January 19th, 2022

Attn: Dan Giannamore
Resource Assistant
Wayne National Forest
13700 US Hwy 33
Nelsonville, OH 45764

RE: Notice and Comment Period for The Orphan Wells and Abandoned Mines Project #60618 Wayne National Forest

Dear Mr. Giannamore,

The Ohio Environmental Council (OEC) thanks you in advance for the opportunity to submit comments and for considering these concerns. While we support the aims of the project to address the environmental, health, and safety effects associated with abandoned mines and orphan wells, we have serious concerns about the potential impacts of the Project's road construction and reconstruction components. The EA lacks appropriate mitigation measures for most Project roads. Requiring a timely and high standard of Project road decommissioning is important to ensure appropriate environmental impact mitigation. Our comments address the need for the Environmental Assessment (EA) to: (1) mandate the decommissioning and removal of all of the Project's temporary roads/access routes, and (2) require the standard of decommissioning treatment to be the restoration of natural contour (full recontour).

A. The Project Should Mandate Full Recontour of All Temporary Project Roads and Access Routes; Project should require the Environmental Assessment to analyze a full recontour of temporary roads needed for project access

As outlined in the EA, temporary roads and staging areas have the potential to cause detrimental soil compaction and could impact the natural functions of floodplains. The EA addresses the requirement to rehabilitate temporary roads and old access roads when located in floodplains.[1] Additionally, the EA requires closure rehabilitation when temporary roads exist within ¼ mile of known Indiana and northern long-eared bat hibernacula and fall swarming sites.[2] We recommend the EA require closure and recontouring of all temporary roads/access routes needed for project access beyond floodplains and bat hibernacula. Temporary road impacts can have long-term effects on the redevelopment and recovery of soils.[3] According to the National Core BMP Technical Guide, there are six levels of treatment for decommissioning and returning roads to resource production: block entrance; revegetation and road surface drainage; remove culverts and crossing fills; mitigate road surface

[1] USDA, *The Orphan Wells and Abandoned Mines Project Environmental Assessment* (2021), 27
[2] Ibid., 17
[3] Ibid., 28

compaction; reestablish drainageways and remove unstable road embankments; and full obliteration, recontouring and restoring natural slopes.[4]

The closing and abandonment of roads and treatments such as ripping the roadbed or installment of drainage have limited short-term benefits or can lead to continued resource damage. Full recontouring is the treatment of a road that obliterates the road from the landscape and is accomplished by recovering all available fills and burying the cutbank until the surrounding terrain is fully matched.[5] In the context of USDA Burned Area Emergency Response (BAER) for non system road decommissioning, if decommissioning is prescribed, it is usually at the level of full recontouring.[6]

According to the Forest Service Manual, the objective of road decommissioning is to "stabilize, restore, and revegetate unneeded roads to a more natural state to protect and enhance NFS lands".[7] Recontouring roads is the only proven method to fully attain the object of road decommissioning. Compared to ripped and abandoned roads, several studies have documented that full recontoured roads benefit ecological restoration through deeper rooting depths, higher soil organic matter, higher soil carbon storage, and higher tree growth and wildlife use.[8] Forest Service Rocky Mountain Research Station monitoring found that recontouring roads and restoring stream crossings results in dramatic declines in road-generated sediment while storm-proofing or untreated/abandoned roads lead to fewer benefits, high levels of sediment delivery, and risk of culvert failures.[9]

A specific requirement of full recountour and the consistent application of best management practices that clearly direct full recontouring of temporary roads/access routes is essential to ensure the best treatments for ecological function. Full recontour above any other treatment ensures complete decompaction of the roadbed, incorporates native soils, and prevents further motorized use. Full recountour BMPs should also consider proactive noxious weed treatment.[10]

B. Project Road Construction and Decommissioning Should Be Tracked; Project Should Require Full Decommission and Recontour of Project Roads Within Three Years of Use Completion.

Additionally, we recommend the USFS track all new construction and decommissioning of new temporary roads/access routes and identify existing constructed roads/routes in the Infra

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[4] USDA, *National Best Management Practices for Water Quality Management on National Forest System Lands* (2012), 106
[5] USDA, *Appendix A: Typical Diagrams for Road and Stream Crossing Removal (n.d.), B-3*
[6] Foltz, Randy B., Robichaud, Peter R., Rhee, Hakjun., *A Synthesis of Post-Fire Road Treatments for BAER Teams: Methods, Treatment Effectiveness, and Decisionmaking Tools for Rehabilitation* (2009), 42
[7] Forest Service Manual 7734.02
[8] WildEarth Guardians, *The Environmental Consequences of Forest Roads and Achieving a Sustainable Road System* (2020), 27
[9] Ibid., 28
[10] Ibid., 29

database or similar tracking system. Following reclamation, we ask that the Forest Service require all temporary roads to be fully decommissioned and recontoured no later than three years after their use is completed (distinguished from full project completion). We also urge the Forest Service to ensure the effectiveness of any closure devices during the time temporary roads/access routes are present but not in use.

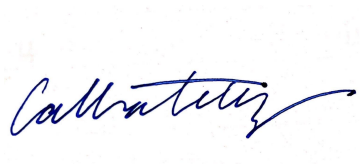
C. The EA Should Analyze Reasonably Foreseeable Road Impacts at the Site-Specific Level; the EA Should Analyze the Efficacy of Full Recontour as a Decommission Method and Mitigation Measure in Comparison to other Potential Methods and Measures.

The EA does not provide site-specific analysis of where and how much road construction and reconstruction will occur, beyond an aggregated estimate of all types of surface disturbance resulting from the Project. We ask the Forest Service to analyze and make public how much temporary roadway is expected to be created and decommissioned. The EA should, up front, identify the likely locations and dimensional impacts of the road and access route constructions and reconstructions it contemplates. The EA should also identify, disclose, and analyze a reasonable range of road decommission mitigation approaches, including the full recontour approach the OEC advocates for in this comment.

Conclusion.

Thank you for reviewing and considering these scoping comments of the OEC. As outlined and discussed, we request that the EA further analyze and mandate the decommissioning and removal of temporary roads/access routes and require full recontour within three years of end use as the standard of decommissioning treatment.

Sincerely,



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