

Wild Virginia
108 5th St SE, Charlottesville, VA 22902

March 2, 2016

Kathleen K. Donahue
District Ranger
Lee Ranger District
George Washington and Jefferson National Forest
95 Railroad Avenue
Edinburg, Virginia 22824
Comments-southern-georgewashington-jefferson-lee@fs.fed.us

Submitted Via Email

Re: Lee Ranger District Range Management Project Scoping Comments – Public Notice Response

Ms. Donahue:

I submit comments on this project and one attachment on behalf of Wild Virginia at, literally, the last minute of March 1st, to meet the deadline we had been given by phone from your office. However, I wish to supplement those comments through this letter and some additional attachments and I trust that these ideas and materials can be incorporated into the analysis to be completed for the project.

In my previous letter, I stated that Wild Virginia proposes and would support an alternative that

Our organization is a non-profit corporation dedicated to protecting the ecological health of Virginia's National Forests and of the natural systems of which National Forest land form an important part. We represent hundreds of members and volunteers who use the George Washington National Forest and associated streams on a regular basis and have interests that will be affected by this proposed action. Further, our organization conducts educational and recreational programs in natural areas both on and off of the Forest and has ongoing interests related to the management actions addressed here.

We hereby object to the management activities proposed for the three tracts addressed in the referenced public notice. These activities are in conflict with the U.S. Forest Service ("USFS" or "Forest Service") responsibilities and legal mandates that govern projects on the Forest. Further, we believe the opportunities for public involvement in the decisional process have, so far, been inadequate due to our inability to gain access to the tracts addressed in the public notice. The concerns we discuss below must be addressed in a NEPA analysis and we believe that analysis must conclude that the proposed project cannot proceed as advertised. Rather, we support an additional alternative that was not included in the notice.

The public notice for this project was dated December 28, 2015 and stated that comments submitted after February 1, 2016 would be considered “to the extent time allows” but would that comments submitted after that date would not make the commenter eligible to object to the decision. Wild Virginia asked that the deadline for submittal of comments be changed to March 1, 2016, because of problems we had encountered in accessing the Forest Service web site and because of delays in our ability to visit the subject properties, due to holidays and snow events. I received a call from you office on February 1, 2016 informing me that the comment period was being extended to March 1. We understand that by meeting this new deadline we will qualify for full procedural rights, as would have applied under the original February 1, deadline. We appreciate the Service’s cooperation in extending the comment period for us but note that the USFS web site was not changed to reflect the new deadline and so other members of the public were could not know of this opportunity.

Also, as noted above, Wild Virginia employees visited the areas surrounding the three tracts on February 13, 2016 in an attempt to view the lands in question and better understand the possible consequences of the various management options for these sites. In none of the three locations were we able to reach the Forest Service properties without trespassing on private property and were, therefore, unable to gain the necessary information to make the best informed comments at this time.

The notice for this proposal states that the Whitting and Moody tracts are to be managed under prescription number 7G as described in the George Washington National Forest Land and Resource Management Plan (“Forest Plan”). Prescription 7G, “pastoral landscapes,” describes a “desired future condition” that allows for grazing and provision of healthy forage for wildlife “while not contributing to the degradation of water quality, aquatic species, or threatened, endangered, or sensitive species habitat.” These two tracts border and affect the quality of the South Fork Shenandoah River and the Shenandoah River into which the South Fork feeds.

The “desired future condition” of lands under prescription 2C3 calls for the protection and enhancement of “the outstandingly remarkable values” of the affected streams and provision of “outstanding opportunities” for recreation on the affected waters. The Zepp tannery tract lies along Cedar Creek, which feeds the North Fork Shenandoah River and then the Shenandoah River.

Livestock grazing can contribute to water pollution in a number of different ways. Animal waste contains pathogens and levels of nutrients (particularly nitrogen and phosphorus) which, when they reach water can cause impairment of the biological systems and of human uses. In particular, human recreational uses which are listed as primary values to be supported through management of these USFS properties, can be hindered or prohibited by the threat of water-borne bacteria and viruses from waste. Sediments from eroding soils can run off of fields that are sparsely vegetated and/or overgrazed the sediments can carry metals and other toxic pollutants that are bound to the soil particles.

Excessive nutrient loadings in streams can lead to unusually heavy growth of aquatic plants and algae whose proliferation can cause obnoxious odors and appearances, produce toxic

algal blooms, and make the use of streams for wading, boating, and swimming difficult and unsafe. The “blooms” are also both a symptom of biological and chemical imbalances in the stream ecosystem and a cause of worsening problems, such as low dissolved oxygen levels, fish kills, declines in benthic invertebrates, and destruction of native grass beds.

The kinds of pollutants discussed above can reach both surface and groundwaters through several pathways: by overland flow during storms, through transport by livestock that have access to the streams, through infiltration into the soils and/or into either shallow or deep groundwater flows. All of these types of pollutants are almost certain to be present on the tracts addressed here and all of the pathways to transport of pollution mentioned above are possible conduits for impairment of streams and/or groundwater sources and springs.

Nutrient pollution in the streams of the Shenandoah River watershed are of special concern because there have been major algae blooms in the North and South Forks and in the mainstem Shenandoah River. These occurrences and an analysis of their consequences for human uses of the streams is addressed in great depth in one of the attachments submitted with these comments entitled “Technical Review of Evidence to Determine the Presence, Extent, and Consequences of Excessive Algal Growths in the Shenandoah River and its Tributaries.” Given that pollution from the Whitting and Moody sites can enter the South Fork Shenandoah River directly and that pollutants in Cedar Creek can contribute to problems in both that tributary and the North Fork Shenandoah, the possible contributions from these tracts must be assessed, as part of the required cumulative impacts analysis, in light of the overall pollutant loads in these streams. For the Forest Service to pursue management options that contribute to and worsen already severe problems downstream is unwise and in conflict with its legal duties.

In reviewing the “tentative alternatives” discussed in the public notice, we have the following concerns. Because we were not able to see the specific sites, our conclusions as to possible threats are necessarily more general than we would wish. We assert however that the USFS must include sufficient site-specific information in an Environmental Assessment (“EA”) before moving forward with this project.

The notice for this project lists five alternatives for future management of the three tracts. We assert that alternative 5. must be rejected. To continue current grazing activities on any of these sites is unacceptable. Given that other alternatives listed in the notice call for the establishment of vegetated buffer zones, we must presume that sufficient buffer zones between grazing areas and the streams are not currently in place on any of the sites. The notice states that this alternative is likely incompatible with the Forest Plan and we agree with this assessment.

The description of the Zepp tract indicates that the current water source for cattle is provided through access to the adjacent stream on the south side of the property. Likewise, the notice states that cattle have access to the adjacent stream, the South Fork Shenandoah River, at the Moody tract. The Whitting tract is said to have interior and perimeter fencing, six grazing fields, and “water supplies available to each.” The notice does not specify the nature of the water supplies at the Whitting tract.

Cattle must not be allowed to access and degrade the nearby streams in any case and buffer zones must be established and maintained bordering each stream reach. These borders

should consist of well-established stands of native vegetation of a size and nature that will prevent surface runoff from the fields. Also, these buffer zones must segregate any agricultural operations, whether grazing or hay cutting, from the natural stream channels and from the flood plains. Buffer zones are necessary outside the 100-year floodplain, not only to prevent surface runoff but also to provide a natural filter to intercept any near-surface water that is likely to be directly connected with the streams through flows through the soils. Based on this concern, we also believe that alternative 3. described in the notice is unacceptable and must be rejected.

Based on the factors described above, alternative 4., “open field management,” must also be rejected. To maintain these fields through mowing and hay-cutting, without sufficient vegetated buffer zones, also continue to expose the receiving streams to overland runoff pollution and through transport of pollution from the fields through infiltration to both near-surface underground flows and through possible contamination of deeper groundwater aquifers. These fields have been maintained in pasture for 33 years (Whitting tract), 36 years (Moody tract), and 54 years (Zepp tract). Therefore, each field will have accumulated loads of nutrients (nitrogen and phosphorus) that threaten to pollute the groundwater and surface water. Of even greater concern, the Zepp site is likely to contain contaminated soils due to the use toxic chemicals in the tannery operation.

With the likelihood that each of the three sites contains pollutant loads that threaten water quality, the cessation of grazing activities alone, as envisioned under alternative 1, without actions to establish vegetative buffers, should also be rejected. While the elimination of grazing will eliminate new sources of pollution to be added, this “no action” alternative will not prevent runoff and infiltration of pollutants already on the sites.

Of the five tentative alternatives listed in the notice, alternative 2. appears to be the most acceptable choice for protection of water quality on the Whitting and Zepp sites. While each of these tracts includes sections that lie within the 100-year floodplain, there are some portions outside that zone that might be used, with proper buffers, for agriculture. This choice will not be sufficiently protective on the Moody site however, because the entire tract lies within the 100-year floodplain. Floodplain boundaries are shown in a separate attachment to these comments.

One hundred-foot buffer zones may generally be effective at protecting against runoff and lessening near-surface pollutant transport. However, even this option cannot be considered acceptable without additional information about the types of soils and the vulnerability of the sites to continued pollution transport. This management choice must only be selected if monitoring and analysis is done to ensure that such buffers are indeed adequate.

Thank you for the chance to comment on these proposals. We sincerely believe that an Environmental Assessment must conclude that the listed alternatives are inadequate to protect the environment and meet legal mandates. Please feel free to contact me at 434-964-7455 or david@wildvirginia.org if we can clarify our concerns or provide further information.

Sincerely,

David Sligh, Conservation Director