

Acting Watauga District Ranger Chad Ingle
By email: SM.FS.r8cherwatcom@usda.gov

Dear Acting Ranger Ingle,

Please accept the following comments on behalf of Cherokee Forest Voices, MountainTrue, The Wilderness Society, Defenders of Wildlife, and the Southern Environmental Law Center. We appreciate the opportunity to provide feedback on the Pond Mountain Scoping Notice. We recognize that this project has been eagerly anticipated by some stakeholders and that staff are glad to see it move forward after unanticipated delays. To that end, we are identifying only the issues of greatest importance in these comments, in the hope that we can find resolution quickly.

General Comments

We appreciate that this project was initiated in a collaborative spirit. The Pond Mountain project area was identified in an open and transparent collaborative process as having greater than average opportunities to create mid- to high-elevation young forest, which could help meet landscape-level objectives to provide habitat for species like ruffed grouse. At the same time, this area has high biological, recreational, and scenic value because of its largely unroaded character. These unroaded values are centered around the Laurel Fork and White Rocks Mountain, which are separated by the Bitter End road. Maintaining and restoring these areas' natural character and remote recreation setting is a high priority for conservation groups.

The Forest Service has done a good job of engaging with stakeholders, including in field visits, to identify areas of opportunity and concern. This is a major improvement over the Walnut Mountain/Rough Ridge project, which was located in the same general area and was highly controversial. Except as explained below, these collaborative efforts make it possible for us to express general support for the project.

Before discussing specifics of this project, we want to reiterate that we see this project as complementary to, but not a replacement for, the North Zone's sustained efforts to implement the landscape-scale recommendations of the Cherokee National Forest Landscape Restoration Initiative (LRI). It is very important that the Forest Service continue to meet compositional needs and structural goals simultaneously. Emphasizing compositional restoration (which also creates structural diversity) is the best strategy to improve the North Zone's condition over the long term. Additionally, in the right places and with appropriate safeguards, we can support work in stands that may have marginal or low potential for improving species composition, but only to the extent that the primary focus remains on the collaboratively supported landscape-scale recommendations.

As we look ahead to implementation of the Pond Mountain project and the development of other projects on the North Zone, the Forest Service should continue to coordinate with stakeholders primarily through the LRI. This is especially true for projects, like Pond Mountain, where the Forest Service would like to have stewardship agreements or contracts available as tools. Stewardship projects must be developed in collaborative processes that include diverse interests such as local communities and tribal governments, NGOs, and other stakeholders. FSH 2409.19, Ch. 60. In contrast, neither

stewardship contractors nor timber purchasers may “participate in the design of work activities.” Id. These requirements are designed to ensure that stewardship projects come from transparent collaborative processes that “go beyond the public involvement requirements of NEPA analysis,” rather than at the urging of individual stakeholders whose interests may be served through stewardship arrangements. Id. In short, it is improper for a prospective stewardship partner to participate directly in project design except through an inclusive and transparent collaborative process.

With new tools come new challenges. Learning to make the most of stewardship partner contributions without allowing projects to drift from the collaborative zone of consent will involve growing pains. But it is important to set clear expectations internally and externally about how this will work. We would like to discuss this issue further with you and the CNF LRI collaborative group. In particular, we would like to understand whether the collaborative requirements for stewardship projects are intended to be satisfied by the LRI and, if so, how stakeholders’ input into project design will be vetted and communicated to the Forest Service in the future.

Site-Specific Comments

- Road Decommissioning

We sincerely appreciate your efforts to control illegal motorized use in the project area. We also strongly support closing the road and ford at Camp Ten branch. If possible, we suggest that the southernmost portion of this road be retained as a short foot-travel trail connecting FS 293 to the Laurel Fork trail.

- Road Thinning (Bitter End Road)

We appreciate that the project does not include commercial regeneration units on the Bitter End road. However, we cannot support the daylighting along this road. According to the scoping notice, the road thinning is intended to accelerate road drying time. It is also described as benefitting golden-winged warbler. It is not clear, however, that the thinning is needed for either of those purposes.

First, in some discrete areas, we can see the benefit of daylighting to help dry the road. However, many portions of this road do not stay wet. Other portions do currently stay wet but would not hold water if other BMPs were properly installed and maintained. And yet other portions are not open to motorized traffic and therefore do not need this treatment.

Second, we are not aware of any good reasons to believe that the thinned corridors would be utilized by golden-winged warblers, by reference to the GWWA best management practices. Pond Mountain is not in a recognized focal area; no nearby nesting populations were identified in the proposal; and the linear configuration will not allow for the structural gradient needed to create good habitat.

Finally, depending on how much of the canopy is removed, daylighting is likely to create additional ESH, which is not accounted for in the tables provided in the scoping. Assuming 20 linear miles of treatment,

the proposal would include about 150 acres of daylighting. Added to the regeneration units and 2-acre group selections, the project would very likely exceed plan limits on ESH creation in Rx 8C.

We encourage you to reconsider the addition of this work and include an alternative without daylighting. At the very least, we ask that you drop the daylighting along FS 293.

- Flat Ridge

We are familiar with the Flat Ridge area from our recent visits during this project's development and because of our prior involvement with the Rough Ridge project. While we are not categorically opposed to logging in this area, we note that Flat Ridge has a high number of seep/spring complexes and perched wetlands, as confirmed by past Forest Service surveys. (Donaldson 2004). This area also has a large number of rare plants, particularly on rich sites. Ground disturbance in these conditions creates an unacceptable risk of direct impact to rare plants and spread of NNIS. Careful surveys will be needed and, as we discussed on the field trip, the Forest Service should commit to exclusions for rich sites. These should be delineated prior to the EA so that collaborative stakeholders and/or other members of the public can understand the actual impact of this proposal.

- Units 12 and 13

Units 12 and 13 are located in a portion of the project area known to have older forests. These stands should be surveyed for old growth. Even if these stands do not currently qualify as old growth, the Forest Service should consider whether a different treatment or no treatment could help to develop old-growth structural characteristics in these stands. We note that the applicable management prescription anticipates the development of older forest conditions throughout the area, and very little of the area currently meets the desired rotational age. See Objective 8.C-1.01.

Dropping units 12 and 13 would decrease the project by 79 acres. Even without these units, however, the project would still create 5% ESH in regeneration units, well within the 4-8% range directed by the plan. Furthermore, as noted above, the scoping proposal does not account for ESH created by group selection or daylighting. Group selection would create an additional 100 acres of ESH and daylighting could create up to 150 additional acres, which would exceed plan limitations even *without* Units 12 and 13. Please include an alternative in the EA that does not regenerate these stands.

- Rhododendron Treatments

Although we are not entirely convinced of the need for rhododendron thinning at a broad scale, we can support the level of treatment proposed here (up to 200 acres). We ask, however, that you identify the areas for treatment with greater specificity. Thinning would occur within 200-foot swaths on either side of the streams, which means that about 4 linear miles of stream corridors could be treated over a 10-year period. Yet the proposal identifies dozens of miles of stream corridor where this work might occur. The locations ultimately chosen for this work will have different kinds of impacts. For example, thinning along the Laurel Fork itself could potentially improve recreation experience, but it might cause negative

impacts to the stream and its banks caused by hikers, waders, and anglers accessing the stream in more places.

In the EA, we urge you to identify specific segments of riparian corridor where this work will be undertaken and explain with specificity the changes in diversity that you expect to see. Since this is a new and somewhat experimental treatment, we would like it to be monitored to understand whether the desired effects are achieved.

Thank you for your hard work and for your attention to these comments. We look forward to discussing these matters further with you and our collaborative partners. Sincerely,

Sam Evans, Southern Environmental Law Center
Catherine Murray, Cherokee Forest Voices
Hugh Irwin, The Wilderness Society
Josh Kelly, MountainTrue
Ben Prater, Defenders of Wildlife

cc Jim Stelick (James.Stelick@usda.gov), Mike Wright (michael.wright@usda.gov)