

December 15, 2023

*Via online submission at*

<https://cara.fs2c.usda.gov/Public//ReadingRoom?Project=65183>

Kevin Kyle  
District Ranger  
James River and Warm Springs Ranger District  
422 Forestry Road  
Hot Springs, Virginia 24445  
kevin.kyle@usda.gov

**Re: Dunlap Creek Vegetation Management Project Scoping**

Dear Kevin,

Thank you for the opportunity to comment on the scoping notice for the proposed Dunlap Creek Vegetation Management Project. Please accept these comments on behalf of the Southern Environmental Law Center and Virginia Wilderness Committee. We look forward to learning more about the Project and reviewing the environmental assessment (“EA”). For now, we write to highlight two issues that are essential for the agency to account for during Project design and analysis under the National Environmental Policy Act (“NEPA”).

**1. Virginia Mountain Treasures and Old Growth**

A review of the Project area using geographic information system (“GIS”) tools indicates that the Project area overlaps with the Southern Allegheny Cluster of Virginia’s Mountain Treasures.<sup>1</sup> Although a precise comparison is difficult without the shapefiles for the Project, GIS analysis also indicates that the West Unit and Central Unit of the Project contain planned commercial logging in the Slaty Mountain Virginia Mountain Treasure area and the Snake Run Ridge Virginia Mountain Treasure area, respectively.<sup>2</sup> The agency must protect the special character of these areas and give them appropriate consideration under NEPA.

Among the most important attributes of these areas is their old growth forest. Both Slaty Mountain and Snake Run Ridge contain identified old growth stands, and the Snake Run Ridge area “includes tracts of old growth that the Virginia Division of Natural Heritage identifies as perhaps the most extensive in [the] Central Appalachians.”<sup>3</sup> Old growth communities are “rare or largely absent in the southeastern forests of the United States” and any proposal that would affect

---

<sup>1</sup> See Virginia’s Mountain Treasures: The Unprotected Wildlands of the George Washington National Forest 82, *available at*

[https://www.vawilderness.org/uploads/1/7/4/4/17446555/southern\\_allegheny.pdf](https://www.vawilderness.org/uploads/1/7/4/4/17446555/southern_allegheny.pdf).

<sup>2</sup> *Id.* at 88–89.

<sup>3</sup> *Id.* at 88.

this “missing portion of the southern forest ecosystems” requires careful analysis and merits close scrutiny.<sup>4</sup>

Among other things, the District must adhere to the old growth survey protocol and recording requirements in the Forest Plan and clarification letter,<sup>5</sup> and disclose the old growth tally sheets. The Forest Plan recognizes that individual old growth patches contribute to a network of small, medium, and large patches embedded in a matrix of mid- and late-successional forest.<sup>6</sup> Both Appendix B and the Region 8 *Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Region* (“Region 8 OG Guidance”) explain that different sized patches play different roles in the network, and that the spatial distribution of those different sized patches within the network affects the network’s integrity.<sup>7</sup> In short, the old growth network is more than just the sum of its parts. Understanding how a proposed action will affect old growth resources requires understanding not only how much old growth there is, but also where old growth patches of different sizes are located throughout the analysis area and how the proposed action will affect the network.

Old growth is irreplaceable on a human timescale and commercial logging of old growth will almost certainly have significant impacts under NEPA, especially in the rugged terrain of Snake Run Ridge and Slaty Mountain. We recommend the agency commit to avoiding old growth and do the fieldwork necessary to ensure it adheres to that commitment.

## **2. Temporary Road Construction**

The scoping notice indicates that the Project would involve about 3.5 miles of temporary road construction.<sup>8</sup> This seems disproportionately high compared to the acreage of the Project. We encourage the agency to reconsider the harvest stands to minimize the temporary road mileage proposed. As a Forest Service geologist recently observed: “There is nothing so permanent as a temporary road.”<sup>9</sup>

\* \* \*

---

<sup>4</sup> U.S. Forest Service, *Guidance for Conserving and Restoring Old-Growth Forest Communities on National Forests in the Southern Region: Report of the Region 8 Old-Growth Team* at 1 (June 1997).

<sup>5</sup> See Letter from H. Thomas Speaks (USFS) to Record Regarding Clarification of the 2014 George Washington National Forest Revised Land and Resource Management Plan 2 (July 29, 2015), available at [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprd3850362.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3850362.pdf).

<sup>6</sup> See, e.g., GW Forest Plan App. B at B-5.

<sup>7</sup> See, e.g., GW Forest Plan App. B at B-5 to B-6 (explaining the different functions of different sized patches); Region 8 OG Guidance at 15 (addressing “the effective patch size, the distribution of patches across the landscape, the relationship of the patches to the adjacent forest matrix, and the relationship or connectivity of the patches”).

<sup>8</sup> Scoping Notice at 3.

<sup>9</sup> U.S. Forest Service, Ewing Mountain Vegetation Project Environmental Assessment: Draft Geology Report 30 (April 12, 2021), available at <https://www.fs.usda.gov/project/gwj/?project=53735>.

Thank you for your consideration, and please let us know if you have questions. We look forward to continuing to participate and providing additional comments as the Project moves forward. We hope to have opportunities to discuss the project further with you and your staff during that process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SG', with a stylized flourish extending to the right.

Spencer Gall  
Staff Attorney  
Southern Environmental Law Center  
120 Garrett Street, Suite 400  
Charlottesville, Virginia 22902  
(434) 977-4090  
[sgall@selcva.org](mailto:sgall@selcva.org)

Mark Miller  
Executive Director  
Virginia Wilderness Committee  
P.O. Box 1235  
Lexington, Virginia 24450  
(540) 464-1661  
[mmiller24450@gmail.com](mailto:mmiller24450@gmail.com)