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First name: Steve

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Organization: The Clinch Coalition

Title: Associate Director

Comments: Dear Ranger Davalos,

The Clinch Coalition continues to agree generally with the objectives of this project and appreciates the District's decision to complete an Environmental Assessment (EA). We offer the following brief comments on the Draft EA.

In our May 2019 scoping comments, we flagged the importance of selecting the most appropriate seed mixes and seed sources for any pollinator plantings. We are glad the District would use native seeds in these plantings but encourage the District to also address our points regarding seed sources.

We also highlighted the presence of a weather sensor that is in or near the project area. How will the District ensure it is not damaged during tree felling or by equipment? (Related to this question, we encourage the District always to include a good map of the project area. Even with a small project area like this one, a good map helps the public understand exactly where the project is and think through possible issues related to nearby resources, management prescriptions, etc.)

We also ask the District to clarify how the proposed action complies with Forest Plan standards for the relevant management prescriptions, which is required by NFMA. The Draft EA recognizes that the proposed action will negatively affect the locally rare large-leaf phlox and that roughly half of the extant population would be disturbed by the proposed action.[1] However, the relevant management prescriptions (8E4b (Indiana Bat Secondary Cave Protection Area) and 4D (Botanical-Zoological Areas)) both have standards that seem to prohibit such damage. For example, Standard 4D-006 provides that "[v]egetation management is allowed when compatible with the habitat needs of the threatened, endangered, sensitive, and locally rare species." [2] On the current record, it is not clear how the proposed action is compatible with the habitat needs of the large-leaf phlox since the Draft EA recognizes that half of the extant population will be adversely affected. The Forest Service should explain how the proposed action complies with the standards discussed above or make changes to the project as needed.

We also recommend that in the Final EA, the District provide a deeper analysis of potential effects on TES and locally rare species, and include additional design criteria as appropriate. Although the Draft EA identifies many of the substantive requirements with which the project must comply[mdash]like the ESA, NFMA, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and MOU between the Forest Service and USFWS[mdash]the Draft EA does not meaningfully analyze how those substantive requirements are met here.

For example, with respect to TES species, the Draft EA states that the project will comply with the ESA because, "through the appropriate application of Forest Plan guidance and project-specific design criteria, it can be reasonably concluded that there will be no significant effects to threatened, endangered, and sensitive species from the proposed action." [3] That conclusion may prove to be correct, but it is impossible to know without an understanding of what "Forest Plan guidance and project-specific design criteria" the Forest Service has in mind. Moreover, the reference to project-specific design criteria is not particularly illuminating because the only design criteria listed in the Draft EA are the statements that "[t]he proposed action will follow the Forest-wide common standards stated in the Forest Plan" and that the walls surrounding the parking lot will not be damaged or destroyed. [4] In the Final EA, the Forest Service should provide additional information to support its conclusions.

Thank you for considering these comments.

Sincerely,

Steve Brooks, Associate Director

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[1] Since the Draft EA states that "roughly half of the area identified as the extant population will not be disturbed," it follows that the remainder will be disturbed. Draft EA at 9.

2 JNF Forest Plan at 3-29; see also id. ("Allow vegetation management activities to . . . [i]mprove threatened, endangered, sensitive, and locally rare species habitat."); id. at 3-144 (Standard 8E4-018: "Allow vegetation management activities within secondary cave protection areas to . . . [i]mprove other threatened, endangered, sensitive, and locally rare species habitat.").

3 Draft EA at 8.

4 Draft EA at 6.

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[4] Draft EA at 6.