Forest News

Georgia ForestWatch Quarterly Newsletter Special Issue Summer 2019

SPECIAL ALERT EDITION

How proposed rule changes threaten Georgia's forests and why YOUR VOICE is needed by August 12th!

NEPA Rule Change

Please note: Newsletter format will be changing to digital in 2020

- ***ForestNews*** **will be provided to members online at GAFW.ORG and via email starting with our Winter issue.**
- **With upcoming changes, we are looking to offer content in a more timely manner while conserving resources.**

- **Articles can be printed from home, and a limited number of paper copies will be used for outreach purposes.**
- **You can update your email by calling us at 706-867-0051 or sending your info to info@gafw.org.**

From the Director

Jess Riddle
Executive Director

This is a special issue of *Forest News* dedicated to the Forest Service's proposal to change their rules about applying the National Environmental Policy Act. They want to eliminate most public description of their projects and most of their environmental review. These changes could have such severe and far reaching effects that we believe they deserve all our attention right now.

We will continue in the future to have articles on Georgia's Mountain Treasures, invasive species, environmental books, and Forest Service activities from prescribed burns, to recreation events, to timber harvests. For now though, we need to speak up for government transparency and the public's right to be involved in how our public lands are managed.

These changes would also directly impact how Georgia ForestWatch does business. We interact with the Forest Service in many different ways, but the most basic one is by submitting analysis through the public comment process on every major project. The Forest Service's environmental reviews also provide critical information that helps us identify whether the Forest Service is underestimating their impacts and how projects can be improved. Losing these tools would make it harder for us and the general public to help the Forest Service, and would likely result in severe damage to many forests.

If you have been waiting for some especially important issue to limber up your fingers and write your first comment letter to the Forest Service, this is your chance. Comments are due **August 12th**. The simplest place to comment is **OurForestOurVoice.org**. Please read on for more details and more comment options. If you want to join others in learning how to speak more effectively against issues like this, sign up for ForestRoots at gafw.org/forestroots. ■

U.S. Senate

Senator David Perdue
Senator David Perdue
455 Russell Senate Office Bldg.
Washington, DC 20510
Phone: 202-224-3521
www.perdue.senate.gov/connect/email

-or-

Field Representative Andrew Seaver
3280 Peachtree Road NE, Suite 2640
Atlanta, GA 30305
Phone: 404-807-2510
Fax: 404-816-3435
andrew_seaver@perdue.senate.gov

Senator Johnny Isakson
U.S. Senate, 131 Russell Senate Office Bldg.
Washington, DC 20510
Phone: 202-224-3643
Fax: 202-228-0724
E-mail: www.isakson.senate.gov/public/index.cfm/email-me

-or-

Field Representative Preston Miller
c/o Sen. Johnny Isakson
One Overton Park SE
3625 Cumberland Blvd., Suite 970
Atlanta, Georgia 30339
Phone: 770-661-0999 • Fax: 770-661-0768
Cell: 770-862-2209
E-mail: preston_miller@isakson.senate.gov

U.S. House of Representatives

Representative Jody Hice
100 Court Street
Monroe, GA 30655
Phone: 770-207-1776
Fax: 770-226-6751
http://hice.house.gov/contact/

Representative Austin Scott
127-B N. Central Ave.
Tifton, GA 31794
Phone: 229-396-5175
Fax: 229-396-5179
https://austinscott.house.gov/email-me

Representative Tom Graves
702 South Thornton Ave.
Dalton, GA 30720
Phone: 706-226-5320
Fax: 706-278-0840
http://tomgraves.house.gov/contact/

Representative Doug Collins
210 Washington St. NW
Suite 202
Gainesville, GA 30501
Phone: 770-297-3388
Fax: 770-297-3390
https://dougcollins.house.gov/email-me

WELCOME NEW MEMBERS! (May – June)

Terri & Jeff Adams
Ken Akins
Lynda Armona
Linda J. Bloodworth
Dwight J. Broussard
Bob Brown
Jo Ann Buchanan
David & Reecie Campbell
Emily Carr
Courtney Castro
Michael & Elizabeth Conroy
Benjamin Cooley
Byron Daniels
Leila Dasher
Phyllis Dawson
Barbara Decker
Lynn Dodson
Cindy Falor
Michael & Gloria Hallen
Jamie Hanley
Donna Hardesty
Jonathan Hargus
Dale Higdon
Nyla J. Hubbard
Patrice Johnston
Carl Jordan
Roderick Jude
Sterling & Amanda Kenyon
Lydia Kieft
Richard Kilpatrick
Bob Kourieh
Jean Lodge
Nelson Morgan
Jonathan, Kaitlyn & Fiona Murphy
Diane Neisler
Diane Payne
Cindy Roesel
Roger Roy
William Eric Smith
Edith Swarthout
Khalisa Taylor
Kathy Thompson
Rita Thrasher
Jane Trentin
Stephanie Wells
Christina White
Kurt & DaVida Wurstle
Maria Zayas

THANK YOU FOREST GUARDIANS! (May – June)

Anonymous Foundation
Tom & Jeanette Crawford
Ted & Lynda Doll
Sue Harmon
Bob Kourieh
Phyllis Miller
Mountain High Hikers
Doug & Elaine Riddle

FORESTWATCH RETREAT

Save the Date!

Annual Fall Retreat and membership meeting
October 12 at Vogel State Park

Contact Information Georgia ForestWatch

www.gafw.org

81 Crown Mountain Place, Building C, Suite 200
Dahlonega, GA 30533
706-867-0051

Georgia ForestWatch is a 501(c)3 nonprofit educational corporation.

Forest News edited by Lyn Hopper and Jess Riddle

Layout by Eleanor Thompson

STAFF

Jess Riddle, Executive Director
Lyn Hopper, Bookkeeper/Office Manager
Janice Eaton, Development Director
Andrew Linker, Outreach Coordinator

BOARD MEMBERS

Marie Dunkle, President
Sue Harmon, Past President
Anne Heikkila, President-Elect
Melanie Vickers, Secretary
Trushar Mody, Treasurer
Phyllis Bowen
Tom Crawford
Tom MacMillan
John Moeller
Denny Rhodes

ADVISORS

Donald Davis
Ted Doll
Sarah Francisco
David Govus
Robin Hitner
Patrick Hunter
Bob Kibler
Gina Rogers
Charles Seabrook
Dennis Stansell
James Sullivan
Mary Topa

GEORGIA FORESTWATCH DISTRICT LEADERS

Chattooga River Ranger District
Marie Dunkle 770-335-0967
(Rabun, Towns and White Counties)
Ben Cash 706-968-3841
(Habersham, Stephens & White counties)

Conasauga Ranger District
Robin Hitner 678-294-3256
(Chattooga, Gordon, Murray, Floyd, Walker & Whitfield counties)
David Govus 706-276-2512
(Fannin & Gilmer counties)

Oconee National Forest
JP Schmidt 706-613-8483
Caleb Walker 706-248-4910
(Greene, Jasper, Jones, Monroe, Morgan, Oconee, Oglethorpe & Putnam counties)
Larry Winslett 404-375-8405
(Greene, Jasper, Jones, Morgan, Oconee, Oglethorpe & Putnam counties)

Blue Ridge Ranger District
Tom & Sally Colkett
770-316-7609
(Dawson & Lumpkin counties)

Cover photo credit: Jess Riddle
Public involvement and environmental review saved this forest from being logged in the Brawley Mountain Project.

How proposed rule changes threaten Georgia's forests

by Jess Riddle : Georgia ForestWatch Executive Director

Perhaps the best way to understand the magnitude and gravity of the rule changes the Forest Service is proposing is to view them in the context of areas familiar to many Georgia ForestWatch members and volunteers. We've talked about the Cooper Creek project many times because it is a large and problematic project. But today let's talk about it a different way. Not as a threat to magnificent forests, outstanding recreation opportunities, and sparkling streams – which it is – but as an example of why **it's important for the government to inform the public of its plans and give people an opportunity to participate in the management of the public lands that belong to all of us.**

Cooper Creek was originally proposed in 2014. The project had many problems, one of which was that it contemplated commercial logging on slopes on the north side of Duncan Ridge that were far too steep to accommodate logging equipment. Georgia ForestWatch knows the area better than anyone, and the inoperability of the stands and erosion risk were immediately apparent to us. We pointed out the problem to the Forest Service, and the agency dropped the steepest stands from the project.

Cooper Creek remains a deeply problematic project, but preventing logging on the steepest stands was still an improvement from the initial proposal. Anyone at Georgia ForestWatch that has actively participated in the back-and-forth with the Forest Service as it develops and revises projects knows that projects change from the time they are proposed to the time they are implemented. These changes benefit all forest users and the agency itself. Instead of wasting money planning a timber sale on slopes that are too steep to log, the Forest Service can revise its plans and put its funding to better use.

Unfortunately, these **vitally important opportunities to provide feedback to the agency are at risk.** The Forest Service is revising its regulations implementing the 1970 National Environmental Policy Act (NEPA) by proposing to cut out public involvement in timber sales under 4,200 acres. The proposed rules would allow the Forest Service to log 4,200 acres without providing a single opportunity for public comment and with only minimal public notification. The entire Cooper Creek project is less than 4,200 acres.

LOOPHOLES

These proposed changes would also have allowed the worst parts of other projects to survive. Public involvement in the Brawley Mountain Project saved beautiful forests of large trees and fern-covered slopes (See cover). The new 4,200-acre loophole could have allowed that project to proceed without environmental review, and that valuable forest would have been lost to an ill-conceived attempt to create open woodlands in an area where they would never naturally occur. The same logging loophole could have led to the cutting of an old-growth stand in the Upper Warwoman Project, which Georgia ForestWatch identified with the help of details provided in the project's environmental review.

The Upper Warwoman Project also originally included plans to reconstruct and extend a road to bypass another road. The Forest Service estimated how many tons of sediment that construction would have put into a stream, and carefully compared that plan against the option of improving and retaining the existing road. Under another part of the proposed new NEPA rules, the road could have been extended without any of that informative analysis. The proposed rule would allow the Forest Service to build up to five miles of new road and reconstruct up to 10 miles of existing road without environmental review or public input. This change is especially concerning when you consider the Forest Service does not have the resources to maintain all of their existing roads.

"SIMILAR" CONDITIONS

The proposed changes would also reinforce problems with current projects. One of the biggest issues with the Foothills Landscape Project is it describes only the kinds of places where the Forest Service would harvest timber but not the actual locations. The proposed changes would codify that approach as "condition based management," ostensibly to allow the Forest Service to be more responsive to on-the-ground conditions. Ironically, in practice, this approach actually does the opposite because the unique characteristics of individual locations are not considered.

Even without those specific changes, **the proposed new rules would allow the worst mistakes of the past to be repeated without the public being able to see and point out the problems.** The Forest Service would be able to skip environmental analysis if they deemed a project "similar" to one they had analyzed in the past.

This approach would be particularly problematic because many of the issues ForestWatch raises with projects do not revolve around the particular type of timber harvest but instead concern the location. We recognize differences that the Forest Service misses, both large

and small. North Georgia is not the Ozarks and it is not the Coastal Plain. The Cooper Creek Wildlife Management Area is not the same as the Lake Russell Wildlife Management Area. Yet the Forest Service has repeatedly proposed ill-suited actions that ignore these differences. Under the proposed rules, the Forest Service could potentially repeat the Cooper Creek Project in an even more sensitive and inappropriate area without assessing the impacts.

CONCLUSIONS

The more you learn, the more you realize how much there still is to learn, but with these changes the Forest Service seems to be missing this lesson. **The Forest Service wants to take a simpler, short-cut approach while the lands they are managing and the problems they are facing are only becoming more complex.** Climate is changing, user groups are diversifying, and budgets are shrinking. And we are still learning to recognize the complexity that has always been there. Just in the past couple of decades have scientists started recognizing the "wood wide web," the complex network of tree roots and fungi that passes nutrients and information between trees.

The Forest Service should meet this new complexity with more meaningful analysis, not less. They should describe projects with more transparency, not less. People outside the Forest Service have a wealth of varied expertise and experience with our precious public forests, and the Forest Service needs to listen to them more, not less.

Comments are due **August 12th.** Your comments on these rule changes will help improve not just one project but many. Your comments will also help protect forests not only in Georgia but also across the entire country. You can submit simple comments by going to OurForestOurVoice.org, or submit more impactful personal comments by going to https://www.regulations.gov/comment?D=FS-2019-0010-0001. ■

THE SHORT VERSION

By Jess Riddle, Executive Director

The Forest Service wants to change their rules to:

- Eliminate almost all public description and notice for most projects;
- Eliminate most science-based environmental review of their projects;
- Create a loophole to allow up to 4,200 acres of logging without environmental review;
- Create a loophole to allow up to five miles of new road construction without environmental review;
- Create several other new loopholes that would eliminate public comment and environmental review.

Write to the Forest Service and tell them to keep their rules as they are. By **August 12th**, submit simple comments at **OurForestOurVoice.org**.

District Offices of the Chattahoochee-Oconee National Forests

District Ranger, Jeff Gardner
USFS Conasauga Ranger District
3941 Highway 76 • Chatsworth, GA 30705
jeffgardner@fs.fed.us
706-695-6736 ext. 102

District Ranger, Andrew Baker
USFS Blue Ridge Ranger District
2042 Highway 515 West
P.O. Box 9 • Blairsville, GA 30512
albaker@fs.fed.us
706-745-6928

District Ranger, Ryan Foote
USFS Chattooga River Ranger District
9975 Highway 441 South
Lakemont, GA 30552
rfoote@fs.fed.us
706-754-6221

District Ranger, Thomas Dozier
USFS Oconee National Forest
1199 Madison Road
Eatonton, GA 31024
tdozier@fs.fed.us
706-485-7110 ext. 102

Forest Service Contacts

Betty Jewett – Forest Supervisor
USDA Forest Service
Chattahoochee-Oconee National Forests
1755 Cleveland Highway
Gainesville, GA 30501
bettymjewett@fs.fed.us • 770-297-3010

Ken Arney – Regional Forester
USDA Forest Service – Region 8
1720 Peachtree St. NW
Atlanta, GA 30309
karney@fs.fed.us • 404-347-7930

Sonny Perdue
Secretary of Agriculture, USDA
Jamie L. Whitten Bldg.
1301 Independence Ave., SW
Washington, DC 20250
agsec@usda.gov • 202-720-2791

Forest Service NEPA rulemaking talking points

by Southern Environmental Law Center staff

Basic information about the proposal:

The Forest Service is proposing to eliminate public participation and science-based analysis for nearly every decision affecting national forests, from timber sales to road construction to pipeline rights of way.

The Forest Service is required by law to take public comments on this proposal, but if we don't speak up now, it could be our last chance. If the proposal moves forward, the public won't receive notice or a chance to object to specific projects in the future. Comments are due August 12.

Public participation is essential for good decisions affecting public lands. When the Forest Service considers allowing logging, road-building, mining, or fracking on our national forests, it must balance those uses with impacts to wildlife, clean water, backcountry areas, recreation on rivers and trails, and other social and economic impacts. That balancing act is impossible without listening to the people who would be affected by its decisions.

Among other things, this proposal would cut the public out of:

- Commercially logging up to 4,200 acres (6.6 square miles!) at a time;
- Building up to 5 new miles of roads at a time;
- Adding illegally created roads and trails to the official roads and trails systems;
- Closing roads used by the public to access hunting areas, streams for fishing, and trails;
- Bulldozing new pipeline or utility rights of way up to 20 acres (e.g., 4 miles at 40' across)

Photo credit: Jess Riddle

The proposed rule changes would allow right-of-ways like this one on the Chattooga River Ranger District to be cut through the national forests without public comment or environmental review.

The logging loophole created by this proposal is so big that every single timber sale in the Southern Appalachians would fit through it – meaning no more public input or science-based analysis. To give a sense of scale, 4,200 acres of harvest would cover, in a single decision:

- 5 years' worth of commercial logging at current levels on the Nantahala-Pisgah National Forest;
- Almost 3 years' worth of commercial logging at current levels on the Chattahoochee National Forest;
- Over 2 years' worth of commercial logging on the George Washington National Forest, even at maximum production levels;

Not only would these decisions be made without public input; they would also be made without environmental review and without considering whether there are less harmful ways to meet the same needs.

Digging deeper: What the Forest Service is arguing

The Forest Service says they need these changes to cut red tape on routine work like re-paving parking lots.

- That's not true. The Forest Service already has those kinds of authorities (including re-paving). Most routine Forest Service decisions (about 80% of all decisions) are already approved without additional analysis. The remaining decisions are potentially the most harmful and most controversial. These are the decisions at issue in the proposal, and they're the decisions that need public input and analysis the most.
- Under the proposal, between 93% and 94% of all Forest Service projects will have no public input whatsoever. (See further explanation below.)

The Forest Service also claims they need these loopholes so that they can do more good work faster.

- That's not true either. The Forest Service already has the authority to do collaborative, broadly supported work without additional documentation or analysis, including logging to remove hazardous fuels or to improve forest

health. Despite having the authority to do those kinds of projects, the Forest Service often proposes bad ideas – like logging old growth, rare habitats, and steep, erosive slopes. This proposal would allow them to do the controversial, unneeded work without being held accountable by the public.

The Forest Service argues that it needs to cut red tape because it takes, on average, 687 days to make a decision that requires public input and analysis.

- This only tells half the story. Of those 687 days, only 30 to 75 days are required for public comment and objection. These projects take a long time because the Forest Service lacks the budgetary and staffing resources to go any faster.
- Furthermore, the Forest Service isn't doing just one project at a time. They're making almost 2,000 decisions per year, only 370 of which require any additional analysis or public comment.

Some of this proposal's supporters in the timber industry claim that the Forest Service has to gut NEPA because it's being abused by anti-logging environmentalists looking for a way to sue.

- Just 2 percent of USFS decisions are challenged. Less than 1% in Region 8.

The Forest Service also claims that its projects will be harmless because they will be consistent with broad forest management plans.

- The agency often proposes work that violates its management plans; these problems get fixed only because of public participation and environmental review.
- Forest plans don't prevent harmful impacts. They defer hard questions about whether to allow harmful actions, saving them until there's a concrete project proposal to consider. Now those questions will never get asked.

Further explanation – 93.3% of projects will lose all public participation requirements:

Currently, the Forest Service uses environmental assessments (EAs) to approve 277 projects per year on average. [84 Fed. Reg. 27,544, 27,550 (Jun 13, 2019)]. EAs are intended to be short and focused, but they do require a science-based analysis and consideration of alternatives, subject to public comment and the right to file an informal objection.

If the proposed rule is finalized, the Forest Service estimates that up to 210 of its EAs will be "categorially excluded" from analysis and public participation. In other words, about ¾ of projects currently approved using EAs would in the future be exempt from any public participation requirements. This estimate is consistent with the Forest Service's justification of its new "restoration" CE, which would allow up to 4,200 acres of commercial timber harvest under a single CE decision. Of the 68 projects relied on to support the 4,200-acre limitation, 50 of them (73.5%) had less than 4,200 acres of commercial harvest.

Categorical exclusions (CEs) have in the past required public notice through the "scoping" process and an opportunity for public comment. Under the proposed rule, however, CEs would no longer require advance public notice and opportunity to comment. CEs will continue to be listed on the "schedule of proposed actions," but that list is often inaccurate, updated infrequently, and is not required to be updated before a project decision is finalized.

The Forest Service's data, provided in response to a FOIA request, show that between 2006 and 2016 the agency completed almost 30,000 project decisions. 80.1% of all decisions were approved using CEs. Decisions approved under EAs accounted for 17.6% of the total. While the number of decisions approved under EAs is much lower, the acreage and extent included in each of these projects is typically larger. The remainder of projects (2.3%) was approved using environmental impact statements (EISs), which are reserved for the largest projects with the greatest potential for harm.

In summary, the Forest Service proposal would affect public participation as follows:

- 93.3% of all Forest Service decisions will lose all the advance notice and public comment requirements they currently provide for.
  - 80.1% of all Forest Service decisions, which are currently approved under CEs, will lose advance "scoping" and opportunity for comment. This is an important change because public comment is often critical in showing the Forest Service why a proposal would implicate "extraordinary circumstances" requiring additional analysis or mitigation.
  - 13.2% of all Forest Service decisions, which are currently approved under EAs, will now be approved under CEs. These projects will lose notice, opportunity to comment, and the opportunity to file an informal objection. This is an even more important change, because public participation has been key to improving these potentially harmful projects between proposal and decision.
- Only 6.7% of all Forest Service decisions will require any public comment whatsoever.
  - 4.4% of all Forest Service decisions, which are currently approved under EAs, will continue to be approved under EAs. The public will no longer be entitled to advance "scoping" for these projects, but they will provide at least 30 days for comment and an opportunity to object.
  - 2.3% of all Forest Service decisions, which are currently approved under EISs, will continue to be approved under EISs.

These figures are national averages, and the rulemaking's effects will vary between Forests and Regions. For example, these changes will affect Region 8 more than other Regions, because Region 8 approves the most total decisions but the fewest EISs. ■

JOIN NOW! Complete this form and mail to:
Georgia ForestWatch, 81 Crown Mountain Pl., Building C, Suite 200, Dahlonega, GA 30533
Join online at **www.gafw.org/membership/** or call 706-867-0051 to join via phone. Either way is paperless!

Georgia ForestWatch Membership Form

Name(s): _____

Address: _____

City, State, Zip: _____

Phone: _____E-mail: _____

How did you hear about us? _____

Did you know a $2,500 President's Circle membership now entitles you to a half-day consultation with our Field Ecologist or other qualified GFW volunteer to assess the condition of your forested property? Call GFW for more info.

CHOOSE YOUR GIVING LEVEL

❑	$2,500	President's Circle
❑	$1,000	Benefactor
❑	$500	Forest Guardian
❑	$250	Supporter
❑	$100	Friend or Small Business
❑	$50	Family
❑	$35	Individual
❑	$20	Student
❑	$ _____	Other amount

PAYMENT INFORMATION

❑ Enclosed is cash or check payable to Georgia ForestWatch

❑ Charge my credit card: ❑ AMEX ❑ MasterCard ❑ VISA ❑ Discover

Signature: _____

Account Number: _____

Expiration Date:_____ CVV _____

Georgia ForestWatch
81 Crown Mountain Place
Building C, Suite 200
Dahlonega, GA 30533
706-867-0051

GEORGIA FORESTWATCH

Visit Us Online at
www.gafw.org

Georgia ForestWatch is a Member of EarthShare Georgia

Is your company a Georgia ForestWatch supporter? Here's a way to engage your employees!

Connect • Contribute • Volunteer

www.earthsharega.org

NON-PROFIT
ORGANIZATION
U.S. POSTAGE
PAID
DAHLONEGA, GA
PERMIT #5