



United States
Department of
Agriculture

Forest
Service

National Forests in North Carolina
Pisgah National Forest
Appalachian Ranger District

PO Box 128
Burnsville, NC 28714-0128
828-682-6146

File Code: 1950-1

Date: January 24, 2008

Dear Interested Citizen:

I have signed the Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the Shope Creek Project Environmental Assessment (EA) within the Appalachian Ranger District, Buncombe County. The DN discusses in detail my decision and rationale for reaching it. Copies of the DN and FONSI are enclosed. Due to the size of Appendix H (Response to Comments), I am making it available on our web site: www.cs.unca.edu/nfsnc/nepa/nepa.htm.

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to National Forests in North Carolina, ATTN: Appeals Deciding Officer, 160-A Zillicoa Street, Asheville, North Carolina, 28801. Appeals may be faxed to (828) 257-4263. Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may also be mailed electronically in a common digital format to: appeals-southern-north-carolina@fs.fed.us

Those who provided comments or otherwise expressed interest in a particular proposed action by the close of the comment period may appeal this decision (as per the recent *The Wilderness Society v. Rey* ruling). Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Michael Hutchins, Pisgah National Forest NEPA Coordinator at 828-682-6146.

Sincerely,

/s/ Tina Tilley

TINA R. TILLEY
District Ranger

Enclosure



Decision Notice
& Finding of No Significant Impact

Shope Creek Project

USDA Forest Service
Appalachian Ranger District, Pisgah National Forest
Buncombe County, North Carolina

Decision and Rationale

Decision

Based upon my review of the EA, the associated project file, and the alternatives, I have decided to select a modified **Alternative B** (Selected Alternative – see Modifications below) of the Shope Creek Project Environmental Assessment (EA – see Section 1.2, Chapter 1) on the Appalachian Ranger District, Pisgah National Forest and the Project Design Features listed in Section 2.4; Appendix A; and Appendix F of the EA. The Selected Alternative is within the Shope Creek Project analysis area (AA)—Compartments 23 and 24. The Selected Alternative will:

- ◇ Harvest about 29 acres using the two-age regeneration harvest prescription (retaining 15-20 ft² basal area per acre) and about 17 acres using the sanitation harvest prescription (removing the majority of white pine). The average size of the four harvest units is about 11 acres (see also Section 1.2, Chapter 1). Harvesting will include constructing about 2-3 acres total of log landings and skid roads within harvest units – existing landings and skid roads would be used where available. Skid roads and log landings will be constructed using North Carolina Forest Practices Guidelines (FPGs) and Forest Plan standards (best management practices or BMPs). Following harvest activities, unsurfaced skid roads and log landings will be disked and seeded with an appropriate seed mix to reduce potential for sedimentation and compaction.
- ◇ Control/manage known populations of invasive exotic plant species in the AA prior to entry. Primary control method would be herbicide (Triclopyr/Glyphosate). Application would be by backpack sprayer.
- ◇ Designate 63 acres of small patch old growth communities in Compartment 23 (stands 4 and 5) and 60 acres in Compartment 24 (stands 5 and 9) to provide a network of long-term old growth communities. Designated old growth communities are not scheduled for future harvesting. The designation in Compartment 24 includes the Rock Knob area; an area organizations and individuals have identified as unique due to rock outcrops that contain natural communities and rare habitats.
- ◇ Reconstruct approximately one mile of existing system (classified) road by placing gravel and re-installing culverts. All roads, including reconstructed roads will remain closed by a gate following project implementation. A temporary bridge will be used to access stand 23-12(B). The crossing will have silt fences and mulch applied to reduce potential for sedimentation to reach streams.
- ◇ Place about four miles of existing non-system roads (old “woods” roads or unclassified roads) onto the Forest’s transportation system following harvest-related activities and designate them as D0 roads (road in storage). Placing roads on the Forest’s transportation system ensures they are reviewed periodically to determine if maintenance is needed – non-system roads are not maintained. The non-system road segments to be added to the transportation system are B, C, E, F, H, I, and J. About ½ mile of these road segments will be improved and used for harvesting the Selected Alternative (segment F and enough of segment H to facilitate harvesting 23-11) – the other approximately 3½ miles would not be improved to facilitate harvesting at this time. Where harvest-related activities have taken place with this decision, the segments used will be disked, seeded, and available for non-motorized use following project implementation as well as future administrative access needs. With this decision I will also correct the erosion occurring along segment C from a crossing that is not working properly.
- ◇ Disk and seed non-system road segment D (about ¼ mile in length), non-system road segment G (about ¼ mile in length), and a user-developed trail segment off non-system road segment B (about 1/10 mile in length) following timber-related activities. These segments will be decommissioned, will not be placed on the Forest’s

transportation system, and are not needed for future administrative access needs.

- ◇ Disk and seed with an appropriate seed mix on all skid roads and log landings created during harvest.
- ◇ Plant an old variety of apple trees on landings and advanced oak seedlings (>2 feet in height) on harvested white pine stands.
- ◇ Site prepare and release with herbicide (Triclopyr) and hand tools (chainsaw and hand axe) in all stands being regenerated.
- ◇ Perform Timber Stand Improvement (TSI) with herbicide (Triclopyr) and hand tool methods in stands 23-3, 23-4, 23-11, 23-12(A), 23-12(B), 23-13, and 24-1.
- ◇ Place large woody debris in Shope Creek (MA 18) to improve pool:riffle ratio and stabilize stream-banks by felling about 10 trees from within the 100 foot stream-side management zone within the lower reach from a quarter mile of the property boundary. The trees will be anchored in place to ensure they do not move downstream. A similar action on the Davidson River in Transylvania County effectively weathered the 2004 Tropical Storms. Where available, priority for these trees would be hemlock, pine, and trees damaged or susceptible to windfall.
- ◇ Re-install a gate on National Forest System (NFS) lands to provide non-motorized access for recreation users. A parking area will be developed at the gate on an old log landing and parking made available for about 3-5 vehicles. Place fences or other natural material barriers along the stream side of Forest Service Road (FSR) 220 and around the newly developed parking area to protect resources. Forest Service personnel will work closely with state, county, and municipal law enforcement agencies to manage/control use in the area.
- ◇ Ensure the proposal meets the partial retention (management actions are not dominant features in the characteristic of the landscape) visual quality objective (VQO) within two growing seasons through design features such as feathering visible edges of harvested stands, retaining trees in clumps within harvest stands, screening log landings and roads from view along the Blue Ridge Parkway, and/or modifying harvest boundaries, where needed.

Project Design Features

Project design features listed in Section 2.4, Chapter 2; Appendix A; and Appendix F will be applied to the Selected Alternative

Monitoring & Research

The following monitoring & research will be implemented for the Selected Alternative:

1. Survey areas will be established to monitor control efforts as part of our efforts to meet national objectives of reducing impacts from invasive species and improving the effectiveness of treating selected invasive species on the Nation's forests and grasslands. Survey areas will be established before control treatment, checked during treatment, and within nine months after treatment. A post-treatment evaluation report will be completed and filed in the project file.
2. A Forest Service Fisheries Biologist will work with UNCA Entomology Professor Tim Forrest to design and implement a program to seasonally monitor aquatic invertebrates above and below the two low-water concrete stream crossings. This monitoring will be part of the Forest-level aquatics monitoring program to add to our knowledge of low-water crossing effects on the Forest.
3. I have decided to start open discussions in early 2008 concerning the possibility of entering into a memorandum of understanding (MOU) or other type of agreement with Warren Wilson College concerning various types of monitoring/research that could take place in the Shope Creek area, by whom, and when. **I believe it is important to improve local knowledge of management activities in the Shope Creek area and how they relate to the Forest Plan's desired future condition for this area.**

My decision is based on a review of the record that shows a thorough review of relevant scientific information and a consideration of responsible opposing views.

Modifications to Alternative B

After review of the EA's effects disclosure, and further review of public comments, I decided to modify Alternative B as follows:

1. I have decided to include the decommissioning of non-system road segment A (0.35 miles) following harvest activities in the Selected Alternative. The roads analysis made this recommendation; however, Alternative B did not include this in the proposed actions. As a result, the Selected Alternative will decommission non-system road segments A, D, and G – a total of about $\frac{3}{4}$ of a mile.

My rationale for this modification is that:

- a. This non-system road is not needed for management of the Shope Creek resources.
 - b. The public asked that as many roads as possible be eliminated.
 - c. The effects of disking, seeding, and permanently closing this road will be negligible in the short term; there will be beneficial long-term effects to the soil, water, aquatic, and wildlife resources.
2. I have decided to place a road sign along Forest Service Road 220 to inform Forest visitors they are accessing National Forest System lands via a right-of-way across private property and they should respect boundaries and private property. The District will work with the Forest Lands Staff on the specific wording of this sign.

My rationale for this modification includes:

- a. There will be no environmental effects of installing this sign since it involves a single post hole in the edge of the existing road surface.
 - b. This sign will further address some of the concerns raised by adjacent landowners about people impacting their property.
3. I have decided not to harvest stands 24-10 and 24-11 at this time.

My rationale for this modification includes:

- a. Harvesting stand 24-10 requires reinstalling several stream crossings and the stand has numerous sensitive species within it. Stand 24-11 also has numerous sensitive species within it as well as rare habitats. I believe it is important to ensure important aquatic and terrestrial habitat is protected in the Shope Creek area and not harvesting these stands would better ensure they are protected. In making this modification I weighed the potential impacts from harvesting against the benefits of developing early successional habitat. The Shope Creek area is within Management Area 4D which has a standard for 0-10% early successional habitat. The remaining 46 acres of harvesting will develop early successional habitat in the area and meets the 0-10% early successional habitat standard while reducing potential for adverse impacts to important resources.

Rationale

The Forest Plan, Amendment 5 (1994) designated the Shope Creek area as Management Area 4D, a prescription which places emphasis on *providing high quality wildlife habitat, particularly for black bear. The preferred habitat for black bear includes freedom from the disturbance of motorized vehicles, some areas of older forest, a sustained supply of hard mast (such as acorns from oaks) and den trees, and small, widely dispersed openings providing the soft mast (fruits and berries) typically found in very young forest. Timber management activities should be designed to provide these conditions. The variety of wildlife likely to be present in management areas include ovenbird, black bear, and cerulean warbler* (Forest Plan, page III-77). Management Area 4D objectives also are to *emphasize high quality habitats for wildlife requiring older forests and freedom from disturbance from motorized vehicles. Allow small widely dispersed openings throughout the management area. Close most roads to private motorized vehicles. Early successional habitat is provided in conjunction with managing suitable timber land in these areas* (Forest Plan, page III-78). Forest Plan standards for providing sawtimber in MA 4 state: *schedule to revisit each compartment at 10 to 15 year intervals* (Forest Plan, page III-85) and to disperse early successional habitat (0-10 year age class) within compartments and analysis areas *not to exceed 10%* (Forest Plan, page III-31).

The purpose and need for the proposal is listed below (see also Section 1.3, Chapter 1):

- ◇ There is a need to develop up to 10% early-successional (0-10 year age class) wildlife habitat in the project area because there is currently no 0-10 year age class wildlife habitat. The purpose of the approximate 68 acres of harvesting is to develop about six percent 0-10 year age class wildlife habitat in the project area and increase the amount of hard mast producing tree species (oaks and hickories). The Shope Creek area is the next area the Appalachian Ranger District has identified to ensure each compartment is scheduled for visit at a 10 to 15 year interval.
- ◇ There is a need to control/manage populations of non-native invasive plants because they are established in the project area. The purpose of the herbicide treatment of Japanese spirea, multi-floral rose, and other non-native invasive plants prior to harvesting is to reduce potential for spread of them in the project area.
- ◇ There is a need to designate small patch old growth communities because no old growth communities are currently designated. The purpose of designating small patch communities prior to

harvesting is to ensure there is a network of old growth communities across the Forest.

- ◇ There is a need to improve fish habitat in the lower reach of Shope Creek because there is a lack of large wood in the stream channel. The purpose of felling trees into the stream channel is to provide large wood that would increase the pool:riffle ratio and increase stream-bank stability.
- ◇ There is a need to provide reasonable non-motorized access to the Shope Creek area and the current location of the private gate at Shope Creek does not provide adequate parking for members of the public. The purpose of installing a gate on NFS lands, developing a small turnaround, and allowing a few vehicles to park on the shoulder of the road is to provide reasonable non-motorized access to NFS lands.

I believe that by achieving Forest Plan direction and standards, the Selected Alternative will move the resources in the project area towards the Forest Plan's desired future condition, achieving the purpose and need for the project while considering the public's concerns (see also the June 2007 document *Response to Comments Received During the Shope Creek Project 30-day Notice & Comment Period*).

In reaching my decision, I carefully weighed the effects analyses of the alternatives analyzed in detail, the public comments I received on the proposal, and the Agency's response to comments. The Shope Creek Project Interdisciplinary Team (IDT) conducted field surveys, database queries, and other localized analysis in order to determine effects the alternatives analyzed in detail could have on the area's ecology, including threatened, endangered, and sensitive species. During their analyses, the IDT considered past, present, and reasonably foreseeable future actions that could be combined with expected effects from the Shope Creek proposal. I believe they provided me sufficient analyses and conclusions to make a reasoned decision.

The Selected Alternative as modified will harvest about three percent of the 1,596-acre Shope Creek Forest Plan analysis area (AA) and meets the objectives identified in the purpose and need.

My decision is based on a review of relevant scientific information as contained in the project record. I believe the effects analyses support my decision and are based on the best available science (*Low-Water Crossings: Geomorphic, Biological, and Engineering Design Considerations*, Section 3.1.2.1, Chapter 3; Appendix A, References; and research conducted by Dr. Powell concerning black bear and their habitat).

Other Alternatives

In addition to the Selected Alternative, I considered two other alternatives in detail: Alternative A – No Action and Alternative C – Southern Appalachian Biodiversity Project (SABP)/Community Alternative. A comparison of these alternatives can be found in Section 2.5, Chapter 2 (see also *Alternatives* theme below in Appendix H for a discussion on Modified Alternative C).

Alternative A – No Action

Under Alternative A, current management plans, such as existing wildlife management, wildfire suppression, general road maintenance, and non-motorized recreation would continue to guide management of the project area (see Section 2.2.1, Chapter 2). I did not select this alternative for several reasons. This alternative would not have developed early-successional habitat conditions for wildlife species; would not control/manage non-native invasive plants; would not designate small patch old growth; would not improve fish habitat in the lower reach of Shope Creek; and would not resolve the public access issue—the existing gate would remain on Shope Creek and public access to National Forest System (NFS) lands would remain limited. I believe active management at this time and in this location is important to achieving Forest Plan objectives.

Alternative C

Alternative C was developed by members of the public and the Southern Appalachian Biodiversity Project (SABP) in response to the notice and comment period (see Section 2.2.3, Chapter 2). The Acting District Ranger met with representatives of SABP to insure a clear understanding of the specific actions proposed. The version of Alternative C analyzed in detail was designed to harvest the 17 acres of white pine and maintain small openings in these stands as permanent early-successional habitat through periodic mowing; implementing integrated pest management (IPM) principles to control/manage non-native invasive plant species; and designating the remaining 1,208 acres in the Shope Creek Project AA as old growth communities (medium patch size). I did not analyze in detail the proposal to designate a multi-use trail system from the non-system roads in the AA because designating a multi-use trail system in the project area is outside the scope of the proposal and developing new recreation facilities in the area was not a recommendation identified in the recent Appalachian Ranger District's recreation realignment action plan.

Alternative C was designed to permanently maintain Stands 23-12(A) and (B) as grass/forb habitat by harvesting white pine on the 17 acres and periodically mowing openings within the stands to provide early-successional habitat. It also proposed designating the remaining 1,208 acres in the Shope Creek Project AA as old growth communities; removing them from the suitable timber base. I believe this alternative does not meet Forest Plan direction and objectives for dispersing early-successional habitat throughout the management area and limits potential for future dispersion by designating the remaining 1,208 acres as old growth communities. For these reasons, I did not select Alternative C. I believe that the Selected Alternative addresses the non-native invasive control/management portions of Alternative C as well as relocation of the existing gate on to NFS lands. Alternative C did not propose to place large woody debris in the lower reach of Shope Creek. The Selected Alternative does place large wood in Shope Creek and I believe this is an important enhancement activity that will increase the existing pool:riffle ratio and increase stream-bank stability. Based on my review of the analysis, I concluded that Alternative C does not fulfill the purpose and need for the Shope Creek resources as well as the Selected Alternative does.

Alternatives Not Considered

Section 2.3 of the EA disclosed five alternatives I considered but eliminated from detailed study along with rationale for why they were not considered.

Public Involvement

A letter was mailed to residents along the Shope Creek Road (State Road 2426) and a legal notice was placed in *The Asheville Citizen-Times* on March 29, 2007, announcing a roads analysis was proposed for the Shope Creek area and requesting input on access management. Following that, the site-specific Shope Creek proposal was provided to members of the public, government agencies, and private organizations in a scoping package that was mailed on April 19, 2007; the package was mailed to over 270 individuals who had previously requested to receive such information. A 30-day Notice and Comment period pursuant to 36 Code of Federal Regulation (CFR) 215.5(b)(2)(i) was initiated when the legal notice was placed in the April 21, 2007, edition of *The Asheville Citizen Times*. An open house meeting was hosted by USDA Forest Service employees on April 26, 2007, at the Riceville Community Center to provide information and receive comments from members of the public. The purpose of this open house was to answer any questions and

provide clarification on the proposed action to insure interested parties clearly understood the proposed action and could provide meaningful input early in the process. Following receipt of all written and oral comments received on scoping and the 30-day notice and comment period, a letter with the Agency's response to comments was mailed in June 2007 to the individuals. This letter also encouraged the public to contact the District Ranger if they felt their concerns were not adequately responded to. On November 5, 2007, a legal notice was placed in *The Asheville Citizen-Times* that initiated a second 30-day notice and comment period—see Appendix H below for the Agency's response to comments received during the second notice and comment period. A letter dated November 2, 2007, describing the second notice and comment period and was also mailed to individuals who had previously commented and provided an address.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.* My finding of no significant environmental effects is not biased by the beneficial effects of the action (Section 1.2, Chapter 1).
2. *The degree to which the proposed action affects public health or safety.* There will be no significant effects on public health and safety and implementation will be in accordance with project design features, and for herbicide use will adhere to Material Safety Data Sheets and Product Labels (*Air Quality* and *Herbicide Use* themes, Response to Comments; Section 2.4 Chapter 2; Section 3.4, Chapter 3; and Appendix F).
3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the project area, nor are there local law or requirements imposed for the protection of the environment (Section 3.12, Chapter 3). The Blue

Ridge Parkway bounds the project area, but due to project design features, the impacts to scenic resources are expected to meet Forest Plan partial retention visual quality objectives (VQOs). See also Section 2.4, Chapter 2 and Section 3.7, Chapter 3.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* Controversy with this element is related to scientific controversy about effects of the project. I believe the degree of effects on the quality of the human environment are not expected to be highly controversial because this project is similar in design and intensity to others that have taken place on the Appalachian Ranger District in the past and effects of those similar past actions are well known—there have been no unexpected impacts when anticipated and observed effects have been compared. However, I do recognize the level of public disagreement about the project, specifically the amount of old growth designated.
- I realize there is disagreement concerning what members of the public believe is old growth communities and what members of the public believe is not old growth communities and have considered information on old growth habitat including opinions of Drs. Runkle, Evans, Haney, and Weakley. I believe my decision does not significantly affect old growth communities because no Forest Plan designated old growth communities or initial inventory old growth communities would be harvested and 123 acres would be designated as small patch old growth communities and would not be scheduled for future harvest. I find the 123 acres of small patch old growth communities the Selected Alternative will designate in the Shope Creek Project AA more than meets the Forest Plan's old growth strategy standards and would not significantly affect old growth attributes and associated wildlife. Forest Plan standards are to designate at least 50 acres of small patch old growth communities in the two compartments – the Selected Alternative will designate 23 additional acres than necessary to meet Forest Plan standards (Sections 3.1.2, 3.2.1.2, 3.3.3, 3.4.2, 3.5.2, 3.6.2, 3.7.4, 3.8, 3.9.2, 3.9.3, 3.10.2, 3.11.3, and 3.12.2, Chapter 3).
5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk

(Sections 3.1.2, 3.2.1.2, 3.3.3, 3.4.2, 3.5.2, 3.6.2, 3.7.4, 3.8, 3.9.2, 3.9.3, 3.10.2, 3.11.3, and 3.12.2, Chapter 3).

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The action is not likely to establish a precedent for future actions with significant effects, because the project is site specific and effects are expected to remain localized and short-term (Sections 3.1.2, 3.2.1.2, 3.3.3, 3.4.2, 3.5.2, 3.6.2, 3.7.4, 3.8, 3.9.2, 3.9.3, 3.10.2, 3.11.3, and 3.12.2, Chapter 3).
7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.* Analyses disclosed for each resource that cumulative impacts are not expected to be measurable or long-term. Based on my review of the analysis and the consideration of impacts of past, ongoing, or reasonably foreseeable future actions in the AA, I have determined there would be no significant cumulative effects from Alternative B. (Sections 3.1.2.5, 3.2.1.2, 3.3.3, 3.4.2, 3.5.2, 3.6.2, 3.7.6, 3.8, 3.9.2, 3.9.3, 3.10.2, 3.11.3, and 3.12.2, Chapter 3).
8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.* The action will have no effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NHRP – Section 3.6, Chapter 3). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources (Section 3.6, Chapter 3). A heritage report was completed for this project on May 18, 2007, that concluded: *A total of four archeological sites were located and recorded during the survey for the proposed Shope Creek Project. One site is rated as a Class I archeological site and is eligible for inclusion in the National Register of Historic Places (NRHP) under Criteria D—it would be protected by avoidance during project implementation. Three sites are rated as Class III archeological sites and are not eligible to the NRHP—they do not require protection from ground disturbing activities.* In a letter dated July 20, 2007, The North Carolina State Historic Preservation Office concurred with the project archaeologist that one cultural property was eligible for NHRP listing and would be avoided from ground disturbing activities and the

remaining three cultural properties were not eligible for NHRP listing.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.* A Biological Evaluation (BE, Appendix A) was completed for this project on September 10, 2007, that concluded for threatened and endangered (T&E) species: *This proposal would not affect (directly or indirectly) any proposed or listed Federal threatened or endangered plant species or their habitat; no formal consultation with US Fish & Wildlife Service is required.* The BE concluded for sensitive species: *This proposal would not impact the population viability of any Regional Sensitive plant species. This proposal would have no impacts to any population of Regional Forester's S [wildlife] species. [t]he project would have no effect on Regional Forester's S aquatic species or their habitat.* (Section 3.9.1 and 3.9.2, Chapter 3; and Appendix A).
10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Nantahala and Pisgah National Forests Land and Resource Management Plan Amendment 5 (Sections 1.1.1, 1.2, and 1.3, Chapter 1).

Findings Required by Other Laws and Regulations

My decision to implement the Selected Alternative is consistent with the intent of the long-term goals and objectives listed on pages III-1 and III-2 of Forest Plan Amendment 5. The project was designed to meet land and resource management plan standards and incorporates appropriate land and resource management plan guidelines (Sections 1.1.1, 1.2, and 1.3, Chapter 1).

/s/ Tina Tilley

TINA R. TILLEY
District Ranger
Appalachian Ranger District

Administrative Review and Contacts

This decision is subject to appeal pursuant to 36 CFR 215.11. Pursuant to 215.13 and the recent *The Wilderness Society v. Rey* ruling, those who provided comments or otherwise expressed interest in the proposal by the close of either of the two formal Notice and Comment periods may file an appeal on this decision. Appeals must meet content requirements of 36 CFR 215.14. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville-Citizen Times*, the Appalachian Ranger District's newspaper of record as per 215.5(b)(2)(i). The appeal shall be sent to:

National Forests in North Carolina
ATTN: Appeals Deciding Officer
160-A Zillicoa Street
Asheville, North Carolina 28801.

Hand-delivered appeals must be received within normal business hours of 8:00 a.m. to 4:30 p.m. Appeals may be faxed to (828) 257-4263 or mailed electronically in a common digital format to: appeals-southern-north-carolina@fs.fed.us.

Pursuant to 215.7(2)(ii), the legal notice in the newspaper of record is the exclusive means for calculating the time to file an appeal [215.15(a)]; those wishing to appeal should not rely upon dates or timeframe information provided by any other source.

For further information on this decision, contact Paul Gilliland or Michael Hutchins at 828-682-6146.

Implementation Date

As per 36 CFR 215.9, if no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal-filing period (215.15). If an appeal is filed, implementation may occur on, but not before the 15th business day following the date of appeal disposition.

1/24/08

Date

APPENDIX H – RESPONSE TO COMMENTS RECEIVED DURING THE SECOND SHOPE CREEK PROJECT 30-DAY NOTICE & COMMENT PERIOD

General Discussion

Pursuant to 36 Code of Federal Regulations (CFR) 215.6(a)(1)(i) and 215.6(a)(1)(iv), a formal 30-day Notice and Comment period for the Shope Creek Proposed Action began April 22, 2007, and ended on May 21, 2007. Pursuant to 36 CFR 215.5, the legal notice initiating the 30-day Notice and Comment period was placed in April 21, 2007, edition of *The Asheville Citizen-Times*, the Appalachian Ranger District’s newspaper of record; 270 members of the public provided comments or expressed interest in the proposal during the Notice and Comment period. On April 26, 2007, Acting District Ranger Anthony Matthews and members of his staff hosted an open house at the Riceville Community Center; 129 members of the public signed in at the meeting (which are included in the 270 members of the public). The Agency reviewed the comments received and developed a response to the 45 “themes” – the response was mailed to individuals who commented and provided an address on June 22, 2007.

On November 5, 2007, District Ranger Tina Tilley initiated a second 30-day Notice and Comment period when a legal notice was placed in the *Asheville Citizen-Times*. Based on careful review and content analysis, the comments received during the second comment period were grouped into the following 43 “themes”:

Age Class	Alternatives	Climate Change	Collaboration
Commenting	Community Alternative (Alt C)	Conservation Area	Do Not Move Gate or Develop Turnaround
Economics	Environmental Education	Fires/Fuels	Funding
Garbage Dumping	Hemlock Woolly Adelgid	Herbicide Use	Increased Use/Traffic
Insects/Disease	Invasives	Issues	Law Enforcement/Patrolling
Logging Practices	Monitoring/Research	Move the Gate	No Action
No Harvesting	No Harvesting Hardwoods	Old Growth/Mature	Provide Access
Provide Bathrooms	Provide Parking	Purpose and Need	Rare Plants
Recreation Access/ Development/Scenery	Roads Analysis	Road Construction/ Reconstruction	Scenery
Support for Proposal	Survey Data	Sustainable Forest Practices	Timber Stand Improvement
Water Quality/Sedimentation	Wilderness	Wildlife Habitat/Populations	

To meet requirements at 36 CFR 215.6(b), the Agency listed each “theme” with the comment received on it (or if more than one comment was received, a representative group of comments for that theme are listed) followed by the Agency’s response.

Age Class

Comment Received

A): *I requested that an accurate age class map be included with the environmental assessment. The USFS did not provide an age class map but I can offer suggestions for suitable stands for treatment. The age class map would also have been helpful in*

understanding the discrepancy between the statement made in section 1.5.10 that no stands with an average age greater than 70 years would be harvested and table 1-1 that shows 51 acres of harvest from stands that average over 70 years in age.

Agency Response

A): A map displaying age-class was created in May 2007 and was placed in the project file. The map was electronically mailed to commenter on December 5, 2007. Table 1-1 incorrectly listed four stands averaging more than 70 years in age. Table D-2 accurately displays the average age of these stands. Age-classes were initially identified using the Continuous Inventory of Stand Conditions (CISC) database along with field inspections that included coring trees for average stand age; thus, no stand averaging greater than 70 years in age would be harvested. There will likely be individual trees greater than 70 years harvested, but not entire stands.

Alternatives

Comments Received

A): *I generally like the NFS plan (Alternative B) with the exception that I agree with Alternative C that more should be designated as "Old Growth".*

B): *With reference to the proposals made by the Appalachian Ranger District in April 2007, the following are suggested: (1) No action at all regarding proposed activities of two-age units; (2) No "sanitation cutting" in 23-12 A and B; (3) Clear-cutting of the southern half of 23-12A (south of the Wolf Branch trail); (4) Eradication of Asian bittersweet in 23-12 (A and southern B) and along FSR 220A and portions of 220 and along classified roads A and B where necessary. Eradication of Periwinkle along FSR 220 and 220A. Eradication of Porcelain Berry along road "H"; (5) No other actions along roads except as noted above and enough road enhancement along FSR 220A to allow for No. 3 above; (6) New gate as noted in "Shope Creek Roads Analysis"; (7) New parking area within USFS land but outside proposed new gate; (8) Plan to mow clear-cut called for in No. 3 every five or six years to maintain soft mast area of availability; (9) Removal of this watershed from further proposed timber harvests.*

C): Several members of the public requested consideration of a Modified Alternative B: (1) *Conduct a sanitation harvest to remove the majority of white pine on about 17 acres in stands (Compartment # - Stand #) 23-12(A) and 23-12(B). Sanitation harvesting removes tree species that have been attacked or are more susceptible to attack from injurious agents (such as disease or insects) other than competition between trees. The best trees in terms of species or vigor are left to grow. No minimum basal area is set using this type of cultural treatment. Removing the majority of white pine would allow for oaks and other hardwoods to thrive. Maintain 30 foot no harvest buffer along Shope Creek (Forest Plan, page III-181). The 30-foot buffer was mapped on February 26, 2007, by a hydrologist, a fisheries biologist, and a forester; and was evaluated by a wildlife biologist and a botanist. This team identified the 30 foot buffer as being an appropriate size to maintain riparian function for Shope Creek while also enhancing the area with the removal of white pine (for the promotion of hardwoods). (2) Conduct a group-selection harvest of five to seven acres in 24-6 and 24-7. These harvests will consist of 10 half-acre clearings in stand 24-6 and three to five half-acre clearings in Stand 24-7. These clearings will be distributed evenly across each stand and within the forest interior to minimize edge effects, particularly increased probability of invasion by non-native invasive species, and maximize wildlife benefits. Create/leave snags at the edges of wildlife openings. (3) Harvesting would include developing about one to two acres total of log landings and skid trails within harvest units – existing landings and skid trails would be used where available. Skid trails and log landings would be constructed using North Carolina Forest Practices Guidelines (FPGs) and Forest Plan standards (best management practices or BMPs). Following harvest activities, unsurfaced skid trails and log landings would be disked and seeded with an appropriate seed mix to reduce potential for sedimentation and compaction. Maintain 100 foot no harvest buffers along Shope Creek and its tributaries (Forest Plan, page III-181). (4) Girdle dominant tulip poplars and other non-mast producing species in 24-11 to promote snags creation (increase den trees—den trees are usually live with defects) and accelerate the creation of canopy gaps thereby to increasing vertical diversity and moving this stand toward old growth conditions. (5) Restore the maintained roads to native vegetation (defined as standard Forest Service native grass seed mix) after completion of the project. (6) Designate remaining areas in Compartments 23 and 24 as medium-patch old-growth forest in order to provide a network of long-term old growth communities to maintain and maximize biodiversity by creating multi-structured or multi-canopied habitat. Designated old growth communities are not scheduled for future harvesting. (7) Reconstruct approximately one mile of existing system (classified) road by placing gravel and re-installing culverts. All roads, including reconstructed roads would remain closed by a gate following project implementation. A temporary bridge would be used to access stands 23-12(B) and 24-11. The crossings would have silt fences and mulch applied to reduce potential for sedimentation to reach streams. (8) Disk and seed non-system road segment D (about ¼ mile in length), non-system segment G (about ¼ mile in length), and a user-developed trail segment off non-system road segment B (about 1/10 mile in length) following timber-related activities. These segments would be decommissioned, would not be placed on the Forest's transportation system, and are not needed for future administrative access needs. (9) No new roads will be added to the system within areas designated for medium patch old growth designation because administrative access to these areas is not needed for future harvesting activities. (10) Following harvest activities in 24-6 and 24-7, plant advanced oak seedlings (>2 feet in height) of local provenance if possible, to establish advanced regeneration within poplar dominated stands as a future seed source and to move this stand toward the desired future condition. (11) Designate existing woodland glades located along Rock Knob totaling approximately 20 acres as early successional habitat. (12) Site preparation and release with herbicide (Triclopyr) and hand tools (chainsaw and hand axe) methods in all stands being*

regenerated. (13) Timber Stand Improvement (TSI) with herbicide (Triclopyr) and hand tool methods on approximately 17-24 acres in stands 23-12, 24-6, and 24-7. (14) Increase woody debris in Shope Creek (MA 18) to improve pool: riffle ratio by felling and anchoring about 10 trees from within the 100 foot stream-side management zone within the lower reach from a quarter mile of the property boundary. Where available, priority for these trees would be hemlock, pine, and trees damaged or susceptible to windfall. Trees that are felled should be selected based on their health and condition (e.g. diseased hemlocks or white pines). (15) Re-install a gate to its historic location on National Forest System (NFS) lands to provide non-motorized access for recreation users. A parking area would be developed at the gate on an old log landing and parking made available for about 3-5 vehicles. Place fences or other natural material barriers along the stream side of Forest Service Road (FSR) 220 and around the newly developed parking area to protect resources. Forest Service personnel would work closely with state, county, and municipal law enforcement agencies to manage/control use in the area. Construct a bridge across Shope Creek along FSR 220 to protect water quality and to allow for access to parking without driving through the stream. (16) Establish a Memorandum of Understanding (MOU) with Warren Wilson College to conduct research and pre/post-activity monitoring of Shope Creek project areas, including invasive monitoring and rapid assessment of early succession habitat in Compartments 23 and 24. (17) There are a number of invasive non-native plant species creating various levels of impact in the Project area, including *Spiraea japonica*, *Celastrus orbiculatus*, *Rosa multiflora*, and *Vinca minor*. An inventory would be taken to determine if control efforts are needed on species besides those listed above. (18) Treat invasive species through manual or herbicidal control. Manual control includes hand pulling or clipping and removing the entire plant. Herbicide application can be done using backpack sprayers. (19) Control of non-native invasive plants would follow well-established Integrated Pest Management (IPM) procedures. IPM is defined as a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health and environmental risks. Prior to pine removal activities, areas identified for control would be treated manually wherever practical and to the best extent possible. Only where manual control cannot be practically accomplished, would chemical treatments be used. Based on species type, population density and stem size, a determination would be made regarding treatment application (i.e., cut and paint, basal bark, backpack sprayer). Appropriate nozzle type and adjustment of output (mist/stream spray) would be carefully determined according to site and wind conditions. All label procedures and restrictions would be adhered to as required by law. Forest Service biologists would supervise all chemical treatments as necessary to insure that any threatened, endangered, sensitive, or other rare species are identified and protected during the treatment of invasives. (20) Forest Service staff certified in pesticide/herbicide use by the state of North Carolina would be present to administer and supervise any chemical treatments. Chemical spray application would be conducted at times when treatment is most effective and impacts to non-target species are least damaging. Where evergreen invasive species are intermingled with native species, treatment would be conducted in winter during native plant dormancy. (21) Heavy equipment, equipment trailers and equipment tires used in pine removal or road improvement activities would be pressure washed prior to entering the Shope Creek project area. This procedure would minimize risk of introducing to the site project-caused invasions of *Microstegium viminum*. The Forest Service would follow the standard timber sale contract clause that is included in all timber sale contracts regarding washing of vehicles to prevent spread of invasives. (22) In areas where non-native invasive species that form dominant cover are removed, native species would be planted to re-cover newly exposed areas and complement remnant native plant recovery. The intent of this requirement is to insure that treated areas are seeded (where necessary) to prevent erosion of the soil and to reduce the potential for invasives to reestablish. Getting treated areas established with native vegetation should reduce the potential of invasives re-establishing. (23) Ensure the proposal meets the partial retention (management actions are not dominant features in the characteristic of the landscape) visual quality objective (VQO) within two growing seasons through design features such as feathering visible edges of harvested stands, retaining trees in clumps within harvest stands, screening log landings and roads from view along the Blue Ridge Parkway, and/or modifying harvest boundaries, where needed.

Agency Responses

A): Comment is noted. Alternative B was developed by the Agency to meet the project's purpose and need (Section 1.3, Chapter 1, EA). Alternative C (Section 2.2.3, Chapter 2, EA) was developed by members of the public and an environmental organization and meets most of the project's purpose and need.

B): (1) see No Harvesting Hardwoods theme below; (2) & (3) Clear-cutting is not the recommended treatment for these portions of stands 23-12 A and B—sanitation cutting is (*Cutting trees that have been attacked or appear in imminent danger of attack from injurious agents (such as disease or insects) other than competition between trees. The best trees in terms of species or vigor are left to grow. No minimum basal area is set using this type of timber stand improvement.* Appendix D, EA); (4) Non-Native species would be controlled/managed as per the proposal (Section 1.2, Chapter 1 and Section 2.4.2, Chapter 2); (5) Actions along roads are needed to meet project objectives; (6) Comment is met by the proposal; (7) Comment is met by the proposal; (8) Follow-up Timber Stand Improvement would occur in stands 23-12(A) and (B), but the stand would not be maintained as permanent early successional habitat (ESH) because the Forest Plan states for ESH to be: [p]rovided in conjunction with managing suitable timber land in these areas (Forest Plan, page III-78). Forest Plan standards for providing sawtimber in MA 4 state: *schedule to revisit each compartment at 10 to 15 year intervals* (Forest Plan, page III-85) and to disperse ESH (0-10 year age class) within compartments and analysis areas *not to exceed 10%* (Forest Plan, page III-31); (9) Removal of harvesting in the AA would not meet the Forest Plan: *In Management Area 4 most roads are closed to motor vehicles, and a somewhat remote setting is provided, but with timber management in 4A and 4D* (Forest Plan, page III-6).

C): (1) Comment is met by the proposal; (2) Group selection within Stands 24-6 and 24-7 approximately 25 years in age. Group selection harvesting was described in Appendix D of the EA as appropriate where: *where logging costs are relatively low and where there is enough volume and value in the stands to make selection cutting operable. Group selection is not traditionally done in very small stands or on slopes greater than 40 percent where cable logging is necessary, where timber volume or value is low, or in stands where insect or disease hazards are high and widespread. It is also not appropriate where partial cutting and leaving a white pine seed source would result in conversion of mixed pine/hardwood stands to almost pure pine stands, if the accompanying long-term loss of mast production would be detrimental to local wildlife populations.* Group selection harvesting is not appropriate in these two stands at this time because they are too young and small to produce viable wood products; (3) Comment is met by the proposal; (4) According to the project wildlife biologist: *Poplar and to a lesser extent red maple do not 'create den trees' as they rarely have a 'start hole' or in other words, they typically have a strong bole and once they die tend to fall over (likely in about 10 years). The poplar trees in Stand 24-11 are generally 16 inches diameter breast height. Further: [s]ince they [WildSouth] are only proposing this treatment in 24-11 and no other cutting [t]he lack of early successional habitat is limiting the wildlife habitat and use to older forest wildlife which do not ever use early successional habitat conditions throughout their life cycle. In addition, with the surrounding Blue Ridge Parkway and Asheville Watershed, there is very limited opportunity to provide this habitat.* Because of the age-class distribution in these compartments and the very limited harvesting that is proposed, trees on many acres across the project area will reach maturity (some species are already mature on some sites); (5) Comment is met by Alternative C; (6) Designating about 90% of the Shope Creek Project Area (Compartments 23 and 24) as old growth communities does not meet Forest Plan direction and objectives for dispersing early-successional habitat throughout the management area and limits potential for future dispersion; (7) Comment is met by the proposal; (8) Comment is met by the proposal; (9) See response to item 6 above; (10) Comment is met by the proposal; (11) Stands greater than 5 acres and less than 10 years in age are identified as early succession habitat in CISC and GIS; (12) Comment is met by the proposal; (13) Comment is met by the proposal; (14) Comment is met by the proposal; (15) Comment is met by the proposal; (16) The Agency will start open discussions in early 2008 concerning the possibility of entering into a memorandum of understanding (MOU) or other type of agreement with Warren Wilson College concerning various types of monitoring at the Shope Creek project site; (17) Comment is met by the proposal; *Vinca minor* is not a Forest Service recognized non-native invasive species and is limited to the old home site area near the gate; (18) Comment is met by the proposal; (19) Comment is met by Alternative C; (20) Comment is met by Alternative C; (21) Comment is met by Alternative C; (22) Comment is met by Alternative C; (23) Comment is met by the proposal.

Climate Change

Comment Received

A): *An important issue that was not assessed at all is the cumulative effect of climate change and the harvesting of mature timber. While there are many variables to consider that make this analysis difficult, the issue is real and pertinent. The USFS currently has no regulatory instruction to analyze the impact of climate change on regeneration prescriptions but precedent has recently be set to challenge any decision that is made without said analysis. In April, 2007 the majority opinion in MASSACHUSETTS ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL. stated: 'However, a litigant to whom Congress has "accorded a procedural right to protect his concrete interests,' id., at 573, n. 7—here, the right to challenge agency action unlawfully withheld, §7607(b)(1)—'can assert that right without meeting all the normal standards for redressability and immediacy,' ibid. Only one petitioner needs to have standing to authorize review.' This ruling not only gave Massachusetts standing to litigate this case, it also decided in favor of the state's argument and determined that the EPA was indeed responsible to regulate carbon dioxide as a pollutant.*

Agency Response

A): Climate change is outside the scope of this project. However, it is scientifically recognized that younger trees do sequester more CO₂ due to prolific growth.

Collaboration

Comments Received

A): *You now have the opportunity to accept Alternative C and demonstrate the USFS' willingness to collaborate with community stakeholders. Government/community collaboration is the future of public lands management. It is time to stop butting heads and begin building trust, one tract of forest at a time. Let us work together to create a Collaborative Forest Management Model that draws from strengths of our community to meet both community and USFS needs.*

B): *We are very excited about the opportunities for collaboration that this project offers. David Ellum, Director of Sustainable Forestry at Warren Wilson College (WWC), is eager to get his students involved on the ground. We visited the project area with David and other WWC staff last week to develop an alternative that would meet the Purpose & Need, while preserving the ecological vitality of Shope Creek. David and we share a strong interest in developing a collaboration project between WWC and the interested parties, as well as developing the site as a long-term education/research site for WWC students and faculty.*

Agency Response

A) & B): Collaboration is a method of meeting with representatives of varying interests to work towards consensus on issues or concerns. The Agency is interested in collaborating on development of projects, but has reached a decision on Shope Creek as disclosed in the decision notice. The Agency will start open discussions in early 2008 concerning the possibility of entering into a memorandum of understanding (MOU) or other type of agreement with Warren Wilson College concerning various types of monitoring/research at the Shope Creek project site (see also Monitoring Theme below). The Responsible Official is open to future opportunities for collaborating on upcoming projects where this input can be better utilized in the pre-planning stages.

Commenting

Comments Received

A): *I think this alternative [Alternative C] best maintains old growth forest, reduces the amount of roads, involves community participation in removing non-native species, and is the only one in which I and other members of the community have had an active say-so in formulating.*

B): *Finally, I am concerned about the late release to the public of the EA. It is virtually impossible to respond to the EA with any accuracy re: flowering plants that flower in spring/early or mid-summer, due to the fact that the EA was not released until October 2007 and the final decision is due to be made in mid-winter 2008.*

Agency Responses

A): In March 2007 the Agency solicited comments from the public concerning road management in the Shope Creek area (roads analysis process). The solicitation was mailed to the Appalachian Ranger District's mailing list and a legal notice was placed in *The Asheville Citizen-Times*—15 members of the public provided comments on how they believed roads and access management should be managed. In April 2007 the Agency solicited comments from the public concerning the Shope Creek proposal. The solicitation was mailed to the Appalachian Ranger District's mailing list, a legal notice was placed in *The Asheville Citizen-Times*, and a public open house was held—over 240 members of the public provided comments on the proposal. The Agency disclosed how comments were used from members of the public in the EA (Section 1.4, Chapter 1). Alternative C developed by an environmental organization and interested members of the public was one of the alternatives analyzed in detail. As disclosed in Section 2.1, Chapter 2 alternatives analyzed in detail need to meet the purpose and need.

B): The EA was released after Forest Service resource specialists had thoroughly surveyed the activity areas to assist them complete their effects analyses.

Community Alternative (Alt C)

Comments Received

A): *I support the Wild South proposal for the Shope Creek Project in the Appalachian District of the Pisgah National Forest. It's the best proposal since it calls for removing only the white pines that are not native to the forest, thus reducing the costs associated with additional road maintenance, while keeping the cleared areas open in the future to provide some meadow-like wildlife habitat for game species like grouse, turkey, and deer. The majority of Shope Creek should be preserved as old growth forest.*

B): *As a resident of Buncombe County, I would like to voice my support for Alternative #3 on the Shope Creek Project in Riceville. As an avid outdoorsman, I wish to be able to access Shope Creek legally. I do not believe that new roads through the area are a good idea for water quality or wildlife habitat.*

C): *My wife and I would like to express our support of "Alternative #3" for the Shope Creek plan. It's our belief that we need to do everything we can to protect our National Forests from further habitat destruction this includes minimal road construction and minimal harvesting of trees.*

D): *While Alternative C does offer prescriptions for true restoration, it does not satisfy the stated project need to create early successional habitat (ESH). Therefore, the United States Forest Service (USFS) has failed to evaluate a full range of alternatives. There is no alternative that maintains ecological integrity while creating ESH. In my comments dated May 20, 2007 regarding the scoping for this project, I recommended that stands that were entered less than 40 years ago be re-entered to create the 0-10 year age class that you require. There are several stands in the project area that have failed to return to the desired condition after previous timber harvests. These stands currently are in need of restoration.*

E): *I am writing to say that I want to urge limitations on road development in Shope Creek, and efforts to protect wildlife habitat. I recently hiked the area, and found surprisingly few signs of wildlife, though I did encounter hunters and their dogs. I believe that wildlife in this area needs more protection than many people think, for it faces more obstacles than most realize. I cast my vote for the WildSouth community alternative, Alternative C.*

Agency Responses

A): Preference for Alternative C is noted. Alternative C meets some of the purpose and need, but does not meet Forest Plan objectives for Management Area 4D objectives which in part state: *Early successional habitat is provided in conjunction with managing suitable timber land in these areas* (Forest Plan, page III-78). Forest Plan standards for providing sawtimber in MA 4 state: *schedule to revisit each compartment at 10 to 15 year intervals* (Forest Plan, page III-85) and to disperse ESH (0-10 year age class) within compartments and analysis areas *not to exceed 10%* (Forest Plan, page III-31, III-77, and III-78). Alternative C proposes to harvest 17 acres of white pine near the southern portion of the project area (2%) and designates the remaining 98% as medium patch old growth (making it unsuitable for future harvesting). The lands designated as unsuitable for harvesting would not allow the project area to have ESH dispersed within it in the future.

B): Preference for Alternative C is noted. Non-motorized access would be continued regardless of which alternative analyzed in detail is selected. No alternative proposes new roads – existing non-system roads are extensive in the project area. Alternative B proposes to improve existing non-system roads to facilitate harvest activities. Existing erosion/sedimentation problems would be addressed under Alternatives B & C.

C): Alternative B proposes to harvest only 5% of the project area (68 of 1,356 acres) and does not propose new road construction. Alternative C proposes 1% of the project area (17 of 1,356 acres) and also does not propose new road construction. Management Area standards allow for up to 135 acres to be harvested.

D): The range of alternatives includes three alternatives analyzed in detail and five alternatives considered but eliminated from detailed study (Section 1.2, Chapter 1 and Sections 2.2 and 2.3, Chapter 2). Developing ESH from previously harvested stands does not meet Forest Plan standards for dispersing ESH throughout the project area (see Agency Response to Comment A above). Follow-up TSI can be accomplished on previously harvested stands as provided under previous NEPA decisions. Stands less than 40 years in age would be scheduled for harvest in the future given current Forest Plan standards and would have harvest treatments applied to meet Forest Plan objectives.

E): The proposal does not improve any existing non-system roads in the project area other than necessary to meet project objectives. The project has been designed to improve habitat for species that require a diversity of habitat. Preference for Alternative C is noted.

Conservation Area

Comment Received

A): *Shope Creek is part of the Craggy Mountains/Black Mountains conservation area, which is noted as a nationally significant natural heritage site by the North Carolina Natural Heritage Program (NCNHP). This Black and Craggy Mountains contain the highest elevations in the Eastern U.S., one of the largest concentrations of old-growth forest in the Eastern U.S., excellent examples of forests occurring over nutrient rich substrates, and the highest concentration of rare plants and animals of any mountain range in North Carolina. As such, the Shope Creek Project is of great importance. [T]he draft EA states that the project AA does not overlap any State Natural Heritage Areas. This is incorrect. The ridge including Paynes Knob and Rock Knob is an extension of the High Swan/Bull Mountain NHA. It would be appropriate to designate this Heritage Area because of the outstanding rock outcrop and woodland habitats found along this ridge. Designating stands 5 and 9 as old-growth, as proposed under alternative B, is an appropriate measure, but still leaves much of this ridge without a formal designation for conservation.*

Agency Response

A): The Shope Creek project is within Management Area 4D which allows harvesting to attain resource objectives. The proposal fully meets standards and guidelines of the Forest Plan and has been designed to improve habitat diversity in the area. The EA stated: *There are no known Research Natural Areas (RNA) or botanical special interest areas identified by the Forest Plan within the Shope Creek AA. Therefore, this proposal would have no effect to any of these areas* (Appendix A). The heading for this statement listed State Natural Heritage Areas along with Research Natural Areas and Special Botanical Areas. There are no US Forest Service designated State Natural Heritage Areas in the Shope Creek AA. That said no harvest activities would impact proposed State Natural Heritage Areas.

Do Not Move Gate or Develop Turnaround

Comment Received

A): *I want to stress that as a native of Shope Creek I am still completely opposed to the opening of the main gate to the public.*

Agency Response

A): Alternative A was analyzed in the EA and does not move the gate. Keeping the gate in its current location does not address the an element of the project's purpose and need which stated: *There is a need to provide reasonable non-motorized access to the Shope Creek area and the current location of the private gate at Shope Creek does not provide adequate parking for members of*

the public. The purpose of installing a gate on NFS lands, developing a small turnaround, and allowing a few vehicles to park on the shoulder of the road is to provide reasonable non-motorized access to NFS lands (Section 1.3, Chapter 1).

Economics

Comments Received

A): Whereas this program was intended to generate money for the care of the nation forests, in the end it will cost more to repair the damage it will call and will decrease the value of the land monetarily, aesthetically, and have a negative economic impact to the local economy.

B): Our tree sales have lost money and been subsidized for over 20 years. We need to decide that a planned ecosystem is not the same as a truly wild one...a tree farm is no longer a forest. You were hired (appointed?) to protect and serve the forest and not the corporate interests and loggers.

C): The National Forests belong to the people of this country, but for several decades the Forest Service has been liquidating them and the ONLY beneficiaries have been the logging companies. Worst of all, it adds up to billions of dollars worth of well documented taxpayer expenses.

D): While the supply of timber and natural areas may have seemed endless at the time the USFS was created, that is no longer so. Not here, not anywhere in the lower 48 states. The USFS is the only government agency to my knowledge that is forced to "kill" to survive. It is the only agency that is expected to "pay its way" by the loss of its very treasure.

Agency Responses

A): The purpose and need for the proposal was to develop ESH; control/manage non-native invasive plants; designate small patch old growth communities; improve fish habitat; and to provide reasonable non-motorized access, not to generate revenue (Section 1.3, Chapter 1). The project area is expected to better meet Forest Plan standards following implementation.

B): Forest Service timber sales are offered and awarded on a sealed bid which has the minimum bid set to fair market value. There is no regulation that requires the Forest Service timber program generate a profit. Over the past few years the timber sale program for the National Forests in North Carolina has generated more funds than the cost of the program. In addition, if you include a value for the habitat produced, diversity created, access provided, and the forest health improved by the timber sale program the value to the citizens of the United States would be even higher. To complete this work outside of a commercial timber sale would require a pure service contract and out lay of funds. The Forest Service timber sale program helps offset required payments to states.

C): The Agency agrees that the National Forests belong to the country, but disagrees that the Forests have been liquidated and the only benefactors are logging companies. Many individuals, flora, and fauna have benefited by management actions on the National Forests in general and the Pisgah National Forest in particular. The proposal has been designed to move the Shope Creek area towards the desired future condition specified in the Forest Plan (Section 1.3.1, Chapter 1). Both the Forest Plan and the Shope Creek project have been developed with extensive public involvement. It is true that as a federal agency, the Forest Service is funded by taxpayers (as all federal land management agencies are) and that since its inception over 100 years ago the Forest Service has been funded by billions of taxpayer dollars, but the return taxpayers have received is incalculable (clean water, clean air, places to camp/hike, habitat developed/improved/protected, protection of habitat from urban sprawl, roadless and wilderness areas, and opportunities for jobs/revenue to be produced).

D): The proposal has been designed to in part improve wildlife habitat diversity and would only harvest about 5% of the entire 1,356 acre project area. The Agency does not "pay its way" for funding. All receipts generated on National Forest System lands from recreation, grazing, minerals, special uses, timber sales, etc. are sent to the US Treasury for disbursement as Congress and the President determine.

Environmental Education

Comments Received

A): I am associated with the Swannanoa Valley Museum and as part of our program offer hikes in the area both for historic and nature enjoyment. These hikes are very popular. I also work with Girl Scouts to promote further nature activities.

B): It is time for a massive education campaign of Congress and the President and the US people. The USFS can help its own people and forests at the local level by acting as conservatively as possible to the pressure points of Congress and by intentional

education. It should not be in the business of making forests into wood-producing machines today. National Parks are too few between to take care of natural and human concerns that only the National Forests with their wide holdings can do today.

C): *Shope Creek area is an exceptional and easily accessible educational and potential research area for local colleges and universities, since it contains multiple ecological communities, such as diverse riparian, mountain slopes facing all four directions, lowlands, highlands, as well as multiple successional communities, including forest about 21 years of age through forest containing genuine “old growth”.*

D): *I am very interested in the possibility of developing the Shope Creek area as a long-term research and education site for the forestry and ecology students at Warren Wilson College. Due to the proximity of the site to campus, there is great potential to use the site in comparative studies linking the effects of management on highly fragmented forest land such as the Warren Wilson College Forest and the intact forest land at Shope Creek. Other opportunities include long-term monitoring of native and non-native plant populations, contributing to future management plans and the development of silviculture techniques for maintaining and restoring managed stands. Warren Wilson students would gain valuable experience in research and management applications, as well as benefit from the opportunity to expand their studies beyond the campus. Your agency would benefit by having a committed group of students and faculty who can conduct on the ground research and management at a level and consistency that the agency itself may not have the resources to maintain. Shope Creek itself would benefit the most, through a collaborative stewardship initiative that would take the best that my college, your agency and interested public parties have to offer in maintaining the ecological integrity and resource value of such an important component of the regional landscape.*

Agency Responses

A): Many people use the Shope Creek area for recreation, education, and other purposes and these types of activities are expected to continue.

B): See Alternatives, Collaboration, and Community Alternative themes above.

C): See Agency response to Comment A above.

D): The Agency welcomes opportunities to work closely with colleges and universities to furthering knowledge and research in management of National Forests.

Fires/Fuels

Comments Received

A): *Commission biologists do not see any proposed prescribed burning in the project outline and would like to see some burning within the analysis area. This would allow for creation of more open areas and an increase of native grasses and forbs over a larger land base area. Although a lack of suitable fire control lines may be a concern, the possibility of a joint prescribed burn with the National Park Service or the Asheville Watershed should be explored.*

B): *WildLaw also contends that fire control in the Shope Creek analysis area is a low-priority issue given its geographic position, and that expanding the road system there is unnecessary to fight fires. Surrounding landowners include the Blue Ridge Parkway, the Asheville Watershed, and the Chemtronics property, an unoccupied super-fund site. The BRP can be used as a fire line to the north and west, and the roads proposed for adding to the system would provide no better access for fighting fires coming from or going to private lands to the south or east than no roads at all. If it becomes desirable to carry out controlled burns in the future at Shope Creek, streams and the Blue Ridge Parkway would likely make satisfactory fire breaks for Compartment 123.*

Agency Responses

A): Prescribed burning in the project area was an alternative considered but eliminated from detailed study because: [p]rescribed burning the white pine stands (<20 acres) would be very difficult to implement due in part to the limited amount of National Forests System (NFS) lands and the difficulty in controlling prescribed fire within the project area given the Blue Ridge Parkway, private lands, and the Asheville watershed bordering NFS lands. To effectively control the fire, dozer lines would need to be constructed, but not within the riparian area. The benefit of the burn is uncertain as it would reduce needle litter, but would not likely improve soft mast or other herbaceous habitat due to the remaining overstory. The cost of the action would be high due to the limited acreage burned and the amount of control measures required (Section 2.3.1, Chapter 2). The Riceville, Swannanoa, and Asheville communities are very close to the project area and would be adversely affected by smoke from a prescribed burn. The impacts to air quality in these communities outweigh the benefits to habitat—other areas on the Pisgah National Forest are more suitable to prescribed burning.

B): The Agency disagrees that the Blue Ridge Parkway, Asheville Watershed, and private property and not using FSRs on NFS lands would allow effective suppression of a fire in the Shope Creek area. Forest Service policy is to actively suppress wildfires on NFS lands that have potential to impact lives, private lands, structures, and other high values. Going to the Parkway and backing fire into the Shope Creek area would not be advised because the cumulative fire size would be very large (several hundred acres) due to the east and west containment lines—this would put many homes and lives at risk, along with the Asheville

Watershed. With or without a system of FSRs in the area, firefighters would hike to the fire from the bottom and try to flank it. Good access from the bottom would reduce the time and effort to suppress the fire, increasing potential for lives and structures to be protected. The Agency does not propose to prescribe burn in the area as disclosed in the Agency response to Comment A above.

Funding

Comment Received

A): *If the area is opened for public access, where will the money come from to accommodate them?*

Agency Response

A): The area is currently open to non-motorized public access and will remain that way under any of the alternatives analyzed in detail. Alternatives B and C propose to move the gate about ¼ mile up on to NFS lands, but the area will not be opened to motorized public access beyond the gate. Moving the gate from private lands up onto NFS lands and developing a small parking area meets the project's purpose and need (Section 1.3, Chapter 1). No additional funds would be needed to manage the area.

Garbage Dumping

Comments Received

A): *I and Sgt. Sam Robinson were responsible for getting the old gate relocated to the location just across Shope Creek from its old location higher up on the mountain. We took it upon ourselves to get the gate relocated because of people misusing the property. There was trash and people partying on the mountain leaving their trash behind, we didn't find this acceptable.*

B): *I also spent countless hours volunteering cleaning up the trash left behind by the public. My family single handedly hauled off over 6 TONS of garbage mainly beer and liquor bottles used condoms, etc. none of which a child should be subjected to.*

Agency Responses

A) & B): The Agency is not interested in seeing past abuses and illegal actions reoccur as a result of the project. As stated in the EA: *Forest Service personnel would work closely with state, county, and municipal law enforcement agencies to manage/control use in the area* (Section 1.2, Chapter 1).

Hemlock Woolly Adelgid

Comment Received

A): *Where as the logging my benefit timber production would it will not benefit the health of the forest as it ignores the presence and health of the current Hemlock population. The current hemlock population is a midrange growth, and as it dies out the logging would encourage a surge of fast growing deciduous trees that would further stress the hemlocks and prevent the Rhododendron and Kalmia from replacing the Hemlock as it dies out. This would reduce the winter shade necessary to maintain the water temperatures for the Southern Appalachian Brook Trout.*

Agency Response

A): Deciduous trees would not stress hemlock because hemlock is shade-tolerant. It is hemlock woolly adelgid that is stressing and killing hemlocks regardless of their size or age. Where rhododendron is shading the headwaters of streams, leaving it within the riparian area might be desirable. For larger streams, overstory conifers like hemlocks might be needed to buffer stream temperature during the dormant season.

Herbicide Use

Comments Received

A): *There is also no consideration for the high concentration of exotic invasives in the surrounding area that would immediately move into the newly exposed areas. To control this there would have to be a three to five year follow-up program of herbicide and selective pruning that the contracting practices of the forest service are not equipped to accomplish and are not included in this proposal.*

B): *And, while I do definitely support the extermination of invasive plant species, it seems that the use of pesticides in the watershed so near the creek might not have been very well thought out.*

Agency Responses

A): The EA disclosed: *Control/manage known populations of invasive exotic plant species in the analysis area **prior** to entry [emphasis added]. Primary control method would be herbicide (Triclopyr/Glyphosate). Application would be by backpack sprayer (Section 1.2, Chapter 1). Treating the area for non-native invasives prior to entry reduces potential for spread. The EA further disclosed: Areas would be established to monitor control efforts as part of our efforts to meet national objectives of reducing impacts from invasive species and improving the effectiveness of treating selected invasive species on the Nation's forests and grasslands. Survey areas would be established before control treatment, checked during treatment, and within nine months after treatment. A post-treatment evaluation report would be completed and filed in the project file (Section 2.4.2, Chapter 2). These actions will be implemented if the decision notice determines they are to move forward.*

B): The EA disclosed effects of herbicide use to aquatic resources: *In accordance with the Vegetation Management Final Environmental Impact Statement (VM FEIS), herbicide spraying would not occur within 30 horizontal feet of water unless the herbicide has been approved for aquatic applications. The herbicide Triclopyr (ester formulation) has the potential to cause direct mortality to aquatic organisms at a concentration of 0.74 parts per million (ppm). The amine formulation of Triclopyr can be lethal at concentrations of 91 ppm (VM FEIS). Concentrations of Glyphosate at 24 ppm can be lethal to some aquatic organisms (VM FEIS). Sublethal effects, such as lethargy or hypersensitivity, have been observed in fish at concentrations of 0.1 mg/L – 0.43 mg/L. No adverse effects have been observed in fish or aquatic invertebrates from exposure to imazapic concentrations up to 100 mg/L. Field applications of herbicides where stream buffers have been maintained have resulted in concentrations of these herbicides in streams below the lethal concentration – generally concentrations ≤ 0.0072 ppm in the adjacent streams (Durkin, 2003a; Durkin, 2003b; and Durkin and Follansbee, 2004). Furthermore, these herbicides degrade into nontoxic compounds in approximately 65 days (VM FEIS). The 30 foot buffers would prevent the Estimated Environmental Concentrations of Glyphosate or Triclopyr from reaching the LC₅₀ (Lethal Concentration at which 50% of the organisms suffer mortality) for any aquatic species (VM FEIS) because the herbicides would not enter the streams in any measurable quantity. Concentrations of these herbicides in adjacent waters where the waters were buffered (33 feet) resulted in concentrations of ≤ 0.0072 ppm. These concentrations are too low to produce the lethal or sub lethal effects described above. Activity area streams would be protected by a 30 foot buffer (minimum) which would prevent the concentrations of these herbicides from accumulating within the activity area streams in measurable quantities. There would be no effects to coldwater streams community because the amount of herbicides in activity area waters would be immeasurable (Section 3.1.2.3, Chapter 3).*

The EA disclosed protection measures for aquatic resources: *No herbicide is ground-applied within 30 horizontal feet of lakes, wetlands, or perennial or intermittent springs and streams. No herbicide is applied within 100 horizontal feet of any public or domestic water source. Selective treatments (which require added site-specific analysis and use of aquatic-labeled herbicides) may occur within these buffers only to prevent significant environmental damage such as noxious weed infestations. Buffers are clearly marked before treatment so applicators can easily see and avoid them (Appendix F, EA).*

In addition, an alternative that did not propose to use herbicides was considered but eliminated from detailed study because: *treatment with herbicide is known to be the most effective tool for these TSI and non-native invasive treatments and only requires one application. Mechanical slashing and manual methods, on the other hand, require repeated treatments and do not kill the targeted vegetation; this method of treatment is very expensive and has proven to be ineffective in controlling non-native invasives. For these reasons, this alternative would not be considered in further detail. Use of herbicides is necessary to effectively and efficiently control/manage non-native plants and competing vegetation (TSI or timber stand improvement). Use would be pursuant to product labels, MSDSs, and pesticide risk assessments. Effects of herbicide use would be disclosed in the EA (Section 2.3.2, Chapter 2). See also Section 3.4, Chapter 3.*

Increased Traffic/Use

Comment Received

A): *Who is going to control the increased traffic?*

Agency Response

A): *As disclosed in the EA: Forest Service personnel would work closely with state, county, and municipal law enforcement agencies to manage/control use in the area (Section 1.2, Chapter 1). Traffic is not expected to greatly increase because NFS lands would remain closed to vehicular use behind the new gate.*

Insects/Disease

Comment Received

A): *In the discussion of alternatives, the draft EA states that creating a mid-size patch of old-growth forest “could increase future disease and insect infestations”. I vigorously disagree. I see no way in which a native, hardwood, old-growth forest could be more susceptible to disease or insect infestations than a second growth forest. In fact, old-growth forests are likely to be more*

resilient to such invasions, and the way in which these communities respond to such disturbances has much to teach us (Frelich and Reich, 2003).

Agency Response

A): The EA stated in Section 3.11.4: *No designated old growth communities (as defined by the Forest Plan) or initial inventory old growth communities would be harvested under this alternative. There may be individual trees greater than 100 years of age harvested, but old growth is a community and not an individual tree. This alternative would designate all of the Shope Creek Project area as medium patch old growth communities except for the 17 acres of white pine harvested in Stands 23-12(A) and (B), about 1,208 acres total; these lands would not be scheduled for future harvesting. The 1,208 acres average about 107 years in age and designating them as medium patch old growth would ensure old growth communities are well distributed throughout the area. Continued higher basal areas within these stands could increase future disease and/or insect infestations.* The last sentence in this paragraph has been removed from the final EA.

Invasives

Comments Received

A): *The greatest threat to the natural communities in Shope Creek are the non-native invasive plants (NNIPs) that have invaded this area from the surrounding fragmented, suburban habitats. We support the proposals to control non-native invasives via chemical application and mechanical removal. Likewise, we support the removal of the non-native, planted white pine stands. This action will occur in areas already heavily infested with NNIPs, and the removal of the pines could generate the revenue needed to control these invaders, while regenerating a native hardwood forest.*

B): *On page 28, the EA states that logging in the AA is likely to exacerbate the oriental bittersweet (*Celastrus orbiculatus*) infestation. I agree with this statement. It is imperative the NNIPs be controlled prior to and after any vegetative management at Shope Creek.*

C): *Non-native invasives thrive in high-light environments and areas with disturbed soils, and as such, the logging and road reconstruction proposed in the more remote parts of Shope Creek in stands 23-13, 23-11, 24-10, and 24-11 is likely to increase the deleterious effects of NNIPs in the long term. That scenario is not acceptable given the abundance of rare species and rare species habitat identified by the biological evaluation in the EA. If the plans to log these stands proceed, there must also be a plan in place for repeated treatment of non-native invasives over the next 15 years or until the canopy of logged stands closes.*

Agency Responses

A): Comment is noted. Both action alternatives address this comment.

B): The EA disclosed in Section 3.3.3: *Opening the forest canopy by construction of wildlife fields, road reconstruction, and timber removal may provide new habitat for bittersweet and exacerbate this trend. The EA further disclosed that: It is expected that this trend of bittersweet growth would continue with or without planned activities and that: The proposed control of bittersweet may have a delaying effect upon the growth of this vine within those stands that are treated long enough so that trees canopies may be re-established. Once the tree canopy is established, bittersweet has more difficulty spreading within the stand.*

C): See Herbicide Use theme, Comment A, and Agency Response to Comment A above. The EA discloses that: *Areas would be established to monitor control efforts as part of our efforts to meet national objectives of reducing impacts from invasive species and improving the effectiveness of treating selected invasive species on the Nation's forests and grasslands. Survey areas would be established before control treatment, checked during treatment, and within nine months after treatment. A post-treatment evaluation report would be completed and filed in the project file (Section 2.4.2, Chapter 2).*

Issues

Comment Received

A): *Most of the issues that were discounted in section 1.5 deserve better analysis. The claim that best management practices (BMP) will be followed is no assurance that water quality will be maintained.*

Agency Response

A): Implementation of BMPs provides reasonable assurance that water quality would be maintained. The EA disclosed: *North Carolina guidelines (FPGs) and Forest Plan standards (BMPs) would be implemented during harvest activities. Applications of Forest Plan standards are intended to meet performance standards of the state regulations. Visible sediment derived from timber harvesting, defined by state regulations, should not occur unless there is a failure of one or more of the applied erosion control practices. Should any practice fail to meet existing regulations, additional practices or the reapplication of existing measures would be implemented as specified by state regulations. According to the NC Forestry BMP Implementation survey 2000 thru*

2003: 'Implementation of BMPs is critical in protecting water quality'. Monitoring of the English White Pine Project (on the Pisgah National Forest) BMP structures occurred during a two inch rain event in the summer of 2007. Straw bales, mulching and seeding had been installed two weeks prior to the event. The stream adjacent to the activity area was flowing clear and void of sediment from the associated activities. Both Shope Creek action alternatives would employ the same measures; therefore, sediments should not impact the area's streams (Section 3.1.2.2, Chapter 3).

Law Enforcement/Patrolling

Comment Received

A): When you can promise that proper law enforcement will be available I may support you, however that is impossible due to lack of resources with the local agencies and Forest Service. I know the level of crime that occurred on a regular basis when the gate was down over 20 years ago, since then our society has become more violent and dependant on drugs. These were the impotence of the fights, stabbings, and, the murder that happened up there.

Agency Response

A): The Agency is not interested in seeing past abuses and illegal actions reoccur as a result of the project. As stated in the EA: Forest Service personnel would work closely with state, county, and municipal law enforcement agencies to manage/control use in the area (Section 1.2, Chapter 1).

Logging Practices

Comments Received

A): The largest portions of the logging would occur directly adjacent to the streams and endanger the species due to erosion and sediment. The logging would also increase the amount of light reaching the streams increasing the water temperatures and further endangering the species. The addition and improvement of roads would permanently increase the light and temperature levels.

B): Having seen first hand the effects of road construction, logging and attendant pollution, erosion, and vandalism during my 50+ years of residency in North Carolina in would be tantamount to criminal to consider any other course but that developed by the residents of the area and Wild South.

Agency Responses

A): The Forest Plan provides specific standards where harvesting can occur within 100 foot riparian areas (page III-181). The EA disclosed in Section 3.1.2.2, Chapter 3: *Other than in the white pine stands (23-12A & 23-12B), there is no plan to harvest within any 100 foot riparian area of perennial streams within the Shope Project area. According to the Land and Resources Management Plan (LRMP) Vol. 1: 'Under these conditions, no increase in water temperature is anticipated under any of the alternatives. Since riparian-area treatment is not expected under any alternatives, availability of woody debris would be positively influenced if there was no harvest anywhere within the riparian zone on each streambank' (Vol. 1, page IV-36). All of the culvert installations, the fords and the temporary bridge for this project are associated with existing roads and therefore would not cause any disturbance to the existing riparian vegetation.*

The removal of white pine in Stands 23-12A & 23-12B up to 30 linear feet of Shope Creek would promote the growth and recruitment of hardwood species and would be done pursuant to Forest Plan standards and direction (Forest Plan, page III-181). Hardwood leaf litter is more beneficial to aquatic organisms, including fish, because the leaf litter provides more nutrients into the aquatic ecosystem (Benfield and Webster, 1985). According Patricia Fleebe, USDA Forest Service Aquatic Research Scientist, '[p]ine needles are slow to break down and are of poor quality for decomposers, so they don't really benefit fish. Ideal is to have a mix of species that provide food sources throughout the year' (personal communication, 2007).

B): The EA disclosed in Section 3.1.2.1, Chapter 3 for Alternative B: *This alternative would repair the [existing non-system] road accessing Stand 24-10 to prevent further off-site movement of soil into UT Shope Creek. In order to repair the existing condition of the road, this alternative proposes to place seven culverts; three in existing stream crossings (perennial, or flows year around) and four in ephemeral or drainage channels. Currently, these crossings are causing sediment to enter into UTs to Shope Creek. During the culvert installations, there would likely be a temporary fluctuation of turbidity within UTs to Shope Creek. This turbidity would be minimized by the implementation of Forest Plan standards (best management practices or BMPs) and North Carolina State Forest Practice Guidelines (FPGs). As a result, no measurable direct adverse impacts to aquatic habitat or organisms are expected to occur from the improvement of access into the area [emphasis added]. Following harvest activities all skid trails and log landings would be disced and seeded.*

Monitoring/Research

Comment Received

A): *Establish a Memorandum of Understanding (MOU) with Warren Wilson College to conduct research and pre/post-activity monitoring of Shope Creek project areas, including invasive monitoring and rapid assessment of early succession habitat in Compartments 23 and 24.*

Agency Response

A): The Agency will start open discussions in early 2008 concerning the possibility of entering into a memorandum of understanding (MOU) or other type of agreement with Warren Wilson College concerning various types of monitoring/research at the Shope Creek project site.

Move the Gate

Comments Received

A): *The Commission supports installation of a gate and provision of a parking area on the 1,596 acre Shope Creek tract to allow public use of this large parcel of USFS property. Lack of access to this particular tract of land has been a major complaint from sportsmen and other users of USFS lands for the past 15 years. In fact, the Commission considers addressing the public access issue as the most important aspect of this proposal. In years past only immediately adjoining landowners and their guests have been able to use the property and this is unacceptable given the size and location of the property. Commission biologists do recommend moving the proposed parking area and gate approximately 300 yards further into National Forest property on FSR 220 from the current gate to an existing wide area in the road to establish the parking area. The Commission also recommends parking for a minimum of five vehicles.*

B): *The Shope Creek area has been advertised as "Wildlife" for many years; however, there is no access to this parcel. I understand a few individuals have permission to park in a area that has not been made public as far as we know.*

Agency Responses

A): Alternative B addresses this comment.

B): Alternative B would move the gate onto NFS lands and provide an area for about 3-5 vehicles to park, increasing access to the Shope Creek area over the current condition.

No Action

Comment Received

A): *I just wanted to write and let you know that I feel Shope Creek should remain a protected forest with recreational opportunities.*

B): *Therefore the only acceptable alternative is A. Though I would like to see as much Old Growth designation as possible, alternative A leaves the whole area alone to grow old.*

Agency Response

A): The Shope Creek area is not a "protected forest". The Forest Plan has designated the area as MA 4D, which is suitable for timber harvesting. Non-motorized recreation is currently permitted in the area and would continue to be permitted regardless of which alternative analyzed in detail is selected.

B): Alternative A would not implement the proposed actions listed in Section 1.2, Chapter 1 – it would not leave the entire area to grow old forever. The Shope Creek area is designated as MA 4D and is suitable for timber harvesting. Unless NFS lands are designated as unsuitable for timber harvesting, future decision could be selected that allowed timber harvesting.

No Harvesting

Comments Received

A): I am an ecology student , and there is absolutely NO WAY you could ever convince me that the area in question - which I DID visit - could benefit from an all out assault. The whole idea of "habitat creation" is completely farcical.

B): [I am] *whole heartedly against the Forest Service plan that includes logging 68 acres of land and the reconstruction of six miles of forest roads.*

Agency Responses

A): Natural resource professionals with both the US Forest Service and the North Carolina Wildlife Resources Commission (NCWRC) disagree that "habitat creation" is farcical. The NCWRC stated in their comments on the Shope Creek proposal: *The Commission is concerned about the lack of early forest successional habitat on National Forest lands in western North Carolina*

and supports timber harvest to create this habitat type and to increase soft mast production. The agency also supports timber stand improvement practices to increase future hard mast production from oaks and hickories. In fact, in this particular situation, the agency would support an increase in the proposed timber sale area to approximately ten percent as no timber harvest or other wildlife habitat work currently occurs on bordering National Park property or the Asheville City Watershed. Commission biologists believe that quality early successional habitat is as important to wildlife diversity and numbers as old growth timber stands. [W]ildlife experts with NCWRC concur that all timber management activities will have positive impacts to bears and bear habitat. Ensuring future regeneration of oaks and short term production of soft mast provide important food sources for bears. The Shope Creek proposal was developed to meet the purpose and need. One of the purpose and need elements disclosed in the EA in Section 1.2, Chapter 1: *There is a need to develop up to 10% early-successional (0-10 year age class) wildlife habitat in the project area because **there is currently no 0-10 year age class wildlife habitat** [emphasis added]. The purpose of the approximate 68 acres of harvesting is to develop about six percent 0-10 year age class wildlife habitat in the project area and increase the amount of hard mast producing tree species (oaks and hickories).*

B): The proposal was developed to meet the project's purpose and need (Section 1.3, Chapter 1). Harvesting and road-related activities are necessary to meet the purpose and need.

No Harvesting Hardwoods

Comments Received

A): *I support the Wild South proposal for the Shope Creek Project in the Appalachian District of the Pisgah National Forest. It's the best proposal since it calls for removing only the white pines that are not native to the forest, thus reducing the costs associated with additional road maintenance, while keeping the cleared areas open in the future to provide some meadow-like wildlife habitat for game species like grouse, turkey, and deer.*

B): *Remove introduced white pines where removal would not require building new roads.*

C): *Likewise, we support the removal of the non-native, planted white pine stands. This action will occur in areas already heavily infested with NNIPs, and the removal of the pines could generate the revenue needed to control these invaders, while regenerating a native hardwood forest.*

Agency Responses

A): Alternative C proposes to only harvest the two white pine stands and to mow them periodically to keep them as permanent ESH. Not harvesting hardwood stands in the project area and maintaining the two white pine stands as the only ESH in the area would not allow for ESH to be dispersed as Forest Plan standards prescribe: *Disperse early successional habitat across the landscape* (Forest Plan, page III-31).

B): No new roads would be constructed under any alternative analyzed in detail. Alternative B would improve about half of the existing non-system roads which are needed to facilitate access for timber management. As disclosed in the EA: *Place about four miles of existing non-system roads (old "woods" roads or unclassified roads) onto the Forest's transportation system following harvest-related activities. The roads would be disced, seeded, and available for non-motorized use following project implementation as well as future administrative access needs. About two miles (1/2 of the total miles) of these road segments would be improved and used for harvesting* (Section 1.2, Chapter 1).

C): Alternatives B and C address this comment.

Old Growth/Mature

Comments Received

A): *The majority of Shope Creek should be preserved as old growth forest.*

B): *I agree with Alternative C that more should be designated as "Old Growth".*

C): *Please protect the old growth! There is so little old growth left in this world. It is our responsibility to protect it for future generations. Cut the white pines, but leave the old trees to grow and protect our botanical heritage please.*

D): *Please be advised that current scientific literature supports the maintenance of mature forest canopy as a carbon sink and conversion of mature forest to ESH is inexcusable when other options are always available to generate this age class.*

Agency Responses

A) & B): Alternative C proposes this, but doing so would not meet Forest Plan objectives for MA 4D which states: *Disperse early successional habitat across the landscape* (Forest Plan, page III-31).

C): Forest Plan standards would be met with Alternative B and as disclosed in the EA: *No designated old growth communities (as defined by the Forest Plan) or initial inventory old growth communities would be harvested under this alternative* (Section 3.11.3, Chapter 3).

D): Only five percent of the 1,356 acres in the stands averaging 51-100 years would be harvested under Alternative B and zero percent of the 1,356 acres in the stands averaging 101+ years would be harvested under Alternative B (Table 3-18, Chapter 3). In addition, 123 acres of small patch old growth communities would be designated under Alternative B.

Provide Access

Comments Received

A): *I certainly hope that the Shope Creek area can be kept open for public use.*

B): *As an avid outdoorsman, I wish to be able to access Shope Creek legally.*

C): *I would like to see better public access.*

D): *As a resident of the Haw Creek community in East Asheville, I am strongly in favor of providing public access to the Shope Creek area. Although the land is "public," the surrounding land owners have restricted access to the degree that this area is essentially private access.*

Agency Responses

A) – D): None of the alternatives analyzed in detail change the current public access management in the Shope Creek area. Alternatives B & C provide additional parking and move the gate to facilitate better non-motorized access.

Provide Bathrooms

Comment Received

A): *When are you going to supply lavatory facilities for all of these "dog-walkers"? None of your proposals have mentioned these concerns. I have many other concerns but I know how it feels to be rolled over by a government agency.*

Agency Response

A): Providing developed facilities such as bathrooms is outside the scope of the project. Additional facilities such as these would encourage more public access than the small Shope Creek area can reasonably accommodate. Increasing the recreation facilities in the Shope Creek area is outside the scope of the proposal and the EA disclosed the following in response to developing additional multi-use trails: *After further review with the Inter Disciplinary Team, the Responsible Official decided to drop this portion of Alternative C and not include it in the analysis and decision for the alternative because designating a multi-use trail system in the project area is outside the scope of the proposal and developing new recreation facilities in the area was not a recommendation identified in the recent Appalachian Ranger District's recreation realignment action plan. A future analysis and decision would need to be completed prior to designation of such a trail system* (Section 2.2.3, Chapter 2).

Provide Parking

Comment Received

A): *Never had any problem's until every body, but a selected few had any place to park, this place belongs to the people, they are the ones pay taxes and buy hunt listens [sic].*

Agency Response

A): Alternatives B & C address this comment.

Purpose and Need

Comment Received

A): *I WANT TO KNOW THE REAL IMPOTENCE BEHIND THIS SUDDEN NEED TO RAPE MY FAVORITE SECLUDED SANCTUARY!!!!!!!!!!!!!!!!!!!!*

Agency Response

A): The proposal was developed to meet the project's purpose and need as described in Section 1.3, Chapter 1.

Rare Plants

Comment Received

A): *During my field visits to the project area this summer, I noted the presence of 9 vascular plants listed as Significantly Rare by the NCNHP or as sensitive by the USFS including: Amelanchier sanguinea, Carex biltmoreana, Coreopsis latifolia, Dodecatheon meadia, Hydrophyllum macrophyllum, Packera millifolium, Polygala senega, Rudbeckia triloba var. pinnatiloba, and Trillium rugellii. The presence of so many rare species in the AA is indicative of the great conservation value of the Craggy Mountains in general, and the Shope Creek AA in particular.*

Agency Response

A): Effects to threatened, endangered, and sensitive (TES) species are disclosed in both the EA and BE. Effects to Forest Concern (FC) species are disclosed in the EA. The analysis determined there would be no loss of local population viability to any TES or FC species.

Recreation Access/Development

Comments Received

A): *I support the Community Alternative because [it best provides] improved recreational opportunities for Shope Creek.*

B): *Please choose alternative plan#3 and save as much of this area for the recreational enjoyment of the public!*

C): *Shope Creek has the same potential as the Bent Creek area in West Asheville which is very heavily used by the public. I am not wholly opposed to environmentally-sensitive logging but do feel that the Shope creek area should be maximized for recreational usage.*

D): *I would like to support alternative C but I think the USFS has no real intention of choosing it as it does not create the desired percentage of ESH. I also have some concern that the forest will be heavily used for recreation and the high quality of the resource will be diminished. This will happen because no trails will be marked and under current designation, bikes and horses will be allowed to degrade the area.*

Agency Responses

A) & B): Recreation opportunities would remain the same under Alternatives B or C – no bicycles trails, developed recreation facilities, would be developed

C): The management area prescription for the Shope Creek area is 4D which emphasizes high quality habitats for wildlife—recreation is not the primary emphasis (Forest Plan, page III-78). The proposal has been designed to meet Forest Plan standards and guidelines and as such does not increase existing recreation opportunities as they would interfere with wildlife objectives.

D): The selected alternative and supporting rationale for selecting it and not other alternatives is disclosed in the decision. Recreation is expected to increase, but not dramatically because developed recreation facilities are not being developed (new campgrounds, bicycle trails, etc.). Should monitoring determine that adverse impacts to resources are occurring due to recreation, corrective actions would be taken to reduce those impacts.

Roads Analysis

Comments Received

A): *Almost all of the road-related activities in the proposed Shope Creek project take place on the parts of the road system that were not analyzed in 2003 [pursuant to 36 CFR 212.1]. A project-level RAP is required for the Shope Creek project. "It is generally expected that road inventories and road condition assessments for all classified, unclassified, and temporary roads, as identified in FSM 7712.14, would be completed as part of the watershed- or project-scale roads analysis, not the Forest-scale." "When proposed road management activities (road construction, reconstruction, and decommissioning) would result in changes in access, such as changes in current use, traffic patterns, and road standards, or where there may be adverse effects on soil and water resources, ecological processes, or biological communities, those decisions must be informed by roads analysis (FSM 7712.1).*

B): *In its current state, the purported “project level roads analysis” located at pages 97-102 of the Shope Creek Environmental Assessment is deficient in almost all the requirement set forth above. In particular, the public participation aspect has been largely ignored, and must be remedied before this project can move forward.*

Agency Responses

A): A project-level RAP was prepared and made available for review in Appendix G of the EA. The 2003 RAP was a Forest-level analysis (FSM 7712.13b for system roads. The Shope Creek RAP is a project-level analysis (FSM 7712.13c) that analyzed the current and future access management needs.

B): The following was disclosed in the EA concerning the RAP: *A letter was mailed to residents along the Shope Creek Road (State Road 2426) and a legal notice was placed in The Asheville Citizen-Times (AC-T) on March 29, 2007, announcing a roads analysis for the Shope Creek area and requesting input on access management. On April 2, 2007, the Responsible Official and Shope Creek Team Leader met with adjacent landowner Mr. Jerry Payne to discuss access to NFS lands and his and other landowner concerns with re-establishing the gate and road closure once again on NFS lands (Section 1.4, Chapter 1). Fifteen members of the public responded to this public involvement and helped form the road management proposal described in the RAP.*

Road Construction/Reconstruction

Comments Received

A): *I do not believe that new roads through the area are a good idea for water quality or wildlife habitat.*

B): *It's our belief that we need to do everything we can to protect our National Forests from further habitat destruction this includes minimal road construction and minimal harvesting of trees.*

C): *Nor do I understand how the creation of five miles of roads would lead to anything but misuse of the land by recreational vehicles and even more extensive logging in the future. I believe that the concept of less is more is the order of the day here.*

D): *Perhaps even more than the proposed logging activities, the addition of four miles of roads to the permanent road system will increase the long-term threat of NNIPs to the forests of Shope Creek, and increase the costs of maintaining these forests in a natural condition. To avoid the continuing threat of spreading NNIPs into the outstanding natural communities at Shope Creek, it will be necessary to clear system roads in the analysis area of NNIPs at least every five years. We contend that reducing the mileage of roads in the analysis area, rather than adding new roads to the system, will be cheaper and less biologically damaging in the long term.*

Agency Responses

A): No new roads are proposed by either action alternative. All road prisms are already in place—the existing non-system roads would need improvement to facilitate harvesting, but they are already cut into the hillsides and have crossings established. Some of the crossings need improvement to reduce potential for erosion/sedimentation. The access to Stand 24-10 (non-system road segment C) has one existing crossing that is currently causing erosion/sedimentation and would be corrected by both action alternatives.

B): Alternative B proposes 1 mile of reconstruction to existing system roads and 4 miles of improvement on existing non-system roads—Alternative C proposes ½ mile of reconstruction to existing system roads and 0 miles of improvement on existing non-system roads. Neither alternative proposes new road construction, and the Agency believes the proposal provides minimal road activities needed to access the minimal amount of timber harvested. Adding existing non-system roads to the Forest transportation system allows them to be appropriately maintained in the future.

C): No new roads are proposed by either action alternative. All road prisms are already in place—the existing non-system roads would need improvement to facilitate harvesting, but they are already cut into the hillsides and have crossings established. Some of the crossings need improvement to reduce potential for erosion/sedimentation. The Agency would also work closely with state, county, and municipal law enforcement agencies to manage/control use in the area (Section 1.2, Chapter 1). The Shope Creek area is identified as suitable for harvesting under the Forest Plan and future entries are likely to meet resource objectives described in the Forest Plan (Section 1.3.1, Chapter 1). See also Agency Response to Comment B above.

D): No new roads are proposed by either action alternative. All road prisms are already in place—the existing non-system roads would need improvement to facilitate harvesting, but they are already cut into the hillsides and have crossings established. The EA disclosed in Section 3.3.3: *Opening the forest canopy by construction of wildlife fields, road reconstruction, and timber removal may provide new habitat for bittersweet and exacerbate this trend. The EA further disclosed that: It is expected that this trend of bittersweet growth would continue with or without planned activities and that: The proposed control of bittersweet may have a delaying effect upon the growth of this vine within those stands that are treated long enough so that trees canopies may be re-established. Once the tree canopy is established, bittersweet has more difficulty spreading within the stand.*

Also disclosed in the EA: *Areas would be established to monitor control efforts as part of our efforts to meet national objectives of reducing impacts from invasive species and improving the effectiveness of treating selected invasive species on the Nation's forests and grasslands. Survey areas would be established before control treatment, checked during treatment, and within nine months after treatment. A post-treatment evaluation report would be completed and filed in the project file (Section 2.4.2, Chapter 2).* In addition, about ½ mile of existing non-system road (segments D and G) would be decommissioned, providing these segments to revert back to natural forests and reducing vectors for non-native invasive species to spread.

Scenery

Comment Received

A): *Ensure the proposal meets the partial retention (management actions are not dominant features in the characteristic of the landscape) visual quality objective (VQO) within two growing seasons through design features such as feathering visible edges of harvested stands, retaining trees in clumps within harvest stands, screening log landings and roads from view along the Blue Ridge Parkway, and/or modifying harvest boundaries, where needed.*

Agency Response

A): The EA disclosed for Alternative B: *After one or two growing seasons, under-story vegetation would obscure exposed ground, tree crowns would fill-out, and the canopy would begin to close. Seeded roads and landings would also green-up, and be screened by vegetative growth. Where identified by the analysis, increasing residual basal area would further reduce contrast between harvest areas and surrounding forest. Portions of harvest Stands 23-13, 23-12(A) and 23-12(B) are visible from the BRP. Design features incorporated to meet or exceed assigned VQOs: 1) The eastern half of Stand 23-13 should retain at least 25 ft² rba/ac; from the dividing ridge to the eastern unit boundary. 2) The southern half of Stand 23-12(A) and all of Stand 23-12(B) should retain at least 15 ft² rba/ac. 3) Ensure the uncut strip between Stand 23-12(A) and the system road remains intact; as indicated on project maps. These features would allow treatments to meet the assigned PR VQO where seen from the BRP, and M VQO from area streams (Section 3.7.4, Chapter 3).*

The EA disclosed for Alternative C: *Sanitation harvest in White Pine stands 23-12(A) and 23-12(B) would have an appearance similar to two-age treatments, but reducing tree density in an evergreen forest-type is less noticeable than in hardwoods. Residual evergreen trees also offer more vegetative screening of adjacent roads and landings. Portions of harvest Stands 23-12(A) and 23-12(B) are visible from the BRP. Design features incorporated to meet or exceed assigned VQOs: 1) The southern half of Stand 23-12(A) and all of Stand 23-12(B) should retain at least 15 ft² rba/ac. 2) Ensure the uncut strip between Stand 23-12(A) and the system road remains intact; as indicated on project maps. These features would allow treatments to meet the assigned PR VQO where seen from the BRP, and M VQO from area streams (Section 3.7.5, Chapter 3).*

Support for Proposal

Comments Received

A): *The Commission is concerned about the lack of early forest successional habitat on National Forest lands in western North Carolina and supports timber harvest to create this habitat type and to increase soft mast production. The agency also supports timber stand improvement practices to increase future hard mast production from oaks and hickories. In fact, in this particular situation, the agency would support an increase in the proposed timber sale area to approximately ten percent as no timber harvest or other wildlife habitat work currently occurs on bordering National Park property or the Asheville City Watershed.*

B): *I have talked with folks at the Pisgah National Forest Office at Burnsville and the environmental assessment to clear some of the undesirable growth, replant the area with proper fauna, trees etc for the wildlife is an outstanding proposal.*

C): *I prefer the original plan as presented at the public forum. The project is designed to improve wildlife habitat, especially for bear. The original plan best meets the needs of wildlife.*

Agency Responses

A): An alternative was considered but eliminated from detailed study that proposed additional early succession habitat (ESH) than the proposed action. The alternative was eliminated from detailed study because: *[d]eveloping additional treatment units at this time and as part of this proposal would be impractical given the area's visual sensitivity and the Forest Plan requirements for spacing of units. Due to the visual sensitivity of the area from the Blue Ridge Parkway as well as the Forest Plan standard of maintaining a minimum of 660-feet between two-age treatment units, accomplishing additional early successional habitat would require delaying the project for several more months. This delay would be necessary to completely redesign the proposal in order to meet visual quality objectives and comply with Forest Plan direction; the result could possibly add up to 4% more early successional habitat in the Shope Creek area. However, the lengthy delay in the project does not warrant the minor gains early successional habitat that would be realized; therefore, the Responsible Official decided to drop this alternative from further analysis (Section 2.3.5, Chapter 2).* The proposal has been designed to improve habitat in the area over current conditions (Section 1.3, Chapter 1).

B): Comment is noted.

C): Comment is noted (original plan described is Alternative B).

Survey Data

Comments Received

A): *The botanical and wildlife assessments were taken from existing regional documentation rather than a local inventory of the actual forest as evidenced by the inclusion of many species not native or present in this area or the specific forest. In the wildlife assessment there is an obvious omission of the presence of the southern Appalachian Brook Trout which is easily evidenced by an inspection of the stream. The presence of the brook trout is also verified by the NC Wildlife map as closest location to the Asheville metro area.*

B): *While I have no reason to doubt the knowledge of personnel creating the compiled data, I do have concerns as to the thoroughness of field data re: total, actual area within the stands actually surveyed and times of the year field work was done. E.g. did they stand on the available roads and look or did they traverse up and down the entire stand and did they observe only in April or only in July, or did they visit the stands over time. Or did they just make guesses based upon the type of cove, soil, slope, etc.?*

Agency Response

A) & B): Biological surveys were conducted specific to this proposal and within the AA. The botanical surveys were led by David M. Danley, Forest Botanist on April 6, 18, & 20, 2007 (with Botanist Brad Oburly, Missouri Botanical Garden); May 9, 10 12, 17, 29, & 30, 2007; June 15, 18, 20, & 25, 2007; and August 17, 2007. The wildlife surveys were led by Sandra Burnet, Forest Wildlife Biologist on May 10, 24, 2007 (with Dr. David Buehler, University of Tennessee); and June 5 & 7, 2007. The aquatic surveys were led by Lorie Stroup, Forest Fisheries Biologist on February 26, 2007; April 5 & 6, 2007 (both with Dr. Tim Forrest, University of North Carolina Asheville); May 16 & 17, 2007; June 7, 2007; and August 20, 29, & 30 (with Dr. Tim Forrest). Biological surveys were conducted throughout individual activity areas and within the AA.

Current aquatic surveys conclude that rainbow trout have replaced brook trout within Shope Creek and its tributaries. Surveys from spring 2007 found no brook trout and a healthy population of non-native, wild rainbow trout. Historical surveys from 1991 conducted by the USFS and the NCWRC found only rainbow trout at that time. This is likely due to the trout farm located just south of NFS lands adjacent to Shope Creek—this trout farm raises only rainbow trout. Personal communication with Amanda Bishon, Assistant Fisheries Biologist for District 8 of the NCWRC (November 21, 2007), revealed that their latest surveys from April 14, 2005, found only rainbow trout. The population data the commenter is referring to is from Bee Tree Creek in the Asheville watershed, not within Shope Creek; which has been documented by the NCWRC as being a rainbow trout stream.

Sustainable Forest Practices

Comment Received

A): *At a time when we are trying to preserve our natural heritage it would benefit us to give up the heritage of pilfering our forest for short term gain and look at preserving and stabilizing them. Instead we should be creating a sustainable management program that allows the forest to do more to take care of itself than we do to care for it.*

Agency Response

A): The proposal has been designed as a sustainable forest/habitat project, one that preserves portions as small patch old growth while also improving habitat for wildlife species dependent on ESH (Section 1.3, Chapter 1).

Timber Stand Improvement

Comment Received

A): The Commission supports release and establishment of fruiting trees and oak trees as noted in the proposal and control of the non-native invasive plant species. Commission biologist would also recommend removal of selected trees shading existing or planned roads and enlargement of logging decks to allow establishment of clovers and other wildlife plants or fruiting trees and shrubs to enhance wildlife food and cover benefits.

Agency Response

A): Alternative B would: plant an old variety of apple trees on landings and advanced oak seedlings (>2 feet in height) on harvested white pine stands following harvest activities (Section 1.2, Chapter 1). The proposal does not expand landings beyond the typical approximately ¼ acre needed for log trucks and potential for more habitat for non-native invasives within this AA. The Agency believed it was more important to establish oak seedlings rather than releasing fruit trees.

Water Quality/Sedimentation

Comments Received

- A): *If the trees are harvested, what is that going to do to the quality of the water in the creek? Right now it is cool, clean and supporting fish and other life.*
- B): *Also this section of forest is used by many area residents as well as others for recreation and is important for water quality.*
- C): *What about the impact on those of us who live downstream from what is now one of the most healthy and pristine tributaries that the Swannanoa River has?*

Agency Responses

A) & C): The Forest Plan provides specific standards where harvesting can occur within 100 foot riparian areas (page III-181). The EA stated in Section 3.1.2.2, Chapter 2: *Other than in the white pine stands (23-12A & 23-12B), there is no plan to harvest within any 100 foot riparian area of perennial streams within the Shope Project area. According to the Land and Resources Management Plan (LRMP) Vol. 1: Under these conditions, no increase in water temperature is anticipated under any of the alternatives. Since riparian-area treatment is not expected under any alternatives, availability of woody debris would be positively influenced if there was no harvest anywhere within the riparian zone on each streambank (Vol. 1, page IV-36). For Stands 23-12A & 23-12B, the EA stated in Section 1.2, Chapter 1: Maintain 30 foot no harvest buffer along Shope Creek (Forest Plan, page III-181). The 30 foot buffer was mapped on February 26, 2007, by a hydrologist, a fisheries biologist, and a forester; and was evaluated by a wildlife biologist and a botanist. This team identified the 30 foot buffer as being an appropriate size to maintain riparian function for Shope Creek while also enhancing the area with the removal of white pine (for the promotion of hardwoods). The EA further disclosed in Section 3.1.2.2 that: The removal of white pine in Stands 23-12A & 23-12B up to 30 linear feet of Shope Creek would promote the growth and recruitment of hardwood species and would be done pursuant to Forest Plan standards and direction (Forest Plan, page III-181). Hardwood leaf litter is more beneficial to aquatic organisms, including fish, because the leaf litter provides more nutrients into the aquatic ecosystem (Benfield and Webster, 1985). According Patricia Fleebe, USDA Forest Service Aquatic Research Scientist, [p]ine needles are slow to break down and are of poor quality for decomposers, so they don't really benefit fish. Ideal is to have a mix of species that provide food sources throughout the year (personal communication, 2007). Water quality should not be affected as long as Forest Plan standards and NC-FPGs are followed and timber sale contract clauses are implemented. Stream temperatures would not be affected because adequate shade would be maintained along perennial and intermittent streams. In the past, the implementation of the NC-FPGs have protected streams during similar past actions. Long-term adverse impacts from these similar past actions have not been apparent. When failure of any BMP or NC-FPG has occurred it has been corrected immediately.*

B): Water quality would be maintained in the area due to project design, Forest Plan standards, and North Carolina Forest Practices Guidelines. See also Agency response to Comment A above.

Wilderness

Comment Received

A): *There are many areas available for logging in WNC but only a few wilderness areas very close to the growing Asheville metropolitan region.*

Agency Response

A): Areas Congressionally designated as Wilderness on the Nantahala and Pisgah (N&P) National Forests (Linville Gorge, Shining Rock, Middle Prong, Joyce Kilmer-Slickrock, Southern Nantahala, and Ellicott Rock) have specific standards and guidelines established for managing them. The Shope Creek area is identified in the Forest Plan as Management Area 4D which emphasizes high quality wildlife habitat and is suitable for timber harvesting to meet wildlife objectives—it is not identified as Congressionally designated wilderness (Management Area 7). The Forest Plan designates some areas on the N&P National Forests as Wilderness Study Areas (Management Area 6). Both Management Areas 6 and 7 are unsuitable for timber harvesting. The proposal has been designed to meet Management Area 4D objectives.

Wildlife Habitat/Populations

Comments Received

- A): *Wildlife experts with NCWRC concur that all timber management activities will have positive impacts to bears and bear habitat. Ensuring future regeneration of oaks and short term production of soft mast provide important food sources for bears.*
- B): *I support the Wild South proposal for [k]eeping the cleared areas open in the future to provide some meadow-like wildlife habitat for game species like grouse, turkey, and deer.*
- C): *I believe that wildlife in this area needs more protection than many people think, for it faces more obstacles than most realize.*

Agency Responses

A): Comment is noted.

B): Comment is noted. Alternatives B & C would improve hard mast conditions by removing white pine in Stands 23-12A and 23-12B; however Alternative B would provide additional ESH over Alternative C because it would harvest 51 additional acres using the two-age harvest method.

C): Wildlife in the area would be protected from vehicular disturbance because the area would remain closed by a gate. There is also protection from additional hunting pressure in the adjacent Asheville watershed and Blue Ridge Parkway. The proposal has been designed to meet habitat objectives for wildlife species that prefer ESH and reduced disturbance from vehicles.