

United States
Department of
Agriculture

Forest
Service

Monongahela
National
Forest

Potomac Ranger District
HC 59, Box 240
Petersburg, WV 26847
VOICE and TTY 304-257-4488

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FILE

"CARING FOR THE LAND AND SERVING PEOPLE"

TO
WAYNE BUDDRESS
RB

Reply to: 2320

Date: February 22, 1994

Mr. Roland Belew, Project Manager
Department of the Army
Huntsville Division, Corps of Engineers
Dolly Sods OEW Removal, Ordnance & Technical Programs Division
P.O. Box 1600
Huntsville, Alabama 35807-4301

Dear Mr. Belew:

I recently received a letter from Lawson Lee of your office, informing us of your recommendation to include remediation of the Dolly Sods site in your 1995 program of work. With that letter, he enclosed a draft proposed plan for remediation of the site.

That draft plan has raised significant concerns among the staff here on the Potomac Ranger District, and also at our Forest Supervisor's Office in Elkins. I don't believe that you are fully aware of the level of significance of the impacts of the project you are proposing to the Wilderness environment, or to the publics that use and care about the Dolly Sods Wilderness. I also don't know what your guideline and regulations are concerning NEPA and how they differ from ours; but contrary to the final statements in your draft plan, we have not seen any evidence of a document that meets the NEPA compliance regulations that we are governed by. We, also, do not believe that your proposal complies with the Wilderness Act.

Once again, I want to share with you some of the concerns that we have about your proposed project, so that you can address them. These were sent to your office last February, and many of them were not covered in the draft plan. I am enclosing a copy of Jim Page's February 8, 1993 letter for your reference. I also had my Planning Team Leader review your draft proposal, and am including a copy of his review report to me. These two documents should help you to address some of our concerns, and to identify areas where you have provided inadequate information or made erroneous assumptions relative to the data that is available.

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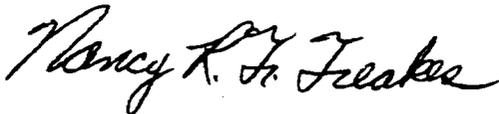
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Roland Belew

I want to emphasize that the listings in these letters are not all-inclusive, and we strongly urge you to meet with us on this project as soon as possible. Public participation in development of our plans is very important, and you will find several people with a strong interest in this area who not only want to be informed of what you plan to do, but also want a say in how you plan to do it. You need to inform and involve these people very early in your planning and to keep them informed and involved as the project nears implementation.

I will be out of the office most of next week, but will try to call you the following week to further discuss this. We are anxious to have the UXO removed from this area, but the potential impacts of the project need to be fully considered and disclosed to the public before it can go forward.

Feel free to call me or contact Dave McMorran of my staff, if we can be of further help to you.

Sincerely,



NANCY R.F. FEAKES
District Ranger

Enclosures

cc: SO

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United States Forest
Department of Service
Agriculture

05 - Potomac Ranger District

Reply to: 2320

Date: February 10, 1994

Subject: Ordnance Hazard Removal at Dolly Sods Wilderness

To: District Ranger

Nancy, I have reviewed the the Army's plans for ordinance removal on Dolly Sods. It is hard to figure out how to begin. If this is a project that contains full and complete NEPA compliance I would like to play by their rules!

The three alternatives appear to have been developed from the proposals made in the field investigation report summarizing the results of work done in 1991. This report concluded that there was, indeed, a high probability of additional unexploded ordnance within the Wilderness and that significant enough hazard existed to warrant their removal.

All of the proposals seem to be based on a determination that the ordinance can not safely be removed without brush clearance. Therefore, the three alternatives progressively add acres of brush removal, starting in areas where there is no brush to remove. The analysis does not reveal how much vegetation will be removed in each alternative specifically other than that there is none in alternative one (Level One). It appears that up to 676 would be cleared in alternative two (Level Two) and 1042 acres in the most aggressive alternative.

There is no discussion of alternatives not considered.

There is no revelation of publics contacted or other scoping used in the analysis.

There is no revelation of issues, resources of concern, nor consequences of no action (effects).

Their analysis indicates that TES species are not known to exist within the mitigation areas. They are not 'known' to exist due to lack of surveys, not lack of habitat. A substantial portion of the mitigation area has been determined to have high potential as Cheat Mountain Salamander habitat. We do not have a plant inventory for this area. There are several large areas of federally listed wetlands within the mitigation areas. I can not concur with the analysis statement that TES species "will not be directly impacted". There appears to be a potential that they will. Consultation with Fish and Wildlife Service is required.

Mitigation tries to compensate for lack of site specific information. 'Impact to vegetation will be minimized to the greatest extent feasible' does not

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disclose how much it will be effected nor what the effects will be. The analysis also lists consultation with the Forest Service to "define archaeologically significant areas, sensitive plants, and plant habitats that must be protected, and steps to avoid or minimize impact" as mitigation. Again this does not reveal effects nor mitigate those effects.

Public involvement is listed as a mitigation measure.

Public access to the Wilderness will be restricted during the removal action. The length of time for this action is not revealed nor the effects of it on the general public. The analysis also indicates that the restriction of access by motorized vehicles and the use of helicopters will have to be lifted. It does not discuss why, consider alternatives, nor the effects of this action.

In general, I have a hard time recognizing this as an environmental analysis meeting NEPA or CEQ guidelines. Recognizing that these guidelines and requirements are subject to interpretation and that we may be viewing a US Department of the Army interpretation, I still do not find any discussion of effects nor is there any information which which allows me to judge whether the environmental costs (which are?) out weigh the cost of 'no action'.

I do not see how this document could possibly have "appropriately considered all applicable environmental laws, executive orders, and other policies as required".

DAVID C. M^CMORRAN

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Reply to: 2320

Date: February 8, 1993

Mr. Bob Nore, Project Manager
Department of the Army
Huntsville Division, Corps of Engineers
Dolly Sods OEW Removal, DOD Corps of Engineers
P.O. Box 1600
Huntsville, Alabama 35807-4301

Dear Mr. Nore:

We understand that the Corps is currently working on a report that will result in a decision on the alternative to be followed for remediation of the OEW in the Dolly Sods Wilderness of the Monongahela National Forest. District Ranger Nancy Feakes, has been unsuccessfully attempting to speak with you about our questions and concerns, and she and some of my staff have reviewed the "Engineering Report for Extent of OEW Contamination and Evaluation of Remedial Action Alternatives". We don't know yet how soon you anticipate doing the remediation work, but feel the need to share the concerns we have and to make you aware of the laws and regulations that we operate under as land managers of this property.

This letter will outline some of our issues and concerns and list some of the regulations that we must consider. However, this listing is not all-inclusive, and we strongly urge you to meet with us on this project as soon as possible.

During a limited review of the project proposal, we identified the following list of issues and concerns.

T/E/S SPECIES PROTECTION - We know Cheat Mtn. Salamander and VN Flying Squirrels are in the area. We don't know about other species (including plants). These could be affected by any activity. **WE DON'T HAVE A COMPREHENSIVE SURVEY OF THE PROJECT AREA TO BE ABLE TO DETERMINE WHERE THOSE SPECIES OCCUR. THIS MAY NEED TO BE CONDUCTED AS A PART OF THE PROJECT!**

CREATION OF SLASH - Issues related to this are visual concerns, fire potential, and a possible change in habitat. What are the plans?

CUTTING METHODS - Will you be using motorized equipment? What will you do to prevent the formation of dangerous staubs? Will you be making pungy sticks?

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Mr. Bob Nore
February 8, 1993

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HERITAGE RESOURCES PROTECTION - You will probably need an Archaeologist on site throughout the project. **WE DO NOT HAVE A COMPLETE SURVEY OF THE PROJECT AREA AND DO NOT KNOW THE LOCATIONS OF THE RESOURCES THAT MUST BE PROTECTED.**

EFFECTS ON NATURALNESS AND VISUAL QUALITY - This is very important to the Wilderness visitor.

EFFECTS OF ALTERING VEGETATIVE COMMUNITY - This will undoubtedly take many years to revert back to the current community, if it ever will.

WILDERNESS QUALITY AND EFFECTS ON WILDERNESS RESOURCE BEFORE, DURING, AND AFTER PROJECT.

PUBLIC SAFETY DURING DETONATIONS - We can't easily control movement of the public within this large land base or assure that they are out of the immediate area surrounding the detonations.

EFFECT OF WILDERNESS CLOSURE ON PUBLIC AND USE OF ADJACENT AREAS - (How do we close it?) Closure would last at least a season. Plan shows 163 crew weeks of work.

EFFECT OF THE PROJECT ON PROPOSED RESEARCH NATURAL AREAS, BOTANICAL AREAS, AND THE NATIONAL NATURAL LANDMARK.

Some of the legal requirements we work under are the Wilderness Act and related FS regs, Endangered Species Act, Antiquities Act of 1906, National Historic Preservation Act 1964 (as amended), Archaeological Resources Protection Act of 1979, NEPA, FLPMA, and the Monongahela National Forest Land and Resource Management Plan. We can provide you with copies of those regulations if you wish. Earlier discussions with other persons indicated that you may not be required to comply with all of these regulations. If you are not, we need you to provide us with documentation of your authority and exemptions.

The following people can assist you relative to the threatened, endangered, and sensitive species requirements:

U.S. Fish and Wildlife Service
Attn: Bill Tolin
P.O. Box 1278
Elkins, WV 26241

WV Natural Heritage Program
Attn: Brian McDonald
Operations Center
P.O. Box 67
Elkins, WV 26241

We have a very vocal and active public that is interested in the management of this area. You should send notification of your project proposal to the attached list of people. We would also like to coordinate with you on the location of your public meetings when the time comes.

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Mr. Bob Nore
February 8, 1993

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Because our requirements as the land managers of the area may have a strong impact on your proposal, giving us a chance to review your project prior to releasing it to the public could reduce the amount of work and headaches that both of us have to go through, and greatly facilitate the project. Because of that, I again urge you to contact us as soon as possible to set up a meeting to discuss this project. We also would like to have two copies of your draft report to review as soon as you have it.

Sincerely,

JIM PAGE
Forest Supervisor

Enclosure

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MAILING LIST FOR DOLLY SODS ORDNANCE OEW PROPOSAL

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RICHARD W. CAMPBELL
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ORCHARD ACRES
MORGANTOWN WV 26505

WALTER A. LESSER
WV DEPARTMENT OF NATURAL RESOURCES
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ELKINS WV 26241

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GRANTSVILLE WV 26147