# DECISION NOTICE
# AND
# FINDING OF NO SIGNIFICANT IMPACT

For

The Suppression of Hemlock Woolly Adelgid Infestations
On
The Nantahala and Pisgah National Forests

Haywood, Madison, Avery, Burke, Caldwell, McDowell, Buncombe, Henderson, Mitchell, Transylvania, and Yancey, Graham, Swain, Jackson, Macon, Cherokee, and Clay Counties, North Carolina

January, 2005

## 1. INTRODUCTION

This Decision Notice (DN) and Finding of No Significant Impact (FONSI) documents my decision to take action to suppress infestations of the non-native pest Hemlock Woolly Adelgid (HWA) across Nantahala and Pisgah National Forests in North Carolina. This decision will implement a conservation strategy for eastern hemlocks and Carolina hemlocks. Delaying action would result in losing a time-limited opportunity to make a stand against this pest.

I have reviewed the Environmental Assessment (EA) for the Suppression of Hemlock Woolly Adelgid Infestations. I have considered the comments received during the 30-day notice and comment period. I have given serious thought to whether or not treatments should occur in Wilderness. I have weighed the potential risks and benefits from the proposed action and alternatives to come to a reasoned choice for how to proceed.

## 2.0 DECISION

It is my decision to implement Alternative B with additional monitoring including special monitoring and evaluation emphasis for wilderness. The specific actions are described below:

**ACTIONS**

**1. Releases of Predator Beetles That Eat HWA to Establish Long-Term Population Control**

Hemlocks in approximately 112 eastern hemlock and 47 Carolina hemlock areas will be potential areas for releases of the predator beetles *Sasajiscymnus tsugae, Laricobius nigrinus, Scymnus sinuanodulus* and *Scymnus ningshanensis.* Each year these areas will be prioritized for releases with consideration for geographic distribution and to ensure releases in both eastern hemlock and Carolina hemlock stands. The number of releases each year would depend on the available supply of beetles. The desire will be to release beetles at all areas that have trees sufficiently infested (showing evidence of adelgids at most leaflet intersections).

See Appendix A of the EA for a table listing specific areas and maps showing the approximate locations of treatment areas.

The 159 potential release areas were selected to meet the requirements of a hemlock conservation network designed to represent community diversity within the distribution of known hemlock stands. This design is described in Appendix B of the EA. Areas that will form the conservation network were selected from a list of outstanding hemlock areas including Natural Heritage sites, Special Interest Areas identified in the Nantahala/Pisgah land management plan, and additional hemlock areas identified through internal and external scoping as having important ecological and/or cultural values. In a few instances hemlock stands not recognized as ecologically or culturally important were added to the network to fill a gap in the design.

The number of beetles released at an area will vary by species according to established release protocols developed by Forest Health Protection (USDA Forest Service) and university researchers who study the insects. Current protocols call for several hundred to several thousand beetles to be released per area.

Specific hemlocks within the areas will be evaluated as suitable for releasing beetles. These will be trees that are infested with HWA to the degree that evidence of adelgids can be seen at most leaflet nodes. The trees themselves, as well as nearby trees, shall still be healthy enough to be putting on new growth. The objective is to find a spot with enough HWA so the beetles can successfully feed and reproduce, and where other similarly infested hemlocks are nearby so it is possible for the beetles to disperse.

A representative sample of release areas will be monitored at six months and one year after release to determine if the beetles are still present, if all life stages are present indicating successful reproduction, and if and how far they have dispersed. The condition of the release trees will also be noted. Release site monitoring will emphasize monitoring in Wilderness.

This alternative proposes the following number of beetle release areas in Wilderness (W) and Wilderness Study Areas (WSA): Linville Gorge W – 11; Joyce Kilmer W – 5; Shining Rock W – 3; Ellicott Rock W – 3; Craggy Mountains WSA – 4; Lost Cove WSA – 1; Harper Creek WSA – 2. See Appendix A for locations.

**2. Chemical Treatment for Maintaining Genetic Reserves**

Specific groups of trees will be selected for chemical treatment at up to half of the potential release areas. The intention of this treatment is to ensure that genetically diverse hemlocks remain alive until biocontrol takes effect. The areas selected to allow chemical treatment are specified in Table A in Appendix A. Treatment areas were selected to meet the requirements of the hemlock conservation network for hemlock genetic

diversity (refer to Appendix B). An average of 60 trees per area will be treated to reach the desired number of eastern and Carolina hemlock trees for genetic diversity within the hemlock conservation network, with some allowance for mortality due to natural events (fires, windstorms, etc.). For these groups of trees the treatment will be the systemic insecticide imidicloprid (Merit) injected into the soil at the base of the tree ("soil injection"), except for trees unsuitable for soil injection due to their proximity to water or highly permeable (sandy or gravelly) soils. For these, imidacloprid will be injected directly into the trunk of the tree ("stem injection").

Effective imidacloprid treatment lasts a minimum of two years for soil injection and a minimum of one year for stem injection. Treatments will be repeated after effectiveness declines if evidence of new infestation is present. Treatment will cease when effective biocontrol agents become established or the HWA threat is otherwise diminished, based on annual situation reports from Forest Health Protection.

Clearance process prior to application of soil injected imidacloprid. (1) Soil will be sampled using a soil auger to determine the presence of sandy or gravelly (highly permeable) soils. The presence of highly permeable soils will disqualify the site for soil injection. (2) The area will be scouted for the presence of any surface water or waterbodies (springs, creeks, ponds, bogs, etc.). Any tree with a direct vegetative connection to surface water will be eliminated from soil injection treatment. The clearance process will be documented for each chemical treatment site.

Imidacloprid treatments in wilderness. This alternative proposes the following number of imidacloprid treatment areas in Wilderness (W) and Wilderness Study Areas (WSA): Linville Gorge W – 4; Joyce Kilmer-Slickrock W – 2; Shining Rock W – 1; Ellicott Rock W – 2; Craggy Mountains WSA – 1; Lost Cove WSA – 0; Harper Creek WSA – 0. See Appendix A for locations.

Special standards apply to treatments in Wilderness to ensure the least possible impacts to Wilderness character and naturalness. No mechanized devices will be used to access Wilderness sites. Monitoring and treatment in Wilderness shall be timed to avoid periods of high visitor use, shall not leave behind any evidence of the activity, and shall not employ any motorized transport or equipment.

In addition, a thorough evaluation of the status of the HWA infestations, record of treatments, monitoring results including any impacts to Wilderness values of treatments, progress toward the goals of the suppression activities, and projected needs for future treatment will be completed and presented to the Regional Forester for review at the end of

five years. The report will reassess the trade-offs of continued trammelling in terms of long-term implications for wilderness management. The five-year evaluation report will be used by the Regional Forester to help determine whether or not the project should continue in Wilderness, and to revisit the question of the minimum effective tool.

## MONITORING

I am requiring monitoring for this project in order to:

- Assure objectives of the project are being accomplished;
- Respond to public and agency concerns regarding the use of the insecticide imidacloprid; and,
- Insure activities in wilderness are kept to the minimum needed to be effective.

Monitoring for this project will fall into three categories:

1. For water quality: clearance process effectiveness
2. For biocontrol: establishment, dispersal and effectiveness
3. For insecticide application: treatment effectiveness

Water Quality Monitoring

A subset of sites selected for imidacloprid treatment will have water samples collected from area streams. Certified laboratories will analyze the samples to detect any measurable presence of imidacloprid. In selecting the subset of sites for monitoring, emphasize the following: 1) monitoring effects in wilderness; 2) monitoring streams with southern strain brook trout; and, 3) representing the nine strata of the Hemlock Conservation Design (Appendix B in the EA). Monitoring and treatment in Wilderness should be timed to avoid periods of high visitor use, should not leave behind any evidence of the activity, and should not employ any motorized transport or equipment.

Biocontrol Monitoring

A subset of beetle release sites will be selected to be revisited after approximately six months and one year to determine the following:

1. Are the predator beetles established? This is determined by identifying the presence of all life stages of the insect, indicating successful reproduction in the wild.
2. Are the predator beetles effectively reducing HWA populations? This may be determined by evaluating the level of infestation, by looking for new growth on the trees, or other appropriate method.

3. Are the predator beetles dispersing to other hemlocks? This may be determined by collecting beetles at trees of various distances from the release trees.

In selecting the subset of sites for biocontrol monitoring, emphasize monitoring in Wilderness areas. Monitoring and treatment in Wilderness should be timed to avoid periods of high visitor use, should not leave behind any evidence of the activity, and should not employ any motorized transport or equipment.

Imidacloprid Treatment Monitoring

All imidacloprid treatment sites will be monitored to evaluate the effectiveness of the imidacloprid, as evidenced by the absence of adelgids and the presence of new growth on the treated hemlocks.

## 3.0 REASONS FOR MY DECISION

Release of predator beetles combined with treatment of selected trees with the insecticide imidacloprid offers the greater likelihood of successful suppression of HWA in the long term, while maintaining hemlock genetic diversity and hemlock community diversity at a level that can sustain the species long term.

Native predators have not demonstrated any ability to suppress the HWA to levels that equate to reduced hemlock mortality. In part this is due to non-synchronous life-cycles: that is, the predators aren't around to eat at the time the HWA is available as a food source. Certain non-native predator beetles from China and Japan – where HWA is native – and from the Pacific Northwest have shown they can greatly reduce HWA populations on release trees. They can overwinter and disperse to other hemlock trees. With a concerted effort, there is a good opportunity to establish reproducing populations in the wild in the hemlock forests of Nantahala and Pisgah National Forests. The HWA infestation is only a few years old, widespread mortality of hemlocks has not yet occurred, and many infested trees are still healthy and capable of recovering from the effects of infestation. Large numbers of the predator beetles are only now becoming available for release. For these reasons, this may be the only opportunity to take a stand against this invader – right here in Western North Carolina, and right now.

Treating individual trees with the insecticide imidacloprid, either injected into the soil at the base of the tree or injected into the trunk of the tree, offers a highly effective way to virtually eliminate HWA from the treated trees, and studies have shown the trees recover once the adelgid is gone. While our long term hope for the hemlock resides with biological control, we must ensure genetically diverse populations remain alive long enough for the biological controls to become firmly established. The insecticide treatments can do this. At the same time, I recognize the reservations people have regarding the use of pesticides of any kind in our

national forests. Such use must be done with great care and with strict adherence to the required safety precautions. In the case of the HWA, the imminent loss of the hemlock species poses huge environmental risks, as discussed in the EA, whereas the risks posed by the specified use of imidacloprid are small in comparison. Since the imidacloprid is carried to the application site in sealed containers and then injected under the duff layer of the soil or into the trunk of the tree, there should be no occasion for a forest visitor to come into contact with it.

I have considered the tradeoffs associated with actively suppressing HWA in Wilderness areas. The Wilderness Act of 1964 states: "A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the community of life is untrammeled by man, where man himself is a visitor who does not remain." According to this Act, wilderness should support both the attributes of naturalness and wildness. As stated by the Leopold Institute:

> Untrammeled is synonymous with unconfined, unmanipulated, unhampered, self-willed, and free. The word "wildness" represents this social condition, one in which an area is untrammeled and free from human control, regardless of preexisting conditions or future consequences. A dilemma arises when managers consider manipulating wilderness ecosystems and trammeling the wilderness in order to restore natural conditions, in effect assuming that the ends (natural conditions) justify the means (trammeling). Thus, managing for naturalness may sometimes conflict with managing for wildness.

Large-scale ecological changes caused by unnatural influences – such as the non-native Hemlock Woolly Adelgid – present difficult choices for managers. A decision to act or not act will have consequences for the natural or wild conditions of Wilderness. Human intervention to suppress HWA is trammeling. In this particular instance a valid argument is made that this unnatural loss of hemlocks is more than loss of individual trees or even an individual species in Wilderness. In some Wilderness, it goes beyond that to affect the very character of the Wilderness itself. They are ecologically important as determined by their inclusion in the North Carolina Natural Heritage database. They are also culturally and historically important, especially in the case of the Joyce Kilmer hemlocks which are recognized nationally as an important example of Eastern old growth forests. The eastern hemlocks of Joyce Kilmer and the Carolina hemlocks of Linville Gorge are key to the Hemlock Conservation Design, not because they are in Wilderness, but because they are two areas where we can keep enough hemlocks alive within proximity to other conservation areas to ensure adequate exchange of diverse genetic material so that the species can survive in the long term.

From the information presented in the EA, I have determined that treating the hemlocks in these Wildernesses is necessary both for the integrity of the Wildernesses and for the success of the conservation design.

The next question that must be answered in regard to Wilderness is specification of the minimum effective tool. In this case effectiveness has two aspects:

establishing predator beetle populations and keeping enough hemlocks alive and in good condition until this happens. It is apparent from the EA that the predator beetles will likely take years to establish themselves at levels sufficient for reducing hemlock mortality. If we don't keep enough hemlocks alive in the interim it won't matter if the predators become established. Using insecticide against the HWA is the only way we can be sure of keeping at least some trees alive; the minimum number needed to maintain genetic diversity. Therefore using the combination of predator beetle release and imidacloprid is the minimum effective tool.

Currently, soil injection of imidacloprid has proven itself to be a reliable, successful treatment method with very minimal non-target impacts. There shall be less obvious evidence of its use for visitors to see. With stem injection an argument can be made that there are even less non-target impacts than with soil injection. To date however, stem injection has proven less reliable and must be repeated more frequently. It has potentially more impact to visitors' experience since it can take hours for the tree to take up the material from the injector, the injection itself wounds the tree, and the injection site is often visually obvious since the injector tip is left in place and sap will ooze out of the tree and stain the bark. One argument in favor of stem injection is that new technology is improving stem injection and in the next year or two it may be a better option than today.

My decision is to allow both soil injection and stem injection in Wilderness. As presented in the EA, soil injection is the first choice except in areas with highly permeable or rocky soils, or with water present. In these latter cases stem injection is appropriate. However, the choice of application method may change in favor of stem injection if the technology improves sufficiently. If and when stem injection methodology becomes more reliable and can be made less visually obvious, it will be the method of choice in Wilderness due to less possible non-target impacts. Regardless, the five-year evaluation report should address this methodology question to ensure we are using the most appropriate methods for treatment in Wilderness.

The five-year evaluation report will be used by the Regional Forester to help determine whether or not the project should continue in Wilderness, and to revisit the question of the minimum effective tool.

## 4.0 SCOPING, PUBLIC INVOLVEMENT, AND PUBLIC COMMENTS

In June 2004, after initial internal scoping with a Forest Service interdisciplinary team, a scoping letter was distributed to over 300 individuals and organizations on the Nantahala-Pisgah mailing list. The letter was also posted on the Forests' website. Approximately 25 responses were received. Most responses expressed overwhelming support for the project, including both beetle release and use of insecticide. However some responses, while supporting beetle release, were not

supportive of using insecticide, particularly the method of injecting imidacloprid into the soil at the base of the tree. Respondents from the North Carolina Division of Environment and Natural Resources recommended a cautious approach for both beetle release and insecticide use. The USDI Fish and Wildlife Service recommended monitoring to ensure the beetles do not impact species other than HWA. Several other commenters suggested monitoring would be appropriate. Other points of view included one individual who recommended more widespread use of insecticide until biocontrol was proven effective; and one individual who recommended employing field rearing of predator beetles using volunteer groups. More than one commenter asked that the scope of the project be expanded to include all public lands in the Southern Appalachians, or to include collecting hemlock seed for a seed bank.

From Scoping, one significant issue was identified: Use of insecticide as a control measure for HWA. Commenters cited concerns specific to the use of imidacloprid, especially when injected into soil around the base of the tree. Respondents are concerned about the potential for impacts to invertebrates other than HWA, and the potential for leaching into water.

To respond to this issue, an alternative was developed that does not include insecticide.

Other issues identified during scoping were:

1. Expanding the proposal to include all Southern Appalachian public lands.
2. Expanding the proposal to include collecting seed for a seed bank.
3. Expanding the proposal to include field-based rearing operated primarily by volunteers.
4. Monitoring the released beetles for any indications of a shift in choice of prey
5. Effects of the project on Wilderness
6. Effects of the project on Threatened, Endangered, and Sensitive species.

Refer to the EA for more discussion of issues.

In November 2004 the Proposed Action and Environmental Assessment were published for the 30-day Notice and Comment Period. Approximately 34 commenters responded. Overwhelmingly, respondents supported the proposed action, including both beetle release and use of imidacloprid. Some respondents have concerns with the use of insecticide, as was brought forward during initial scoping. Several commenters, while supporting the project, asked that monitoring be established to evaluate effectiveness and to be on the lookout for non-target or unanticipated effects. A monitoring program will be established in response. Some commenters had questions concerning how they could personally respond to the infestation on their own property. Answers have been provided to these individuals. A few commenters confused the predator beetles with a lady bug that was released some years ago and that has become somewhat of a pest in that it

likes to overwinter in peoples' houses. The beetles to be released in this project are not like that and will not exhibit that behavior.

One commenter asked that an alternative be considered that relied solely on treatment using insecticide. In considering such an alternative, I find it would not meet the purpose and need for the proposed action. While maintaining a genetic reserve – efficiently done using insecticide – is one objective for the project, I view chemical treatment as a stop gap only. Use of insecticide is impractical as a tool for HWA suppression across broad landscapes and remote forests. The best hope for the future of hemlocks lies with establishing biological control. Therefore I will not pursue developing this as an alternative for detailed study.

## 5.0 ALTERNATIVES CONSIDERED

A total of five alternatives were considered; three alternatives were analyzed in detail. Alternative B as described in section 2.0 in the EA is the alternative selected for implementation. Alternatives A and C are briefly described below, along with my rationale for not selecting them. The two alternatives considered but eliminated from detailed study are also described.

**Alternative A – No Action:** This alternative proposed no forest-wide activities to meet the objectives outlined in Chapter 1: (1) To reduce hemlock mortality from HWA by establishing reproducing populations of predator beetles that feed on HWA, (2) To maintain reproducing populations of Eastern Hemlock and Carolina Hemlock throughout the historical geographic and elevational range across the Forests, and (3) To ensure survival of certain ecologically and culturally important groups of hemlock.

> **Rationale for Not Selecting This Alternative:** It is devastating to contemplate the potential loss of hemlocks throughout their range in the eastern United States. Taking No Action could result in unacceptable environmental consequences, as described in the EA Chapter 3, Affected Environment and Environmental Consequences. The systematic approach of Alternative B, based on a conservation design as outlined in the EA, will provide a real opportunity for success in the fight to save our hemlocks. Alterative A would not.

**Alternative C – Beetle Releases with No Chemical Treatments:** Alternative C would include releases of predator beetles that eat HWA to establish long-term population control as in Alternative B. However, neither imidacloprid nor any other chemical would be used to maintain the genetic reserve trees described in the conservation design. This alternative relied strictly on beetle release for suppressing the adelgid.

> **Rationale for Not Selecting This Alternative:** Clearly, beetle releases alone would not ensure hemlock survival at the current time. The predator beetles would take years to build their populations to levels sufficient to

adequately suppress HWA populations to levels low enough to reduce hemlock mortality. There is little risk associated with the particular insecticide and the particular application methods proposed for use in Alternative B. Comparatively, the risks to the ecosystem associated with the loss of hemlocks are potentially huge, as described in the EA. Alternative B provides much greater certainty of success than Alternative C.

**Alternatives Considered But Not Evaluated In Detail**

**Treatment by Spraying Insecticidal Soaps and Horticultural Oils:** Insecticidal soaps and horticultural oils can be sprayed on hemlocks when the objective is immediate knock down of an insect pest. If complete coverage is achieved, these agents act by smothering all invertebrates on the tree at the time of treatment. There is no residual effect, so HWA could reinfest the tree immediately. With this method there is an increased risk of applicator contamination and increased concern with drift, since the product is sprayed. This treatment method is appropriate for smaller, more accessible trees that could be treated frequently. It would not be appropriate for treating large or inaccessible trees. It would not meet the project objective of keeping HWA suppressed for months or years, as would be necessary to ensure tree survival.

**Exclusion of Any Treatments in Wildernesses:** I recognize the importance of maintaining wilderness values and the implications of implementing this decision within wilderness areas. However, excluding wildernesses from treatment would not allow the purpose and need to be met. Not only are these hemlock areas ecologically important, they are essential to the Hemlock Conservation Design. The highest concentrations of ecologically important hemlock areas are shown to occur in the Joyce Kilmer, Linville Gorge, and Shining Rock Wildernesses. Excluding wildernesses from treatment could eliminate an important portion of the genetic and community diversity of hemlock across the Forests. Furthermore, the hemlocks are an integral part of the wilderness experience and an important element in the wilderness character itself.

## 6.0 FINDINGS REQUIRED BY LAWS AND REGULATIONS

1. The selected alternative is consistent with the Land and Resource Management Plan for the Nantahala and Pisgah National Forests (LRMP) and all Amendments to the LRMP, as required by the National Forest Management Act (NFMA) 1976, 16 USC 1604(1).

    - It is consistent with the Forest goal to maintain, and where possible, enhance the diversity of plant and animal communities of the southern

Appalachians. This project directly supports maintaining eastern hemlock and Carolina hemlock trees and their associated communities of species.

- It is consistent with the various management area desired conditions and LRMP direction for pest management.

2. The selected alternative is consistent with Forest Service Manual and Handbook direction regarding the use of pesticides.

3. The actions of this project will meet all requirements of the Endangered Species Act and all agreements with the State Natural Heritage Program, in that the impacts to Threatened, Endangered, and Sensitive species or critical habitat for these species are insignificant and will not affect population viability of any of these species.

4. The project is reasonable and feasible.

5. There are no significant irreversible or irretrievable resource commitments.

## 7.0 FINDING OF NO SIGNIFICANT IMPACT

I have determined that Alternative B is not a major federal action, individually or cumulatively, and will not have a significant impact on the quality of the human environment. Therefore, an environmental impact statement will not be prepared. I have considered both context and intensity in my determination, based on environmental analysis documented in the Environmental Assessment.

CONTEXT

The actions of this decision and resulting physical and biological effects are limited to the conservation reserve areas described in the EA and are therefore local in nature. The activities are limited to a small portion of the landscape and occur in common forest types.

INTENSITY

Both beneficial and adverse impacts are considered. There will be no significant effects as a result of the action (EA Chapter III). Any potential adverse effects are extremely limited.

The actions will have minimal effects on the public health and safety (EA Chapter III, pp 15-117). Insecticide to be used has been approved by the Enviornmental Protection Agency for the described uses.

The actions will not have any detrimental effects on any unique characteristics of the geographic area such as park lands, historical and cultural resources, prime

farm lands, wetlands, wild and scenic rivers, or ecologically critical areas. It may have positive effects in maintaining ecologically or culturally important areas in their current condition (EA Chapter III and Appendices A and B).

Based on public involvement and analysis, the effects on the quality of the human environment are not highly controversial (EA pp 8-9 and Response to Comments).

The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment (EA throughout Chapter III). Both beetle releases and treatment of hemlocks with imidacloprid have been conducted before by Forest Service employees and treatment protocols are well established. These methods have also been used by other land management agencies, private landowners, and researchers.

The actions will not set a precedent for future actions with significant effects. They not do represent a decision in principle about a future proposal. Activities such as these have been conducted in the past: the non-native gypsy moth has been treated extensively using various suppression activities including in wilderness; predator beetle releases have occurred in the past on both public and private lands, including release in wilderness; imidacloprid treatment for suppression of HWA, both soil injection and stem injection, has occurred previously on these Forests and other public and private lands.

The cumulative effects of the proposed actions have been analyzed and no significant effects are anticipated (EA pp. 22, 24, 35, 40, 48, 77, 86,100, 105, 112, 114, 116).

This action does not adversely affect cultural resources listed or eligible for listing in the National Register of Historic Places and will not cause loss or destruction of significant scientific, cultural, or historical resources (EA pg. 113).

Release of predator beetles and treating individual hemlock trees with systemic insecticide will have **no effect** on the Rock Gnome Lichen and is **not likely to adversely affect** the Noonday Globe, Bog Turtle, Appalachian elktoe, and Northern Flying Squirrel. USDI Fish and Wildlife Service concurrence was received on December 17, 2004 for the "not likely to adversely affect" determination. The release of predator beetles and use of systemic insecticides will have beneficial impacts to all Regional Forester's Sensitive species listed in the BA/BE by reducing hemlock mortality and therefore maintaining habitat suitability for these species in hemlock stands.

This action does not threaten to lead to violation of federal, state, or local laws imposed for the protection of the environment. This will be ensured by carrying out the proposed action in a way that is consistent with the standards, general

direction, and management requirements established in the LRMP and this Decision Notice.

## 8.0 APPEAL RIGHTS

This decision is subject to appeal pursuant to 36 CFR 215.11. A written appeal, including attachments, must be postmarked or received within 45 days after the date this notice is published in *The Asheville Citizen-Times*. The Appeal shall be sent to:

USDA Forest Service
Ecosystem Management Coordination-Appeals
201 14th Street, SW
3rd Floor, Central Wing
Washington, DC 20024

Appeals may be faxed to 202-205-1012. Hand-delivered appeals must be received within normal business hours or 8:00 am to 4:30 pm. Appeals may also be mailed electronically in a common digital format to: appeals-chief@fs.fed.us.

Appeals must meet content requirements of 36 CFR 215.14. For further information on this decision, contact Ruth Berner at 828-257-4862.

## 9.0 IMPLEMENTATION

If no appeal is received, implementation of this decision may occur on, but not before, the 5th business day following the close of the appeal-filing period. If an appeal is received, implementation may not occur for 15 business day following the date of appeal disposition (36 CFR 215.9).

/s/ Robert T. Jacobs January 14, 2005

**ROBERT T. JACOBS** **Date**
Regional Forester
Southern Region, UDSA Forest Service