



Graham County Board of County Commissioners

Connie Orr

12 North Main Street

Keith Eller

Chair

Robbinsville, NC 28771

Vice-Chairman

Lynn Cody

Phone: 828-479-7961

Jacob Nelms

Member

Fax: 828-479-7988

Member

Dale Wiggins

Jason Marino

Kim Cusp

Member

County Manager

Clerk

UNITED STATES OF AMERICA
DEPARTMENT OF
AGRICULTURE
UNITED STATES FOREST SERVICE

March 21, 2022

RE: Objection to the Revised Nantahala and Pisgah Forest Plan Final Environmental Impact Statement and Draft Record of Decision:

OBJECTOR

Graham County Board of Commissioners

Connie Orr, Chair

12 North Main Street

Robbinsville, NC 28771

(828) 479-7961

Connie.orr@grahamcounty.org

NOTICE OF OBJECTION AND STATEMENT OF REASONS

Submitted via electronic portal:

Nantahala and Pisgah National Forests Plan Revision Objection

Ken Arney
Regional Forester
USDA Forest Service
Southern Region
1720 Peachtree Road NW
Suite 760S
Atlanta, GA 30309

James Melonas
Forest Supervisor
United States Forest Service
ATTN: Objection Coordinator
160 Zillicoa Street, Suite A
Asheville, NC 28801

cc: Randy Moore, Forest Service Chief, U.S. Forest Service Headquarters, 1400 Independence Avenue, SW, Washington, D.C., 20250-0003

NOTICE OF OBJECTION

Pursuant to 36 C.F.R. § 219, Subpart B, the above party objects to the Nantahala and Pisgah Revised Forest Plan Final Environmental Impact Statement and Draft Record of Decision. The Responsible Official is James Melonas, Forest Supervisor, and the Reviewing Officer is Ken Arney, Regional Forester. The Nantahala and Pisgah Revised Forest Plan Final Environmental Impact Statement and Draft Record of Decision were published on January 21, 2022, with public notice appearing in the *Asheville Citizen-Times*, initiating a 60-day objection period. This objection is timely.

PREVIOUS COMMENTS

The Graham County Board of Commissioners has submitted previous comments during the public comment process for the Nantahala and Pisgah Forest Plan. These comments addressed issues specific to the proposed plan.

The Graham County Board of Commissioners submitted unanimous resolutions and letters in 2015, 2016, and 2020 addressing specific components of the proposed plan. The County's comments have supported an increase in timber production within Graham County and stated opposition to any additional Wilderness or Wild and Scenic River designations within Graham County, while also supporting additional recreational opportunities on Forest Service property in Graham County. The comments stated the County's view that too much acreage was being designated as old growth in all plan alternatives that were made public by the Forest Service in 2020, and stated concerns about the process used by the Forest Service in determining old growth designations. In addition to opposing any additional inclusion of land in the National Wilderness Preservation System, the County's comments expressed opposition to Forest Service treatment of other management areas that effectively creates wilderness conditions without the land being designated as wilderness. The County also expressed its concerns regarding the lengthy internal processes used by the Forest Service, including the NEPA process, in order to execute projects.

The Nantahala and Pisgah Revised Forest Plan Final Environmental Impact Statement and Draft Record of Decision published in January of 2022 introduced a new alternative that was not available during previous opportunities for public comment and input. The final proposed alternative includes excessive old growth designations, recommends additional land for wilderness designation, and increases acreage of areas such as an excessive Appalachian Trail Corridor buffer that includes extensive restrictions on timber harvest. The terminology used in the plan makes it extremely difficult to understand its true impact on timber harvest and recreation opportunities.

REASONS FOR OBJECTION

Graham County is a small county by landmass, with Forest Service land comprising 65 percent of the county's lands. Graham County is also isolated from towns in neighboring counties in both North Carolina and Tennessee. Graham County is economically distressed, being designated as a Tier 1 (most distressed) county by the NC Department of Commerce, and as an at-risk county by the Appalachian Regional Commission.

In addition to Graham County's size and distance from nearby towns in neighboring counties, large swaths of federal lands within Graham County disconnect portions of privately owned lands within the county. The county must still provide service to citizens who live in these areas, resulting in increased costs for law enforcement, first responders, school transportation, solid waste services, and other areas. In addition to increased costs to the county, the creation of these small pockets of private land within the county places limits on opportunities for full use of private property for personal and business use, limiting the overall economic growth of Graham County.

Graham County is forced to finance its essential county services with the limited tax base provided by the 35 percent of privately owned lands within the county. Federal programs, such as Payment in Lieu of Taxes and Impact Aid, are inconsistently funded and do not adequately compensate for the lost tax value of the land that is under federal ownership. Every year when creating its budget, Graham County is forced to balance the need for services with the ability of its property-owning citizens to afford the taxes necessary to cover these services. These same citizens are limited in their ability to be financially successful by the amount of federal land within Graham County and are further limited by excessive restrictions on the use of such land.

Inadequate maintenance and upkeep of Forest Service recreational facilities, and limitations on recreational opportunities within the Forest, place limitations on Graham County's tourism, impacting the county's sales tax base. Restaurants, retail stores, overnight accommodations, and adventure/tour guides are all negatively impacted by restrictions on recreational opportunities within the Forest.

Graham County has worked for decades to make the best of the unique limitations created by the amount of federal lands within its borders. The county's only ability to raise significant revenue on its own is through the property tax and the sales tax. The ability to increase the sales tax is limited by state statute, and the county's economically distressed citizens cannot afford constant increases in property taxes to keep up with the rising cost of services.

Graham County desires to help itself and grow its own economy, enabling citizens to pursue opportunities that increase incomes and improve their financial stability, increasing private investment in Graham County and thereby increasing the tax base to fund needed services while maintaining a reasonable tax burden for all citizens. In order to do this, the forest plan must provide every reasonable opportunity for Graham County's citizens to benefit financially from the maintenance and use of Forest Service property within the county. This includes responsible timber harvest, opportunities for wildlife management, access for recreation purposes, and upkeep of recreational facilities.

SUMMARY OF OBJECTION

The new Alternative E, as published, places additional restrictions on timber harvest by designating old growth areas based on outdated legacy systems that do not adequately account for all needs, recommending areas for wilderness designation that were previously under wilderness study, and placing layers of restrictions on use within special management areas that effectively treat the management areas as wilderness without designating them as such. The plan places more pressure on outside entities, such as local governments, to help with improvements for recreation opportunities, timber harvest, and wildlife management. The plan also does not account for streamlining administrative processes to carry out even those projects that would be allowed under the plan. The plan is also difficult to understand, and the unveiling at the last minute of a completely new, previously unpublished alternative, places limits on the ability of stakeholders to adequately review the final proposal.

Old growth designations in the plan appear to be approached from an add-on basis, with continuously more acreage being added to old growth. The principle of old growth in the context of an overall healthy forest is understood. But actual observation of overall forest management needs would include the deletion of some old growth designations as others are

added. The plan as presented simply builds on decades-old designations, without a comprehensive review of current conditions.

Only approximately 160 acres of previous wilderness study area in Graham County is not being recommended for wilderness designation. Graham County opposes the designation of the Snowbird Wilderness Study Area, Joyce Kilmer Slickrock Ext 2 (Deep Creek/Avery Creek), Joyce Kilmer Slickrock Ext 3 (Yellowhammer), and Joyce Kilmer Slickrock Ext 4 as recommended for wilderness designation. While the complete removal of these lands is subject to congressional action, the shift from study to recommended is within the jurisdiction of the Forest Service and the plan revision.

The plan uses complex layers of rules over various management areas, placing restrictions on timber harvest and recreational use. The blanket corridor along the Appalachian Trail and Cherokee Skyway, rather than accounting for actual impacts of activity on both the AT and the Skyway, places unnecessary limits for use of these lands by other users that would not negatively impact either asset supposedly protected by the restrictions imposed by the blanket corridor.

The plan contains reference to the need for partner support in order to effectively implement various components. While it is understood that this is a reflection of ongoing capacity limitations for the Forest Service, Graham County does not want to see the endorsement of the shifting of responsibility for upkeep of federal lands to the local governments that already face burdens as a result of the prevalence of these lands within their jurisdiction. Graham County needs assurances that the Forest Service can follow through with plans for upkeep of its property without shifting more responsibility to external entities. These concerns apply to recreational projects as well as timber harvest. We want to work together, but do not wish the status quo expectation to become that someone other than the Forest Service be responsible for their property maintenance.

Graham County also has extensive experience observing that even if a use is permitted in a management area, the practicality of actual implementation of projects – from timber harvest to road building to other recreational improvements – effectively slows or eliminates projects. Delays range from lack of initiative by the Forest Service to initiate projects to a cumbersome environmental approval process. The plan does not adequately address changes the Forest Service will make to streamline these internal processes.

Finally, the complexity of the forest plan revision process has been unnecessarily cumbersome. While the challenge of creating a plan that covers the vast area of two national forests and weighing the input of diverse stakeholders is understood, the ability for someone to understand the plan alternatives who did not commit most of their time for the past seven years to the process is significantly limited. This is especially applicable to the unveiling of a new alternative in January that had not previously been available for inspection. The maps provided with the plan contained too much information for someone to be able to see specific areas of impact, and shapefiles provided for GIS use were not transparent, limiting the ability to see the overlay's impact on other geographic features within each recommended management area designation. The Forest Service also has the ability to make its own GIS map viewer available on its website with all necessary layers included for easy public inspection, but instead chose to make available only PDF maps with inherent limitations while relying on everyone else to have the ability to have their own GIS system. The number of reference points needed to understand the impact of a particular designation is also unnecessarily cumbersome. The design of the revision process

limited impactful public participation to those who could commit full-time staff positions to following every aspect of the plan revision over a multi-year period. This places an unnecessary burden on average citizens and organizations with limited resources.

REQUEST FOR RELIEF

The additional acreage in Alternative E recommended for wilderness designation in Graham County should remain in wilderness study, and congressional action should remove these areas from the study designation. Specifically, the entirety of the Snowbird Wilderness Study Area, the Joyce Kilmer Slickrock Ext 2 (Deep Creek/Avery Creek), Joyce Kilmer Slickrock Ext 3 (Yellowhammer), and Joyce Kilmer Slickrock Ext 4 should be removed from the recommended wilderness designation. The inclusion of a subjective buffer around the Appalachian Trail and Cherochala Skyway which effectively designates all of the land included as wilderness study, should be removed from the plan. Additional designations of old growth areas should be removed unless other areas are released from the designation.

The plan should commit the Forest Service to the upkeep and expansion of its recreational facilities without shifting the burden to outside entities. The Forest Service should provide a realistic multi-year budget forecast for such items, and show a plan to dispose of property it cannot adequately maintain, or pay other entities for taking over responsibility for Forest Service property. The plan should include components on how to streamline the approval process for active management practices that are permitted under the plan.

Signed this 21st day of March, 2022, on behalf of:

The Graham County Board of Commissioners

By:  _____
Connie Orr, Chair