



January 11, 2017

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Jim Thompson
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Sent Via Email

Re: 2017 Gypsy Moth Slow the Spread (STS) Scoping Comments

Dear Mr. Thompson:

Board of Directors:

Bette Dzamba

Howard Evergreen

Jennifer Lewis

Laurie Miller

Ernie Reed

David Sellers

Deirdre Skogen

Elizabeth Williams

I am submitting these comments in response to the scoping notice (“Notice”) for the referenced project, on behalf of Wild Virginia. The Notice states that the period in which comments may be submitted to preserve the right to object to this project runs for 30 days “beginning the day after publication of this notice in the *The Roanoke Times* (Roanoke, VA).” The “Request for comment” posted on the George Washing and Jefferson National Forest (“GWJNF”) web site lists the “Date Published” as 12-12-16. If we have missed the official deadline for comments, then we object and insist that a new public notice is required to meet legal requirements, as discussed below.

Members of the public who do not constantly monitor the legal notice sections of *The Roanoke Times* and of the many other newspapers in which Forest Service (“FS”) projects may be noticed in Virginia cannot know the dates for comment periods without directly contacting FS personnel on a regular basis - a necessity that is unreasonable and defeats the purpose of public notice rules. Regular checks of the GWJNF web site listings for projects and being on FS mailing lists should be adequate to inform the public in a reliable manner. Wild Virginia takes these actions but continues to find these methods to be insufficient.

Public Notice must be designed to give members of the public the information they need to comment effectively on governmental actions, protect their interests, and preserve their legal rights. A system must be devised by the GWJNF to accomplish this result. Wild Virginia has repeatedly asked for improvements to the process and we continue to ask that the Forest Service (“FS”) work with us and other citizens to establish a method by which we may know, without question and without the need to make special inquiries, when public comment periods begin and end. As we have previously suggested, posting of the web listing before or on the same date as newspaper publication and placing information on the web site to notify the public of the newspaper notice date would be adequate. The GWJNF has done this in some cases but we ask that it be done in every case.

Our comments on this project are contained in the numbered sections below. We note that some of our concerns were expressed in comments we filed in December 16, 2016, in relation to another gypsy moth treatment proposal. The Forest Service (“FS”) issued a Draft Environmental

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Assessment (“DEA”) and Draft Decision Notice for that project, the 2017 Gypsy Moth Suppression Project, on January 9, 2017. Wild Virginia submitted extensive comments in that case, some of which will be applicable to this project as well. To the extent Wild Virginia’s comments for that project, dated December 15, 2016, are relevant to this project, we hereby reiterate those points and incorporate that comment letter, the DEA, and the Draft Decision Notice, by reference, as part of this submittal.

1. The primary issue that must be addressed in the Draft Environmental Assessment (“DEA”) for this project is whether the most up-to-date science supports the effort proposed for gypsy moth containment in this case. Gypsy moth infestations may cause both short-term and long-term impacts on forest stands and the occurrence and severity of those impacts, both negative and positive, depend on a number of factors. These factors must be discussed in the DEA.
2. The spatial scope of the FS’s analysis for this project must conform to the requirements of the National Environmental Policy Act (“NEPA”), FS-specific statutes, and implementing regulations. While the actions proposed in this case are addressed through broader “tiered” analyses, on national and Forest-wide scales, the project-specific analysis must still contain a detailed review of potential impacts and a cumulative impacts analysis that look at reasonably foreseeable combinations of effects. The Notice states that “[t]he scope of this analysis is limited to the proposal for treatment of one block totaling 5,283 acres of intermingled NFS and private lands located in southwest Virginia as part of the STS program” and that “[i]t does not affect, nor is it affected by, other STS, suppression or eradication treatment activities outside the scope of this EA conducted by the FS or VDACS on other public and private Virginia lands.” We assert that the other gypsy moth control efforts or other factors may not be arbitrarily excluded from analysis, as these statements seem to imply.
3. The NEPA review must disclose possible impacts of particular actions, even when broader authorizations allow the actions on a general basis. The EA is to describe the possible consequences of a federal action, including those that the FS deems to be acceptable or preferred based on management prescriptions.
4. To the extent that gypsy moth suppression treatments are justified, we prefer the use of agents that are closely-targeted at the populations of gypsy moths, rather than agents that may have broader impacts. In that respect, the use of mating disrupting pheromones proposed here is preferable to use of chemical pesticides.
5. The substances that accompany the “active ingredients” use in treatments must be examined fully. While these additional ingredients are sometimes described as “inert,” this description is inaccurate in most cases. The Notice lists three formulations that may be used in this project. The characteristics of each of these three formulations must be discussed and the FS must explain the bases for choosing one or more of these substances. Is one of these formulations preferred over the others and, if so, why? If the preferred method is not to be used in certain circumstances, what criteria will be used to guide those decisions? Are these decisions based solely on the efficacy of the particular formulation or are the choices to be based in part on economic or other factors?
6. The Notice discusses the need to pursue specific Goals in the Jefferson National Forest Land and Resource Management Plan (“Forest Plan”) but the project implicates other Goals in the Forest Plan, which must also be discussed in the DEA.

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7. The Notice states that infestations with a priority index higher than 2.3 are selected for treatment but does not disclose the priority index for the areas addressed by this proposal. This information must be included in the DEA and used to establish need for treatments in this case.

Thank you for the chance to comment on this project and for your consideration of the issues we have raised.

Sincerely,

/s/ David Sligh
David Sligh
Conservation Director

cc: Karen Overcash, GW&J NF