Letter# 256

County of Bath
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July 12, 2011

George Washington Plan Revision
George Washington and Jefferson National Forests
5162 Valleypointe Parkway
Roanoke, VA 24019

RE: BATH COUNTY BOARD OF SUPERVISORS COMMENTS HEREWITH FILED ON THE PROPOSED GEORGE WASHINGTON FOREST PLAN (GWFP)

Dear Ladies and Gentlemen:

On July 12, 2011, the Bath County Board of Supervisors authorized the filing of these comments on the proposed George Washington Forest Plan (GWFP). Several land management policies proposed pose concerns for Bath County.

The County has participated in this forest planning process as it started, continued, was stopped by court order, and continued again. The Board has had presentations by the Forest Service and previously made written comments concerning the proposed plan. On January 26, 2009, the Board passed a resolution filed with the Congressional delegation and the Forest Service asking that no additional wilderness areas be included in Bath County; these comments are attached again for reconsideration, and again shall be filed with the Congressional delegation and State representatives.

The Bath County staff has undertaken an initial review of the proposed Plan, to gain knowledge of its features. The County staff has searched the Forest website, read news reports, corresponded by email with the Forest staff, requested a presentation to the Board of Supervisors on June 14, 2011, and conducted field reviews of the mountains named as possible sites for windfarms by the Forest Service in order to assess viewshed impacts which may affect our tourism economic base. It appears that the proposed plan includes recommendations which affect the management of the Forest in Bath County:

- **An addition to the Wilderness Areas** (Rich Hole Mountain Addition near the Alleghany and Rockbridge County lines, southeast corner of Bath County)—the Forest Service says that it evaluated comments including

those of County Boards, and attempted to add wilderness areas which did not border settled areas. The Bath County proposed addition is between 2 other Wilderness Areas, including Rough Mountain, which has a border along Route 42, a settled area.

- **Consideration of wind energy development on several ridge tops**—the Forest Service and James Madison University's wind program staff worked on these recommendations. The Forest Service has excluded some natural areas from consideration of wind energy development but, with the implementation of the preferred alternative plan proposal, the National Forest would consider wind farm development on certain ridge tops and review proposals following NEPA considerations. The Bath County mountains include: Alleghany Mountain (along the West Virginia line), Walker Mountain, Little Mountain (the ridges west of the Cascades), and part of Back Creek Mountain. Considered unsuitable by the Forest Service are Warm Springs Mountain, Beards Mountain (borders Douthat), Rough Mountain (existing Wilderness), Mill Mountain, and Shenandoah Mountain. The Forest Service has told the County staff that if the County or people in the County would like to see more areas identified as unsuitable for wind energy development to provide them that information.
- **Maintenance of timber harvests**—more land is opened to this practice but the yearly amount is not increased.
- **Continuance of fire (prescribed burns) as a management tool**
- **Exclusion of lateral underground drilling for minerals/oil/gas**

The Plan has several alternatives and includes a recommended alternative (G). G includes the items listed above. The Environmental Impact Statement (EIS) for the proposed Plan recognizes alternative viewpoints on issues such as access, soil and water quality, biological diversity, old growth, forest health, wind energy, oil and gas leasing, fire, recreation, wilderness/roadless areas, timber harvest, economics and local community, and climate change.

The Preferred Alternative is stated to attempt to provide for biological diversity and habitats through designated management areas. It reduces road network mileage. The Summary says "High scenic quality would be a major emphasis" and that resource management would be designed to attract recreation users locally and from large population centers.

BATH COUNTY BOARD OF SUPERVISORS' CONCERNS REGARDING THE PROPOSED PLAN, WITH PARTICULAR REFERENCE TO THE PREFERRED ALTERNATIVE OF THE FOREST SERVICE:

These comments are filed for consideration in revising the Forest Plan, as follows:

1) **Wilderness Areas**—it is gratifying that the Forest Service has reviewed the concerns of those who spoke in favor of and against more Wilderness Areas. The Wilderness Area proposed to be added in Bath County is between two existing Wilderness Areas in the southeast corner of the Millboro Magisterial District, "Rich Hole Addition". The County has previously requested that no additional Wilderness Areas be included in its borders, largely due to public safety concerns. These Areas are supposed to remain roadless and remote, and feature access, forest management, trail cutting, and maintenance relying on "old-time" techniques. Were there to be a fire that needed to be quelled or a life to be saved within the Wilderness Area, and if the local fire and rescue were called, it would be difficult to respond quickly and effectively. Lives and property may be affected. The Forest Service has explained that it may ask interdepartmentally for permission to enter and take action as needed, a protocol which is another step to be taken in response to an emergency. **The locality remains concerned for public and private property that are adjacent to Wilderness Areas, and life saving measures when needed, and files its comment once again in non-support of additional Wilderness Areas in Bath County.**

2) **Wind Energy**—the County has addressed this type of energy development in its Comprehensive Plan, with prohibitions to assure no degradation of vistas and viewsheds that are a part of our tourism heritage. Tourism has played a major economic role in Bath County since the early 1700s. About 65% of our work force is employed in the tourism sector. It is of major concern to the County that there be no loss of employment or potential tourism development. As the County has worked toward zoning ordinances for wind energy, the public has said that it does not want any harm to come to the viewsheds and vistas, the cultural, historical, and natural features and environment that are of great importance to tourism in Bath County, providing its destination attributes. The public comments do not support wind energy placement in villages or on the mountains and ridgelines. Our zoning ordinance includes public utility generating only in the M-1 (industrial) category.

As the Forest Service states in a summary of significant plan issues: "Responding to opportunities to develop wind energy generation may result in effects on a wide variety of resources (including birds, bats, scenery, trail use, soils on ridgetops, water, noise, remote habitat, local communities/economies, and social values)."

There are selected ridgetop areas in the County where available wind energy reaches a level that it may be considered for utility development. The Class 7 variety is atop Back Creek Mountain and Warm Springs Mountain. There are some Class 6 spots that are on those mountains and appear on Alleghany Mountain and other ranges in the western part of the County. The County staff has reviewed the mountains where wind energy development would be considered by the Forest Service.

Bath County staff field review indicates that the mountains designated for potential windfarm development in Bath County are visible from the tourism overlooks, the major highways, and in the instance of Route 39—from a State Scenic Byway. The major entrance roads into the County (Routes 220 and the 39 Scenic Byway, and Route 687) would be affected by placement of wind farms in terms of intrusion on viewsheds. Turning off the major roads and traveling the rural back roads, as part of a tourism event such as biking or a driving tour, would be affected by intrusion of wind farms on the scenic mountain vistas.

Addressing only the potential economic effects of wind farms on tourism, tourists come to Bath County for its tranquility, beauty, the healing waters, artistic/cultural events, historic sites and villages, outdoor sports and recreational opportunities. The County is investing one-half of its Transient Occupancy Tax, obtained as a result of recent General Assembly approval requested by the County, toward the development of the tourism sector. Our efforts in that regard include a "blueprint plan" developed with the assistance of Virginia Tech, hiring a Tourism Director, development of new tourism events and public information, and coordination with the region on tourism development. The County needs tourism to thrive in order to sustain its economy, jobs, and ultimately the quality of life, health and wellbeing of its people. It is our major industry and the County is following its adopted plan for tourism.

The development of wind energy in a neighboring county has reportedly been correlated by tourism staffers with a drop in inquiries for information on potential relocation and tourism. A review of literature by the Bath County Tourism Director indicates similar concerns in other localities. With tourism employing 65% of our work force, the preservation and conservation of certain properties and vistas is a necessary component of the natural and historic resources tourists come to enjoy in the County. Two studies from Massachusetts and Scotland indicated that tourism spending in areas with a view of a large wind farm may be reduced by 5.1-13.6%. The possibility of reduced spending for tourism is not a healthy economic boost to a locality dependent for 65 percent of its employment on tourism.

The County's major economic base is tourism; however, it is important to note that other economic activity in the County involves services and construction. Where tourism assets encourage visitation and second-home decisions, the pristine natural environment cannot be degraded without potential harm to the strength of the Countywide economic base.

Aside from tourism economic concerns, there are several ecological concerns regarding development and implementation of wind energy on the mountains of Bath County including forest fragmentation, loss of habitat, the mortality of bats and birds, and soil and erosion effects. The County of Bath does not support any degradation of the mountain ecology within its borders.

The national forest occupies 51% of the County's territory and dominates the viewsheds relied upon for their pristine quality and biological diversity. These assets have underlain County tourism and community development for over 200 years. The County does not support wind energy development within or on any of the George Washington National Forest within Bath County.

The attached table provides some summary considerations regarding wind energy development.

3) **Timber Harvesting**—the County has a timber industry and some of its economic base is tied to harvesting and value-added activities, while some of its residents rely on gathering wood for heat. When the George Washington National Forest (GWNF) opens land for timbering and timber gathering, the businesses and residents have appreciated the source opportunity. The preferred alternative opens more land to timbering, but does not anticipate substantial increases in harvesting. Apparently the GWNF staff must conduct studies and receive approvals to provide timbering opportunities. The County supports nurturing the timbering industry and wood gathering, as an adjunct to forest diversity encouragement. **The County supports greater opportunities for harvesting and gathering wood from the National Forest.**

4) **Prescribed Burns**—County residents have commented in Regular Meetings of the Board of Supervisors to request that prescribed burns in the GWNF in Bath County not be scheduled when nesting is underway. Residents have said that field observations following prescribed burns noted abandoned nests and scorched eggs. **The County once again requests that prescribed burns not be undertaken in seasons when animals are reproducing and need forest cover.**

5) **Lateral Underground Drilling**—the County does not support any techniques used in resource exploitation which may potentially result in environmental harm—with particular reference to the lateral underground drilling techniques which may interfere with the water tables and water quality. **The preferred alternative of the GWFP excludes lateral underground drilling, and the County Board of Supervisors supports that exclusion given potential environmental degradation of the National Forest.**

As a "gateway community" within the beautiful George Washington National Forest, the Bath County Board of Supervisors hereby files these comments and respectfully requests that the proposed GWFP be revised to incorporate them. Thank you for sending the Plan documents and discussing some of the Plan's proposed features with the Board of Supervisors upon our request.

On behalf of the Bath County Board of Supervisors, best wishes as you continue your Plan development. Please let us know of the upcoming steps you will be taking and how the County may further participate.

Sincerely,

Bonnie Johnson

Bonnie Johnson
County Administrator

ATTACHMENTS (2: Table of Potential Assets and Liabilities; Prior letter and resolution on Wilderness Areas.)

Cc: The Honorable Senator Mark Warner
The Honorable Senator Jim Webb
The Honorable Congressman Bob Goodlatte
The Honorable Governor Bob McDonnell
The Honorable State Senator Creigh Deeds
The Honorable Delegate Ben Cline
Mr. Marek Smith, Program Director, Allegheny Highlands,
The Nature Conservancy
Honorable Members of the Bath County Board of Supervisors

CONSIDERATIONS REGARDING WIND ENERGY DEVELOPMENT IN THE GEORGE WASHINGTON NATIONAL FOREST IN BATH COUNTY, VIRGINIA

POTENTIAL ASSETS

Energy Source (for areas beyond Bath)

Helps Energy Companies meet VA Energy Plan (Volunteer, 15% Alternative Sources)

Affordable development consideration due to tax subsidies

Jobs during construction; however, fewer jobs thereafter for maintenance

POTENTIAL LIABILITIES

Environmental Concerns—

- Biological Harm (bats and birds in particular)
- Potential Ecological Harm (soil and plants disturbed)
- Noise and Flicker

Forest Fragmentation Effects—

- Loss of Land for Mountain Habitat and Uses

Major Land Use Decision beyond Local Control and Purview (land use determinations granted to localities in State law)

- Power generating an M-1 (industrial) use in the local zoning ordinance

Potential Conflicts with Tourism—

- Viewshed and Scenic Intrusion

Other Economic Concerns—

- Tourism Economy Effects on Countywide Jobs (direct and indirect)
- Property Values in Viewshed

Potential Irreversible Shortterm and Longterm Effects on Environment and Community

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Sent also to Congressman Goodlatte and Senators Warner and Webb.

March 16, 2009

Mr. Ken Landgraf, Chief Planner
George Washington and Jefferson National Forests
5162 Valleypointe Parkway
Roanoke, VA 24019

Mr. Patrick Sheridan, District Ranger, Warm Springs
George Washington and Jefferson National Forests
Route 1, Box 30
Hot Springs, VA 24445

Re: Wilderness Resolution by Bath County Board of Supervisors; Other Concerns Regarding the 1993 Plan Update

Dear Mr. Landgraf and Mr. Sheridan:

The Board of Supervisors of Bath County adopted the attached resolution in *opposition to additional wilderness areas in the National Forests in Bath County.* We will also share this with our Congressional representatives.

The Board of Supervisors asks that special attention be paid in the plan update to the following items:

1) *Public Access to the National Forests*– Public access enables the general public and the members of adjacent communities to go into the National Forests for recreation, cutting of wood, hunting, fishing, hiking, biking, horseback riding, camping, and other forest purposes. We have been told by commenters at the Board of Supervisors' meetings that the forests' gates are closed about 3 weeks too early to enable the hunters to use the full hunting season. We ask that the gates not be closed until after February 28th each year.

2) *Timbering*– Timbering is an important economic use of the forests. It is one means of employment in Bath County. We urge the National Forests to work toward additional implementation of timbering.

3) *Wind Energy*–Bath County is in the process of developing a wind energy ordinance. We request that the National Forest consider that ordinance in its development of wind energy policy. We also request that vista management and

protection of the ridge lines of the mountains be integrated in project consideration, unless for some reason the wind energy turbines are not visible to tourists. In Bath County, our mountains and scenery are very important as tourism attractions. We ask that you coordinate your planning for wind energy with Bath County.

4) *Controlled Burn as Part of Forest Management*– We understand the goal of having a diversified forest to encourage wildlife habitat, and the use of controlled burns as a part of forest management. Our citizens have requested that the timing of the burns be controlled so that nesting animals are not disturbed.

5) *Trails and Tourism Development*– The recreation potential for the George Washington National Forest is an asset to the economy of Bath County. We ask that the Forest Service coordinate and work with Bath County on developing the recreation potential as appropriate. Bath County anticipates the development of a tourism plan and we look forward to working with the National Forests.

6) *Water Quality*– Bath County finds that watershed and water quality management may be combined with allowance of ground disturbing activities that are managed and controlled, and trail development may be combined and compatible with water protection activities.

The Board of Supervisors has requested that it be informed of and allowed to comment on the draft that is produced to update the 1993 plan.

We appreciate the work of the George Washington and Jefferson National Forests, and look forward to partnering on public projects of mutual interest.

Best wishes,

Sincerely,

Percy C. Nowlin, III
Chairman of the Board of Supervisors

Attachment (wilderness resolution)

Cc: Honorable Members of the Board of Supervisors and the Planning Commission
Bonnie Johnson, County Administrator
Sherry Ryder, Planning and Zoning Administrator

RESOLUTION IN OPPOSITION TO ADDITIONAL WILDERNESS AREAS IN BATH COUNTY, VA

WHEREAS, The Bath County Planning Commission passed a resolution in opposition to additional wilderness areas on January 26, 2009, after hearing a presentation from a U.S. Forest spokesperson on the proposals being considered for integration into the Plan for the National Forests (including the George Washington National Forest); and

WHEREAS, The Board of Supervisors had a similar presentation made to it on the planning ongoing for the National Forests in Bath County; and

WHEREAS, The Board of Supervisors requested a resolution be prepared in opposition to additional Wilderness designations within Bath County in the National Forest, and be provided to our Congressional representatives and the U.S. Forest Service; and

WHEREAS, The Board of Supervisors finds that there are substantial public safety concerns associated with Wilderness areas such that modern fire apparatus may not be brought into them without special permission from U.S. Forest Offices located in Atlanta and Richmond, and that about 51% of the land mass of Bath is in National Forests; and

WHEREAS, The Bath population is a community in the midst of National Forests and subject to any risk associated with the Wilderness area (with 176,809 acres of National Forest in the 345,500 acres of land area in Bath County); and

WHEREAS, Timbering is vital to the Bath economy and cannot be undertaken as an industry in Wilderness areas; and

WHEREAS, Trails may not be cut through the Wilderness area, nor maintenance undertaken except in a primitive fashion, nor may vehicles enter it, so that recreational potential is thereby hampered for the general public; and

WHEREAS, Public testimony to the Board of Supervisors with regard to establishing additional wilderness in Bath County indicated that the community objects to:

- Lack of access for public safety and emergency services
- Firefighting prohibitions and regulations which may enable a blaze enough time to spread through the forest and reach the built community
- Lack of access for the handicapped and disabled due to lack of trails, established and maintained not only for walking but also vehicles
- Restricted use of the forest for wood gathering, timbering, and other forest uses as a result of lack of access

WHEREAS, Wilderness designation may restrict the public's input on present and future forest management; and

WHEREAS, there is already a Wilderness area designated in Bath County of 9,100 acres.

NOW, THEREFORE, BE IT RESOLVED, That the Bath County Board of Supervisors urges the Congress of the United States not to create more Wilderness areas in Bath County, Virginia where the George Washington National Forest is located; and

BE IT FURTHER RESOLVED, That the Bath County Board of Supervisors respectfully submits this resolution for consideration by the Congress and the U.S. Forest Service (which includes the George Washington National Forest in its care); and

BE IT FURTHER RESOLVED, That the Bath County Board of Supervisors seeks the support of the Congress and the U.S. Forest Service to not create additional wilderness areas in Bath County; and

LASTLY MAY IT BE RESOLVED, That a copy of this resolution be spread upon the minutes of the March 10, 2009 Board of Supervisors' meeting and a copy sent to our Congressional representatives.

ADOPTED: March 10, 2009

Perdy C. Nowlin, III
Chairman
Board of Supervisors
County of Bath, Virginia

Bonnie Johnson, Clerk