

**Comments on the Warrior River Project Scoping Document I**

Entity	Date	Individual	Summary of Comment	Disposition of Issue Request
USFS			<p><b>SCOPE OF FISHERIES AND WILDLIFE RESOURCES ANALYSIS –</b></p> <ul style="list-style-type: none"> <li>- In order to address project biological affects and formulate measures to meet USFS direction, the analysis area will encompass the FERC Project Area, upstream riverine and riparian areas within, connecting, or adjoining USFS system lands. Clear, West Sipsey Fork, and Brushy Creeks are the main tributaries flowing through or adjoining Forest Service System lands and will thus also be included within the scope of the analysis.</li> <li>- For aquatic species, the analysis area must include a basin-wide and watershed approach in order to place potential effects within the context of population and species viability.</li> <li>- Terrestrial habitat inventories or surveys will be conducted within the historical range of species within the project study area with focus on USFS system lands and adjoining biologically significant areas. Surveys and assessments will be designed to identify species and habitats requiring protection, restoration, or enhancement and project operations requiring modification or mitigation over the period of the new license.</li> </ul>	
USFS			<p><b>USFS DESIRED CONDITIONS AS RELATED TO USFS STANDARDS:</b></p> <ul style="list-style-type: none"> <li>- Suitable habitat and viability of all TE&amp;S species</li> <li>- Floodplains and wetlands managed in order to conform with USFS standards</li> <li>- Habitat conditions for the population viability of native or desirable non-native species</li> <li>- Conservation of riparian dependent soil, water, vegetation, fish, and wildlife resources</li> <li>- Diverse, balanced, and integrated adaptive aquatic/riparian communities (similar to natural or reference conditions)</li> <li>- Habitat for harvestable and high demand populations of recreationally important fish and wildlife</li> <li>- Habitat that is only minimally (locally and temporarily) impacted by dispersed recreation</li> <li>- Suitable habitat and viability of all TE&amp;S species,</li> <li>- Floodplains and wetlands managed,</li> <li>- Habitat conditions for the population viability of native or desirable non-native species</li> <li>- Conservation of riparian dependent soil, water, vegetation, fish, and wildlife resources</li> <li>- Diverse and balanced integrated adaptive aquatic/riparian communities (similar to natural or reference conditions)</li> <li>- Habitat for harvestable and high demand populations of fish and wildlife</li> <li>- Habitat that is only minimally (locally and temporarily) impacted by dispersed recreation</li> <li>- Water quality will be maintained or improved throughout the planning horizon. Except for short-term impairment, 100% of the yield will meet water quality standards.</li> <li>- Riparian acres will be managed to protect and conserve all dependent resource values.</li> <li>- Vegetative manipulation in riparian areas will provide opportunities to improve habitat conditions and make watershed improvements.</li> <li>- The primary goal of the soil resource management program is to maintain and, where appropriate, improve the productivity of all lands managed.</li> <li>- Implement watershed improvements projects maintain or enhance soil productivity and watershed condition.</li> <li>- “Cultural resources would be protected by completing surveys on all National Forest lands and protecting areas identified as having significant historic or cultural values. All soil disturbing activities and land exchanges will have priority for future cultural surveys. The second priority for survey work will be general inventory of all management areas”</li> <li>- “Comply with the Federal Antiquities Act of 1906 and the Archaeological Resources Protection Act of 1979; follow 36 CFR 60 for sites eligible for inclusion in the National Register of Historic Places; and follow 36 CFR 800 as detailed in FSM2360 for protection of significant cultural resources.”</li> <li>- Land exchange and purchase will be used to consolidate ownership where possible.</li> <li>- Limit new special use permits to those uses, which serve the public interest and/or cannot be reasonably met on private lands.</li> <li>- Where possible, new permits for utilities will be limited to existing utility or road corridors.</li> <li>- Unauthorized use and occupancy of National Forest land will be terminated as soon as possible.</li> <li>- Use land exchange authority as much as possible to acquire priority tracts/</li> <li>- Use land exchange authority to dispose of isolated tracts that are difficult to manage.</li> <li>- Give priority to the acquisition of lands necessary for congressionally designated priority areas such as Wilderness, Wild and Scenic River, or for high priority areas such as habitat for proposed threatened and endangered candidate and sensitive (PETS) species, and valuable recreation lands .</li> <li>- Resolve title claims with available authorities, such as PL-120 Quitclaim Deeds, where qualified. Submit claim reports for possible litigation when on-the-ground resolution is not possible.</li> <li>- Locate new landlines to standard as needed to meet resource objectives, standards and guidelines contained in the Plan will</li> </ul>	

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			<p>maintain or improve existing site quality.</p> <ul style="list-style-type: none"> <li>- The primary goal of the soil resource management program is to maintain and, where appropriate, improve the productivity of all lands managed.</li> <li>- Several tracts around Smith Lake have potential for fire dependent long and shortleaf pine restoration. These systems are managed by prescribed fire and could conflict depending on how the uplands are managed and or developed.</li> <li>- The desired future condition for visual resources is to upgrade or maintain the Forest’s scenic quality. An optimum level would manage adopted visual quality objectives (VQO’s) to obtain the highest possible visual quality commensurate with other public uses, costs, and benefits.</li> <li>- Protect the scenic quality of the forest.</li> </ul>	
USFS			Continued installation of at least 20 fisheries habitat enhancement structures (brush bundles, spawning gravels, etc.) is an objective to be monitored and achieved according to the current Forest Plan.	
USFS			<p><b>RECREATION DESIRED CONDITIONS:</b></p> <ul style="list-style-type: none"> <li>- Overall conditions are desired that would provide for the greatest balance of multiple use outputs and benefits associated with Forest Service System lands.</li> <li>- Lake levels, water quality, and habitat would be managed in order to provide optimum conditions for recreational activities and a balanced recreational fishery for bass, bream, and crappie while also maintaining lake, wetland, tributary, and watershed conditions that support the viability of native, desirable non-native recreationally important, federally protected, and USFS sensitive species.</li> </ul>	
USFS			<p><b>FISH PASSAGE/MOVEMENT (ANADROMOUS, CATADROMOUS AND RESIDENT FISH SPECIES) AT DAM AND TRIBUTARIES:</b></p> <ul style="list-style-type: none"> <li>- The dam serves as a complete barrier to upstream fish migration, and has contributed (along with other historical and recent factors) to the decline of anadromous and migratory species such as the American eel and skipjack herring.</li> <li>- The dam and altered hydrology and channel morphology has probably also limited the distribution of less mobile species that rely on gradual upstream repopulation following catastrophic disturbance events (such as floods, drought, fire, or pollutant discharge).</li> </ul>	
USFS			<p><b>EXOTIC/NON-NATIVE AND NATIVE SPECIES –</b></p> <ul style="list-style-type: none"> <li>- Inundation within the reservoir may also hamper aquatic and riparian species movements within and among tributary habitat. Many species are reluctant or incapable of travel through deep relatively open slack-water areas. Conversely, the more ubiquitous and often non-native lacustrine species are more tolerant of a wide variety of environmental conditions and may encroach into the un-inundated riverine habitat further limiting native species distribution and numbers through competition, disturbance, transmission of disease, or predation (i.e., Asiatic clam and freshwater drum).</li> <li>- The proximity to the Tennessee River basin suggests a potential for zebra mussel transportation on recreational vehicles and gear. An invasion of zebra mussels could be detrimental to native mussel species and many other native and desirable non-native species within both the reservoir and upstream tributaries.</li> <li>- The continued and period inundation reduces the availability of suitable habitat for most native and endemic aquatic and riparian species of the upper Black Warrior Basin. Many native aquatic species cannot tolerate deep relatively open slack-water areas. Water temperatures, chemistry, and availability of oxygen may also preclude distribution within the permanent or periodic zones of reservoir inundation. Areas of periodic or seasonal water level fluctuations also may affect native aquatic and riparian species by limiting or altering the composition, structure, and function of vegetative cover. Seasonal drawdowns during dry periods appear to reduce overall vegetative cover and may include increased species disturbance and bank erosion due to the accessibility of upstream areas to personal watercraft.</li> </ul>	
USFS			<p><b>TE&amp;S SPECIES –</b> Habitat fragmentation, population isolation, and the disruptive effects of recreational users and non-native species are particular concerns for the conservation of species that may be limited in distribution and in overall decline. Currently, there are at least 8 proposed, T&amp;E species thought to inhabit the tributaries of the Lewis Smith Reservoir. An additional 9 or more sensitive species may be associated with aquatic habitats adjoining or on Forest Service system lands within the project area and upstream tributaries. A few of the species that may be affected by current project operations include the flattened mussel, orange nacre mucket, Dark pigtoe, Alabama spike, Tuscaloosa darter, Warrior darter, Black Warrior waterdog, bald eagle, and Kraal’s water plantain. Historical and potential red-cockaded woodpecker habitat is present within the upper Black Warrior River Basin and portions of the Forest Service system lands. Rafinesque’s Big-eared bat likely inhabits Forest Service system lands within the project boundary and adjoining areas. Habitat loss fragmentation, and alteration, direct and indirect disturbance, and invasion of exotic species are all current or emerging factors of concern for these species.</p>	

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USFS			RECREATIONAL FISHERIS - Smith Reservoir provides a locally and regionally important recreational fishery for spotted bass, striped bass largemouth bass), white and black crappie, and to a lesser extent for various bream, and catfish. Crappie fishing success is variable among years, potentially due to climatic conditions and related reservoir operations. Bream catches are marginal. The reservoir's relatively steep sides and low nutrient levels may limit fish reproduction and biomass. ADCNR periodically stocks Gulf coast striped bass and Florida largemouth bass fingerlings in order to maintain or enhance population numbers and size class structure. In coordination and cooperation with ADCNR and the USFS, APC currently installs several hundred submerged brush bundles each year as fish cover and food production areas.	
USFS			USFS PRIMARY BIOLOGICAL CONCERNS – <ul style="list-style-type: none"> <li>- Loss and modification of rare or TE&amp;S species habitats due to increased reservoir related development, access corridors, and encroachment.</li> <li>- Disturbance to rare, or TE&amp;S species due to increasing development and use of watercraft, and legal and illegal roads and trails.</li> <li>- Effects of erosion and sedimentation due to on-going project operations and increasing upland development and waterway use.</li> <li>- Potential impacts of project operations (timing and extent of lake level fluctuations, impingement or entrainment) on reservoir fish populations and associated recreational fishing activities.</li> <li>- Potential impacts of project operations (timing and extent of lake level fluctuations) on wetlands along the reservoir shoreline or tributary inflow areas.</li> <li>- Potential impacts of project operations (timing and extent of lake level fluctuations) on proposed or TE&amp;S species within the project area and associated tributary drainages.</li> <li>- Project related operations and associated development and public use as vectors for distribution of invasive exotic species and transmission of fish and wildlife diseases.</li> <li>- Cumulative impacts of proposed or TE&amp;S species habitat loss and fragmentation within the Black Warrior River Basin.</li> <li>- Cumulative impacts of habitat loss and fragmentation on rare species population viability within the project and Forest planning area.</li> </ul>	
USFS			Describe the aquatic resources, both qualitatively and quantitatively; within the project impoundment and associated tributary areas in order to determine if ongoing project operations (lake levels, impingement, and retention schedules) adversely affect recreationally important fish species, prey species, or their habitats.	
USFS			Inventory and describe the current distribution, extent, and quality of wetland and riparian areas associated with the project impoundment and related facilities.	
USFS			Compare wetland and riparian areas associated with the project area with the availability and quality of wetland and riparian habitats throughout the Black Warrior watershed.	
USFS			Based upon pre-project aerial photography and topo maps, estimate the extent of historical wetland and riparian areas as compared to existing conditions. This information will also be useful for establishing desired conditions for many federally listed and sensitive species.	
USFS			Determine the affects of reservoir inundation, associated development, and ongoing project operations (extent, duration, and timing of elevated lake levels) on riparian and wetland areas (including riverine aquatic habitats).	
USFS			Describe the current occurrence, distribution, and abundance of proposed or TE&S species associated with Forest Service System lands adjoining Smith impoundment and its tributaries.	
USFS			Based upon the best available research records determine the historical occurrence of federally listed and sensitive species within the upper Black Warrior River Basin (current project analysis area including tributaries). Conduct additional focused studies as necessary to determine extent and magnitude of project related impacts to proposed, threatened, endangered, or sensitive species. Studies may include terrestrial surveys and assessments regarding Forest Service System lands influenced by project activities.	
USFS			Continue cooperative studies to determine the distribution, status, trend, and viability of flattened musk turtle populations within the analysis area.	
USFS			Investigate potential impacts (disease transmission, invasive species expansion, shifts in food availability, habitat loss, modification, and fragmentation) of reservoir inundation and ongoing project operations (focus on extent, duration, and timing of elevated lake levels).	
USFS			Inventory current undesirable invasive species distributions and asses potential future risks of project related exotic species invasion within the analysis area.	
USFS			Based on the results of inventories and studies, the Forest Service <u>may</u> require management practices and mitigation measures including, but not necessarily limited to:	

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			<ul style="list-style-type: none"> <li>- Establishment and ongoing participation in a multi-agency cooperative conservation plan for restoration and enhancement of TE&amp;S species potentially affected by project operations.</li> <li>- Maintenance of reservoir water levels and associated project operations according to a schedule that TE&amp;S species and their habitats.</li> <li>- Maintenance of reservoir water levels and associated project operations according to a schedule that maintains, restores, or enhanced wetland communities.</li> <li>- Maintenance of reservoir water levels and associated project operations according to a schedule that maintains or enhances desirable harvestable and recreationally important high demand populations of fish and wildlife.</li> <li>- Continued structural maintenance and deployment of habitat structures (brush, nest, boxes, etc) designed to maintain or enhance desirable harvestable and recreationally important high demand populations of fish and wildlife.</li> <li>- Continued cooperation with the agencies responsible for periodic recreational fisheries surveys.</li> <li>- Land acquisition and Consolidation in order to secure important habitat areas or minimize disturbance and passage within and among Black Warrior tributaries. Projects could include modification of reservoir water level manipulations, improvements at road crossings and culverts, or active propagation and distribution of concern species.</li> <li>- Continued studies and monitoring of proposed or TE&amp;S species associated with the project area.</li> <li>- Interpretive opportunities that would benefit species of concern by increasing public attention and minimizing recreational use impacts.</li> <li>- Additional measures identified through consultation with USFWS or as deemed necessary by other regulating agencies.</li> </ul>	
USFS			<p>Assessments of project efforts will be completed within Smith Reservoir and upstream areas. The terrestrial habitat surveys will be conducted within historical range of habitat inside the project study area. Areas to include upland terrestrial sites will be necessary for surveys in order to assess cumulative effects as well as direct effects from access, concentrated and dispersed recreation impacts, and inundation effects on habitat. Surveys will be designed to identify special features and habitat requiring protection or enhancement over the period of new license.</p> <p>The analysis should be conducted from a basin wide approach, using site-specific surveys by qualified professionals. The analysis should include historical baseline approximations on what documented or estimated riparian and aquatic habitat pre-inundation, which can be garnered from historical survey records, witness tree information, literature searches, comparison to adjacent and upstream areas, pre-project aerial photography and topographic maps.</p>	
USFS			<p>The Forest Plan also states that we should take proper precautions ensuring that suitable habitat is provided for riparian dependent flora and fauna, especially proposed TE&amp;S species. Also, emphasis is placed upon preserving, restoring and enhancing the water quality, aquatic habitat and species, the vegetative community and the integrity of the surrounding habitat (1986 LRMP I-4).</p>	
USFS			<p>At the current time, the area has been degraded and habitat has been lost due to the impoundment of the river resources. Cliffside vegetation, stream and riparian habitat have been lost due to impoundment and development along the created shoreline.</p> <p>Certain communities that may have been reduced or eliminated due to inundation may include sites containing T&amp;E plants including Kral's Water-Plantain, and the Alabama Streak-sorus Fern. Further surveys, document checks and literature searches are needed to fully ascertain the full impacts of the inundation.</p> <p>Currently, there are two Threatened or Endangered plant species that occur along this river system. These include Kral's Water-Plantain and Alabama Streak-sorus Fern). There are also 27 Sensitive Species and 35 Locally Rare Species that could potentially occur within the drain and surrounding environment of the project area. There have been no surveys conducted along the impacted area, nor have there been any either upstream or below the impoundment area. If any surveys have been conducted in the past, no records of those surveys are available for the current process.</p>	
USFS			<p>Classify and map riparian habitat associated with the project reservoir. This is to include the areas as delineated previously, from the existing shoreline into the uplands, and also to include projected and/or documented information from inundated lands.</p>	
USFS			<p>Survey and inventory storage reservoir lands and National Forest System lands for proposed TE&amp;S species and locally rare plants species and evaluate any potential project-related impacts on these species. Surveys should include both quantitative and qualitative inventory for later analysis. Surveys should be conducted by qualified botanical experts familiar with the local vegetation including, vascular and non-vascular species.</p>	
USFS			<p>Document and map floristic composition, diversity and structure of the various habitat types found during surveys associated with the project reservoir.</p>	

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USFS			Literature searches on relevant species and any known studies of said species in reaction to similar management treatments.	
USFS			Conduct floristic analysis and risk assessment on area and habitats within the drainage area associated with the project reservoir.	
USFS			Describe the occurrence, distribution, and abundance of proposed TE&S species associated with Smith impoundment and its tributaries.	
USFS			Determine any project related impacts to proposed, threatened, endangered, or sensitive species. (May include terrestrial surveys and assessments regarding Forest Service System lands influenced by project).	
USFS			<p>Dependent on the inventory and survey information, the Forest Service may require mitigation or management recommendations possibly including but not limited to:</p> <ul style="list-style-type: none"> <li>- Prepare mitigation and/or other measures should these prove necessary, based on survey findings by qualified botanical experts. This will need to be done in conjunction with the USFS, Alabama Natural Heritage Program and (in the case of proposed, threatened, endangered, or federally candidate species) the USFWS.</li> <li>- A complete floristics inventory and statistical risk assessment based on survey findings and habitat suitability.</li> <li>- Continued studies and monitoring of proposed, threatened, endangered, or sensitive species associated with the project area.</li> </ul> <p>Mitigation measures could include (but are certainly not limited to) the following:</p> <ul style="list-style-type: none"> <li>- Identification of area</li> <li>- Changes in project scope</li> <li>- Changes in project actions</li> <li>- Potential interpretive opportunity</li> <li>- Establishment and ongoing participation in a multi-agency cooperative conservation plan for restoration and enhancement of threatened, endangered, and sensitive species potentially affected by project operations.</li> <li>- Potential demo for Best Management Practices with cooperating agencies/businesses affected by project operations.</li> <li>- Avoidance of area to allow natural progression/no disturbance</li> <li>- Maintenance of reservoir water levels according to a schedule that optimizes TE&amp;S species and their habitat</li> </ul>	
USFS			Determine existing water quality conditions including temperature, DO, sediment loading, super saturation, dissolved metals, conductivity and pH.	
USFS			Evaluate the contribution of project operations to any existing water quality problems.	
USFS			Determine the impact of private septic systems on water quality.	
USFS			Inventory and evaluate the condition, location and management of access roads serving the project and assess impacts on water quality.	
USFS			Evaluate the effect of erosion and sedimentation on water quality.	
USFS			Does sedimentation contribute to heavy metals in reservoir? Input of pesticides, toxics to reservoir from sedimentation, non-point runoff, etc.	
USFS			The effect of point and non-point source discharges on water quality. In particular the NPK and pesticide contributions from lakeside development.	
USFS			Does fecal coliform problems exist in the reservoir?	
USFS			<p>Based on the results of inventories and studies, the Forest Service <u>may</u> require management practices and mitigation measures including, but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>- Measures to control erosion.</li> <li>- Measures to control pH, such as liming.</li> <li>- Measures to increase DO, such as adding DO through increased turbidity.</li> <li>- Measures to decrease non-point pollution. These measures would provide for natural landscape architecture needing little or no fertilizer or pesticide.</li> </ul>	
USFS			<p>Conduct cultural surveys of sufficient intensity to locate archaeological and historic sites prior to soil disturbing activities and land exchanges. Where sites may be impacted, conduct testing sufficient to determine if sites are of National Register significance.”</p> <ul style="list-style-type: none"> <li>- Significant sites will be protected by coordinating management activities prior to soil disturbing activities. Significant sites will be protected from vandalism, where needed, by signs, physical protection, and law enforcement.</li> <li>- Maintain significant historic sites on National Forest lands to preserve their historic value.</li> <li>- Interpret selected cultural properties for public enjoyment and education of cultural history.</li> <li>- Keep all locations confidential, except to those with a need to know.</li> </ul>	

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USFS			Based on preliminary Forest Service assessment of areas under water and adjacent to the reservoir; it appears that the lake's fluctuations and currents are having a negative effect on cultural resources. A bluff shelter near Corinth Recreation Area was found and all sediments of the bluff floor have washed away. Concern has been specifically expressed regarding potential impacts to cultural sites that may be exposed during drawdowns and extended drought conditions.	
USFS			Survey of all Forest Service sites during low water period.	
USFS			Identify pre-project archeological resources and determine appropriate disposition of the resources.	
USFS			Dependent on the inventory and survey information the Forest Service may require management practices such as: <ul style="list-style-type: none"> <li>- Phase I Survey of the Shoreline</li> <li>- Phase II Testing of Selected Sites as Mitigation of Impacts</li> <li>- Curation of Cultural Materials by 36 CFR 79 Standards</li> <li>- NAGPRA (Alabama Power bears expense)</li> <li>- ARPA Investigations (Alabama Power bears expense)</li> </ul>	
USFS			These three developed facilities were built to accommodate Reservoir-related recreation use. Issues associated with the management of these sites include: <ul style="list-style-type: none"> <li>- User demand may be exceeding the carrying capacity of the existing recreation facilities and causing site degradation.</li> <li>- Current Reservoir operations are negatively affecting these facilities by: in several ways: <ul style="list-style-type: none"> <li>- Causing some of the facilities to be inundated and unusable during the Forest Service managed use season.</li> <li>- Creating erosion from Reservoir fluctuations.</li> <li>- Depositing woody debris on beaches and day-use areas and rendering them unsafe and unusable.</li> </ul> </li> <li>- Lack of available resources is resulting in site operation and maintenance activities to fall below nationally established quality standards (Meaningful Measures).</li> <li>- Past and continuing operation and maintenance deficits have created a backlog of deferred maintenance and repair needs.</li> </ul>	
USFS			The Forest Service has records of use at these sits and facility condition surveys. Additional study is necessary to: <ul style="list-style-type: none"> <li>- Assess the current and future demand for water-related recreation facilities at the project. This study should address the types of recreation activities, projected growth in these activities, potential demand for new activities, and profiles of current and potential users.</li> <li>- As a part of assessing recreation capacity for the Smith Reservoir Recreation Plan, identify areas with the greatest suitability for developed recreation sites across all ownerships.</li> <li>- Analyze and correlate the effects of Reservoir operations on Forest Service developed sites, focused on site inundation, shoreline erosion, and effects on the availability of recreation opportunities and associated operational revenue.</li> </ul>	
USFS			Dependent on the inventory and survey information (and based on the Recreation Master Plan), the Forest Service has the following interests: <ul style="list-style-type: none"> <li>- Provide accessible boat launches during the managed-use season.</li> <li>- Prevent and/or restore the negative physical impacts in the three developed sites and surrounding area.</li> <li>- Provide facilities managed to establish national quality standards, and consistent with existing and projected user demand.</li> <li>- Provide for appropriate recreation activities at these sites (e.g., fishing access).</li> <li>- Provide developed sites that meet Forest Service standards, including accessibility.</li> <li>- Provide expanded education and interpretation opportunities.</li> <li>- Provide for needed facility and site repair.</li> <li>- As noted above, some physical capital improvements as well as some commitment to assist with maintenance costs/activities, particularly at the beaches and ramps will likely be a PM&amp;E, which will address many of these interests.</li> <li>- The level of APC's responsibility relative to some of the items above is debatable.</li> <li>- We clearly want to avoid full operation and maintenance responsibilities for USFS sites.</li> <li>- Better to accept some capital investment costs for upgrades, repairs, etc than to agree to O&amp;M items (with the beach being one possible exception due to direct tie to lake).</li> </ul>	
USFS			RECREATION FACILITIES SCOPE OF ANALYSIS - Smith Lake attracts recreationists to adjacent National Forest System Lands in some cases, creates water-based access to isolated parcels of NFSL. An appropriate analysis area must include evaluation of recreation activities on NFSL up to ½ mile from the Reservoir.	
USFS			The lake has created a demand for shoreline activities such as hiking, ORV trails and use, undeveloped recreational sites, access, corridor, home development sites and illegal dumping. Project effects such as these will continue over the life of the new license	

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			<p>and affected National Forest lands will need to be protected.</p> <p>Based on preliminary Forest Service assessment of areas adjacent to the Reservoir, about 10 sites more or less are not in conformance with LRMP direction and evidencing areas of denuded vegetation, compacted soils, solid waste and other sanitation concerns, and erosion resulting from OHV use. The number of sites will increase once a more thorough search can be conducted. Increased visitor use to the lake has occurred over the term of the existing license and this trend will continue over the life of the new license. The effects of motorized personal watercraft on National Forest Resources adjacent to Lake Lewis Smith are also an issue, especially in the lower section of the Sipsey Fork Wild and Scenic River corridor.</p>	
USFS			<ul style="list-style-type: none"> <li>- Inventory of dispersed activities and identification of their locations on NFSL within the study area (1/2 mile from the Reservoir).</li> <li>- At each identified site, quantify resource impact based on Forest standards.</li> <li>- Assess current and future demands for water-related upland dispersed recreation activities (including user profile).</li> </ul>	
USFS			<p>Dependent on the inventory and survey information (and based on Recreation Master Plan), the Forest Service may require management practices such as:</p> <ul style="list-style-type: none"> <li>- Site hardening</li> <li>- Trail development for fishing access</li> <li>- Sanitation facilities</li> <li>- Site restoration and monitoring</li> <li>- Close sites and offer alternative experiences in similar (nearby) settings.</li> </ul>	
USFS			<ul style="list-style-type: none"> <li>- Over the life of the existing license, the USFS has experienced an increased workload, processing requests from lakefront homeowners and developers for access corridors and utility special use permits across National Forest land. Over the life of the new license, this trend will continue as more private land adjacent to the lake becomes available for development.</li> <li>- Private shoreline development in Butler Branch, Dismal Creek, Brushy Creek, Corinth and Huston recreational areas has created unauthorized occupancy and use of NF lands, creating the need for the USFS to process additional special use, trespass and boundary claim cases.</li> <li>- Erosion/sedimentation due to illegal use of "closed" roads and other legal roadways to developments.</li> <li>- Loss of rare, inclusion, or PETS habitat due to increased demand, development, access, encroachment and lake inundation.</li> </ul>	
USFS			<ul style="list-style-type: none"> <li>- Survey affected National Forest parcels affected by private shoreline development to identify encroachment and trespass cases.</li> <li>- For effective shoreline management, consider utilizing the Forest Service's "Land Adjustment Plan" to acquire, exchange or accept via donation lands that would result in increased management efficiencies for affected NF land.</li> </ul>	
USFS			<p>Based on the results of inventories and studies, the Forest Service may require management practices and mitigation measures including, but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>- The principal Forest Service interest is to make certain that overall management of the shoreline is consistent with management of NFSL.</li> </ul>	
USFS			<p>Based on preliminary Forest Service assessment of areas adjacent to the reservoir there are some of the existing condition:</p> <ul style="list-style-type: none"> <li>- Decline in scenic quality overall due to development.</li> <li>- Potential impact to the scenery resources on federal lands due to transmission and distribution lines.</li> <li>- Impacts of developments on visual resources and the quality of recreation opportunities and experiences.</li> <li>- Visual impact and access impacts due to increasing numbers of shoreline structures.</li> <li>- The necessity for significant variations in the lake level creates a ring of exposed soil around the shoreline during low water conditions.</li> </ul>	
USFS			<ul style="list-style-type: none"> <li>- Evaluate potential vegetative management practices for transmission and distribution lines and access roads.</li> <li>- Evaluate the effects of reservoir operations on the aesthetic quality of the reservoir area.</li> <li>- Evaluate the current visual conditions of the reservoir and the surrounding landscape. Collect baseline data and analyze affects of anticipated changes in the landscape.</li> </ul>	
USFS			<p>Based on the results of inventories and studies, the Forest Service <u>may</u> require management practices and mitigation measures including, but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>- Surface treatments with colors and materials that will be in harmony with the surrounding landscape.</li> </ul>	

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Entity	Date	Individual	Summary of Comment	Disposition of Issue Request
			<ul style="list-style-type: none"> <li>- Use of non-specular conductors for the transmission lines.</li> <li>- Use of native plant species to screen or enhance views.</li> <li>- Reshaping and re-vegetating using native shrubs and plants in disturbed areas to blend with surrounding scenic characteristic.</li> <li>- Locating transmission facilities to minimize scenic impact.</li> </ul>	
USFS			<p>The USFS described the areas included in the Sipsey Fork of the West Fork River National Wild and Scenic River designation. They also outlined the outstanding remarkable values of this area.</p> <p>The initial question to be addressed is whether the project proposal invades the designated river. The term invade is defined as encroachment or intrusion upon. As of the date of designation of the Sipsey Fork, operation of Smith Reservoir under the terms of the existing license creates slackwater in the designated river corridor that varies with operational pool levels. However, the license allows the Army Corps of Engineers to require additional flood storage to an elevation of 522 feet. Part of the analysis under Section 7(a) will require determination of the area of slackwater created in the designated river at 522 feet. There appears to be a second component in evaluating whether the proposed project further invades the designated river – the length of time required in the license to return the pool to normal elevation (510 feet or less). The area of slackwater created at the highest possible pool elevation and the time allowed by the license to return to the normal pool elevation to provides the baseline for which future project operations will be judged under the first part of Section 7(a).</p> <p>The next question to be answered, relative to the standard in section 7(a), is whether the project proposal will “unreasonably diminish” any of the specified values. Given that the standard implies some diminution of values may be acceptable, there are two questions to consider:</p> <ul style="list-style-type: none"> <li>- Does the proposed project cause diminution of the scenic, recreational, fish or wildlife values of the designated river as present at the date of designation?</li> <li>- If there is diminution, is it unreasonable? This would suggest an evaluation of the magnitude of the loss. Factors to be considered include: (1) Whether the value contributed to the designation of the river (i.e., outstandingly remarkable); and, (2) the current condition and trends of the resource. (If diminution is determined unreasonable, measures may be recommended to reduce adverse effects to within acceptable levels.)</li> </ul> <p><b>Existing Project Effects</b></p> <ul style="list-style-type: none"> <li>- Scenery is affected by shoreline erosion resulting from project operations, both during normal pool operations and in flood storage events.</li> <li>- On-river recreation is affected by increasing use of the lower section of the designated river by motorized personal watercraft, changing the intended desired recreation experience. The steepness of surrounding banks limits in-corridor recreation activities adjacent to the Reservoir.</li> <li>- The riparian zone is affected by Reservoir operations, which subsequently affects fish and wildlife habitat.</li> </ul> <p><b>Proposed Project Operations</b></p> <ul style="list-style-type: none"> <li>- Any changes to the project as it was licensed to operate at the date of the River’s designation – 10/28/88 – will be subject to analysis under the previously specified standard of Section 7(a) of the Wild and Scenic Rivers Act.</li> </ul>	
USFS	3/12/02	Darryl Harley	The USFS wants to collect information during this relicensing regarding the draw that is occurring right and what they can anticipate as far as serving the general public in the future.	
Alabama Water Watch – Bankhead & Subbasin Action Committee	3/12/02	Russell Oliver	Pollution (green slime) going into Bankhead from upstream.	
Alabama Water Watch – Bankhead & Subbasin Action Committee	3/12/02	Russell Oliver	Flooding in the upper reaches of Bankhead Lake. He addressed operations of the Smith and Bankhead Projects as the reason for this flooding.	