overall, we are still expecting an approximate 20-year timeframe to fully implement the project. (DDN page 4)
- “proposed action involves what’s called connected actions. These are the types of things that must occur in order to allow the main activity to take place. Involve road construction, road construction, log landings, skid roads and fire lines” (Purpose and Need Presentation slide 25)

**Action 4a.** New permanent road construction: approximately 10 miles at low level to be closed at end of 20-year project. (P&N 25 & 26, DDN 5)

**Action 4b.** Reconstructed of existing roads approximately 17 miles at low level to be closed at end of 20-year project. (P&N 25 & 26, DDN 5)

**Action 4c.** Log lands approximately 60 acres (P&N 26, DDN 5) for 20 years

**Action 4d.** Skid roads approximately 180 acres (P&N 26, DDN 5) for 20 years

**Action 4e.** Fire lines approximately 41 miles per year (23 miles of dozer lines) for 20 years (P&N 26, DDN 5)

**Action 4f.** Reroute of horse trail in four location. (P&N slide 34)