

Comments from May 30, 2008 Scoping

As of Sept. 1, 2008 we have received a total of 61 e-mail comments. Of these, 58 comments were sent as identical form letters via e-mail from individuals. No significant issues were identified from the scoping comments received as of Sept. 15, 2008 but the concerns raised will be addressed in the analysis for the EA and they are addressed in the 11 public concern statements listed below.

Below are responses to comments received as a result of the previous scoping letter for this project.

1. The scoping letter says that fire suppression is the reason for the condition of the area currently. Yet, nowhere does the document say how many “natural” fires have been suppressed in the area since it became LBL.

LBL has recorded approximately 26 wildfires in the general vicinity (within approximately 2 air miles) of the project area since 1965. Most causes of ignition are listed as human caused and these fires were generally suppressed before they reached 20 acres in size. The most recent wildfire in the vicinity was the Buckingham Hollow fire, which was stopped at 5 acres in 2005. The EA will contain this information and the records will be part of the project file.

2. The shortleaf pines are going to be present in significant numbers in the Devil's Backbone area for generations to come. If the percent of pines changes for now, is that so unnatural?

The Devil's Backbone area is recognized as a state natural area because it contains shortleaf pine of natural origin (not believed to be planted by humans). This vegetation type is becoming rarer all the time and Dr. Scott Franklin and others have concluded, after site specific studies at LBL that this shortleaf community is transitioning to xeric oak. These studies were reviewed during the 2004 Area Plan analysis and LBL determined, with input from the public, that the Devils Backbone Shortleaf Pine community needed to be managed to sustain the community.

3. Roundup is the herbicide mentioned. Yet, Roundup has been found to be highly toxic to amphibians, and is toxic to humans also. How is introducing roundup into the environment managing the area as a “natural” area?

In our May 30 scoping letter we did propose use of glyphosate which is the active ingredient in Roundup. Please be sure to examine our update for proposed herbicide use in this letter. We are aware of a recent study that has concluded that Roundup can be harmful to amphibians during aquatic use. This is not relevant to the proposed action since the proposed use is not in an aquatic environment and Roundup is not legally labeled for such a use. Research suggests that the proposed herbicide use will dramatically improve the success of natural shortleaf pine regeneration and control NNIS. All proposed herbicides will be analyzed for their

effects. The herbicide risk assessments and the literature related to their use will be included in the project file.

4. Allowing industrial machinery into the area will compact the soil and cause a variety of damage to the environment. Skidding logs with log skidders changes the landscape and the watershed.

Ground based timber harvests can impact soil resources if they are conducted on highly erodible soils, steep slopes, and during wet soil conditions. That is why we have LRMP standards to adhere to in addition to any site specific best management practices found to be appropriate through analysis.

5. Burning in conjunction with this may cause a fire that is too hot. An overly hot fire can kill shortleaf seedlings, and even adult shortleaf trees.

That is correct. Just like an extreme wildfire, an extremely hot prescribed burn, can kill mature shortleaf pines as well as seedlings. Forest Service policy mandates that we prepare a burn plan that uses the best available science to set the parameters for the time of year, weather conditions, and fuel conditions that will accomplish the objectives. The prescribed burns will produce the appropriate fire intensity to meet these objectives. These burn plans have to be approved by the appropriate resource specialists before implementation. The effects of the proposed burning will be disclosed in the EA analysis.

6. The agency should consider an alternative in which seeds from the best shortleaf pine trees would be collected and seedlings propagated in a nursery setting.

Planting from a local seed source is already part of the proposed action should natural regeneration not be achieved up to the LRMP standard #39. The literature shows that in order to survive, any established shortleaf seedlings will have to be exposed to direct sunlight within a few years.

7. Doesn't "core area" management call for minimum management necessary to meet particular goals?

Yes, and at this point in the analysis, research supports that less management than is proposed will not meet the objective of shortleaf pine restoration. This research will be described in the project file. Also, the LRMP anticipated and stated that active management would be required within this specific area in order to meet the plan objectives.

8. There seems confusion about the Section 106 consultation process set forth in the National Historic Preservation Act. The scoping notice seems to say that anyone can participate in the 106 consultation process as long as you send an email in with the right subject line. That isn't the purpose of the Section.

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by ACHP. Part of the process is to involve the public to identify questions, concerns, or comments related to heritage compliance.

9. Many people feel the current LBL plan is discredited and not in compliance with laws and regulations. A new plan, which takes public input more seriously, should be adopted.

This comment is outside of the scope of this project. The LRMP complies with applicable laws and regulations. The public was actively engaged during the development of the 2004 LRMP, and continues to participate in project implementation.

10. Because of the location and intensity of the project, this is a “major federal action” under the National Environmental Policy Act, or NEPA. For that reason, a full blown environmental impact statement (EIS) should be prepared.

We are currently working on an environmental assessment which will determine whether or not an EIS is warranted. The EA process concludes with either a Finding of No Significant Impact (FONSI) or a determination to proceed to the preparation of an EIS.

11. Every step of the process should be transparent and readily available to the public. Full Environmental assessment based on actual and thorough surveys. Full historical/cultural assessment based on actual and thorough current surveys and research.

Public involvement is and will continue be a part of this project. Analysis of resources that could be affected by the project is currently underway.