



File Code: 1950-3

Date: December 13, 2005

### Public Comment Period

#### Monongahela National Forest Allegheny Wood Products Easement Draft Environmental Impact Statement

The Monongahela National Forest has completed the Allegheny Wood Products (AWP) Easement Draft Environmental Impact Statement (DEIS). This document displays the environmental consequences of authorizing an easement to AWP for access across National Forest System lands. The easement would be located on the abandoned railroad grade located in the Blackwater Canyon area of Tucker County, West Virginia.

A copy of the document has been enclosed as requested.

The Forest has identified Alternative 3 - Reciprocal Easement - as the preferred alternative for implementation at this time. Under Alternative 3, the Forest would grant an easement to AWP to access their private lands located between the railroad grade and the Blackwater River. In addition, the Forest would obtain an easement for the AWP portion of the railroad grade in order to better manage the recreation and heritage resources associated with the railroad grade.

A comment period has been initiated for this project. Comments will be accepted for 45 days following the publication of the Notice of Availability in the Federal Register. We anticipate the publication date to be December 23, 2005. It is, however, the responsibility of the commenter to assure that comments are received in a timely manner.

The DEIS will be available on the Forest's website at [www.fs.fed.us/r9/mnf/](http://www.fs.fed.us/r9/mnf/) on or before December 23<sup>rd</sup>. The DEIS is also available in hard copy or cd by contacting Anita Kelley, Editorial Assistant, at (304)636-1800, ext 324.

Please send comments to the responsible official, Clyde Thompson, Forest Supervisor, Monongahela National Forest, at 200 Sycamore Street, Elkins, West Virginia, 26241. Send electronic comments to [comments-eastern-monongahela-potomac@fs.fed.us](mailto:comments-eastern-monongahela-potomac@fs.fed.us). Electronic comments should say Allegheny Wood Products Easement EIS in the subject line. The acceptable formats for electronic comments include Microsoft Word documents (.doc) or Adobe Acrobat (.pdf). Faxed comments should be sent to (304) 637-0582, or provide comments by phone to Bill Shields, NEPA Coordinator, at (304) 636-1800 ext. 287. Hand-deliver comments between the hours of 8:00 am to 4:30 pm, Monday through Friday, at the Supervisor's Office in Elkins, West Virginia.

For additional information, please contact Bill Shields, NEPA Coordinator, at (304) 636-1800 ext 287 or at [comments-eastern-monongahela-potomac@fs.fed.us](mailto:comments-eastern-monongahela-potomac@fs.fed.us). You may also contact Michele Jones, Planning Staff Officer, at the Supervisors Office address listed above or at (304) 636-1800, ext 206.



Only those who submit timely and substantive comments will be accepted as appellants. To be eligible for appeal, each individual or representative from each organization submitting substantive comments must either sign the comments or verify their identity upon request.

Reviewers should provide the Forest Service with their comments during the review period of the draft environmental impact statement. This will enable the Forest Service to analyze and respond to the comments at one time and to use information acquired in the preparation of the final environmental impact statement, thus avoiding undue delay in the decision-making process. Reviewers have an obligation to structure their participation in the National Environmental Policy Act process so that it is meaningful and alerts the agency to the reviewers' position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final environmental impact statement. *City of Angoon v. Hodel* (9th Circuit, 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Comments on the draft environmental impact statement should be specific and should address the adequacy of the statement and the merits of the alternatives discussed (40 CFR 1503.3).

Thank you for your interest in the Monongahela National Forest.

Sincerely,

/s/ Clyde N. Thompson  
CLYDE N. THOMPSON  
Forest Supervisor