

Decision Notice and Finding of No Significant Impact



Than Forest Resource Management Project Saco Ranger District White Mountain National Forest Town Of Jackson Carroll County, New Hampshire

1.0 Background

This Decision Notice describes my decision and rationale for the Than Project. It is based on site-specific interdisciplinary analysis and public involvement documented in the Environmental Assessment (EA) for the Than Forest Resource Management Project.

This project implements long term programmatic direction contained in the White Mountain National Forest Land and Resource Management Plan (hereafter referred to as the “Forest Plan”), which was revised in 2005. The Than project is tiered to the Environmental Impact Statement for the Forest Plan. The Forest Plan provides the framework for preserving and protecting the resources of the Forest, while at the same time making those resources available to the public for a variety of uses and experiences.

The Than Project is located in the Town of Jackson, in Carroll County, New Hampshire, on the Saco Ranger District of the White Mountain National Forest (WMNF). The Ellis River, Wildcat River and Wildcat, Bog, Davis and Than Brooks are the primary drainages in the Project Area. The Project Area lies within two Habitat Management Units (HMUs), the Wildcat River HMU (12,079 acres) and the east portion of the Ellis River HMU (2,120 acres).

A decision on this project was previously issued in May 2006. The project was administratively appealed on June 30, 2006 by four individuals or groups with standing, based on a number of issues or concerns. The appeal was reviewed by the Forest Supervisor who returned the project for additional analysis and disclosure of potential effects on the Ellis River, an eligible Wild and Scenic River. The EA was revised and made available for additional public comment in November 2006. Public concerns were identified and addressed in the form of revised alternatives, project design features, and/or additional analysis in the EA. The Environmental Assessment has now been finalized and I am issuing my decision based on the analysis found in that document.

2.0 Purpose and Need

2.1 Purpose of the Action

The Purpose of this project is to accomplish resource objectives and meet the overall management direction of the White Mountain National Forest, as established in the Forest Plan (USDA Forest Service 2005, Land & Resource Management Plan (LRMP), *Preface* page *iii*; and Chapter 1: Goals and Objectives). The proposed action for the “Than” project area describes site-specific management actions whose purpose is to move from the existing condition toward the desired future condition (DFC), as stated in the Forest Plan (FEIS, pgs. 1-8 to 1-9).

The Desired Future Conditions outlined in the Forest Plan were based on over five years of public involvement that resulted in a long range plan with broad-based public support. This direction was disclosed and documented in an Environmental Impact Statement consistent with the National Forest Management Act of 1976. The collaborative approach utilized in the preparation of the Forest Plan resulted in a final Record of Decision that was not appealed or litigated. This is one of the few times this has occurred anywhere in the nation over the last twenty-five year period.

The nearly 800,000 acres of the White Mountain National Forest were zoned or allocated to fifteen “Management Areas” (MAs) in the Forest Plan, each with specific management emphasis. The Than Project Area is within land designated as Management Area 2.1, or General Forest Management. The Forest Plan lists the Purpose for MA 2.1 as four-fold (USDA-Forest Service, 2005a, LRMP, p 3-3):

1. Provide high quality hardwood sawtimber and other timber products on a sustained yield basis.
2. Provide a balanced mix of habitats for all wildlife species.
3. Provide opportunities for a full mix of recreational opportunities on the Forest from low-use hiking trails to highly developed campgrounds, and meet ROS objectives varying from urban to semi-primitive motorized, in different locations and varying by season or presence of management activities.
4. Manage high-use or highly developed recreation areas to acceptable social and ecological standards; manage to retain some low-use and less developed areas.

2.2 Need for Change

In identifying the “need for change” in the Than project area, an “Interdisciplinary Team” (or ID Team) comprised of resource specialists examined the Existing Condition of the studied area and compared it to the Desired Condition. This helped them determine where change was desirable or where opportunities existed for management

action. In the case of the Than Project Area, the following “needs for change” were identified:

1. Forest Management Need. The Forest Plan describes the Desired Future Condition (DFC) for lands allocated to MA 2.1 as “a mix of deciduous and coniferous forest stands of various types. The stands will vary in size, shape, height, and tree species. Both even-aged and uneven-aged harvest techniques will be used.”

The ID Team determined there is a Need for a more diverse age class composition in the Than analysis area (Forest Plan, pgs.1-20 & 1-21), and for improved stand conditions to insure forest health, optimum tree growth, and quality of wood products (Forest Plan, pgs.1-17). Young forest stands (especially the 0-9 Age Class) and softwood stands are both under-represented in the Project Area (EA, Ch. 3 – Wildlife, and Vegetation/Silviculture). Vegetative change can be accomplished through sustainable forestry activities such as:

- (a) Even-aged regeneration harvest methods such as clearcutting to convert mature and overmature hardwood stands to vigorous young stands, which also provide early successional habitat on which many wildlife species thrive.
- (b) Uneven-aged harvest methods can be used to meet the Forest Plan composition objectives to increase the acres of spruce-fir and other softwoods (Forest Plan, pgs.1-20 & 1-21) or to meet scenery management goals of a “natural-appearing landscape” (pg. 1-16). This is done by removing co-dominant hardwoods where spruce-fir and other softwoods are present.
- (c) Thinning hardwood stands can be employed to improve species composition and to increase the health and vigor of the residual stands.

2. Wildlife Habitat Need. The Forest Plan establishes the Habitat Management Unit (or HMU) as the base analysis level for identifying habitat composition and age class objectives for an area. “Habitat at the landscape level will include a sustainable mix of young and mature forest. Permanent and temporary openings will occur across the landscape in shapes and sizes that are consistent with scenic objectives in an area. All communities that would naturally be present will be managed so that they are maintained or enhanced.” (USDA-Forest Service, 2005a, LRMP, p 3-3).

Tables 1A and 1B below show existing and desired conditions by vegetative community type. This comparison helps to identify our habitat need for change. It illustrates that there is a shortage of regenerating stands of early-successional northern hardwoods. Even-aged harvest methods can be used to convert some of the mature and overmature northern hardwood stands to a regenerating age class (0-9 years). In order to better meet habitat and stand structure objectives of the Forest Plan for Management Area 2.1 lands (LRMP, pp 1-20 to 1-22), the table also shows the need to release understory and co-dominant spruce, fir and hemlock trees from

competing hardwoods in mixedwood stands. Uneven-aged harvest (group selection and single tree selection) can be used to remove hardwood overstory trees from a spruce/fir understory and thereby increase their softwood component.

**Acres by Community Type in MA 2.1 within the analysis area
(Wildcat River HMU and part of the Ellis River HMU)**

Table 1A. Wildcat River HMU

Community Type	Existing	Desired Future Condition	Need
All Northern Hardwoods	1820	2385	565
Early-successional northern hardwoods	19	239	220
Spruce/Fir	712	2096	1384
Mixed wood	2347	394	-1953

Table 1B. Ellis River HMU

Community Type	Existing	Desired Future Condition	Need
All Northern Hardwoods	5121	4150	-971
Early-successional northern hardwoods	130	250	120
Spruce/Fir	177	1700	1523
Mixedwood	1557	1000	-557

3. Recreation Need. There are opportunities to provide recreation experiences and address resource concerns in the Analysis Area to meet Forest Plan objectives. Improved trailhead parking for the Bog Brook and Wildcat River Trails is needed, and a 750-foot trail relocation to connect the parking area to the trails. Also, a section of the Wildcat River Trail periodically washes out, and there is a need for 500 feet of trail re-location to correct this problem.

Also, the Forest Plan (pg. 2-24, G-5) states that “Special Use Permits for cross-country ski areas should provide more developed opportunities, including highly groomed trails and patrols, than Forest trails.” Since such a permit exists in this project area, we can pursue reasonable opportunities to enhance skiing experience, while also taking reasonable measures to minimize impacts of harvest to skiing managed under permit by Jackson Ski Touring Foundation.

4. Aquatic Ecosystem and Fish Habitat Needs. There are opportunities to restore large woody material in Wildcat River and Bog, Davis and Wildcat Brooks to improve fisheries and aquatic habitat. This would address Forest Plan objectives that address restoration of in-stream habitat (Forest Plan pgs. 1-15 & 1-16). Turn-of-the-century harvest activities (prior to establishment of the National Forest) led to a young forest condition with fewer natural tree falls into streams. Large woody debris in streams

creates pool habitat and decaying wood generates nutrients that aquatic organisms rely on.

5. Transportation System. The Project Area has been accessed by vehicle for management activities periodically in the past, often with low standard or “winter” roads. To accomplish Forest Plan management objectives, and to prevent or reduce long term erosion, existing roads need improvement and maintenance, and a small amount of new road construction. Transportation needs and road obliteration opportunities for this area were identified in a Transportation Analysis completed for this area in April 2006. That analysis identifies the minimum essential road system needed for management of this area as well as road decommissioning proposals.

3.0 Decision

3.1 Context for the Decision

The Proposed Action and alternatives for the Than project, as well as the analysis of their effects described in the environmental assessment, are confined in scope to the area of the White Mountain National Forest within which they are contained, and are tiered to the 2005 Land and Resource Management Plan. Neither this Decision Notice and Finding of No Significant Impact, nor the environmental assessment on which it is based, have application to any area outside the White Mountain National Forest, unless explicitly stated. The context for this decision is limited to the area described in the “Context and Scope of the Project”, described in the EA, Chapter 1.

With regard to specific national issues such as inventoried roadless areas (or IRAs), I am guided by, and I defer to, the recently revised White Mountain Forest Plan for which a roadless area inventory was completed. It is apparent to me from review of our Forest Plan that the inventory was completed in strict conformance with FS Manual 1950 and FS Handbook 1909.12. These directives describe the legal requirements for addressing potential Wilderness during the Revision process. (See Forest Plan FEIS, page 3-389 to 3-390.)

The roadless area inventory properly served its purpose to inform the Plan Revision process. Two areas, one in Wild River and the other adjoining the Sandwich Range Wilderness, were proposed for designation as new Wilderness. Then, in accordance with FSH 1909.12, the remaining areas identified as fitting the definition of roadless for Eastern National Forests, but not recommended for further Wilderness study, were properly made available through the Planning process for assignment to other Management Areas. The decision on the status of these remaining areas was resolved in the Forest Plan FEIS and Record of Decision. The Planning process ended in 2005 with the issuance of the Record of Decision that had broad support in New England, and was not appealed.

Therefore, the context for this project decision is the same as that of the Forest Plan on which it is based – it applies only to the land areas described, within the boundary of the White Mountain National Forest.

3.2 Decision

After thorough review, I have determined that the Environmental Assessment and the Project File provide sufficiently detailed analysis for me to make an informed decision. In addition to the Forest Plan, to which this decision is tiered, I have relied on my own experience of 25 years as a public land manager, and valuable feedback from local members of the public in the town of Jackson, NH.

I have decided to implement Alternative 4 as described in Chapter 2 of the Environmental Assessment (EA), with the one exception noted below. Alternative 4 includes all the activities listed on Tables 2 and 3, and Figure 1 on the following pages:

- Table 2: Summary of Proposed Activities for Alternative 4
- Figure 1: Than Project Selected Alternative (Alt. 4)
- Table 3: Harvest Planned for Selected Alternative (Alt 4) - contains a description of the forest type, acreage, treatment objective, harvest method, and season of operation for each unit.

Alternative 4 as described in the EA (Chapter 2 - Alternatives) also includes provisions to stagger and sequence the cutting of units in a way that prevents closure of the entire Carter Notch snow-bowl area to Nordic skiing in any one season. These provisions are adopted as part of my decision, and will be incorporated into the timber sale contract(s).

Forest Plan standards and guidelines, including design features listed on Appendix A of the EA, are incorporated into the project. These Standards, Guidelines, and design features all provide safeguards to minimize effects on visual quality, recreation experience, wilderness, heritage resources, water quality, soils, wildlife, fish, aquatic invertebrates, and sensitive plants.

As a result of this decision, timber harvest will occur on approximately 929 acres, or approximately 6.5 percent of the analysis area. An estimated 6.0 million board feet of timber will be removed from 34 treatment units. Up to 231 acres of early successional habitat will be created. Needed access is provided by three existing road systems (Forest Roads 233, 512, and 5555) that are to receive maintenance or re-construction. One 200 foot section of new road construction is planned to access a landing for units adjacent to private land (Prospect Farm). This short road segment would allow for a landing site on National Forest land. These roads will be managed during and after implementation of this project as they currently are: closed with a gate or barrier to control access.

Connected actions that are also authorized by this decision include; timber stand improvement (100 acres of regeneration release); 6 miles of aquatic and fish habitat improvement; two short trail segment relocations totaling 1250 feet; moving parking for Bog Brook Trailhead from private land to Federal or Town land; removal of a dilapidated structure; and decommissioning and (as appropriate) obliterating eight specific roads identified through Roads Analysis as no longer needed (listed in the EA, Chapter 1 under “Proposed Action” – “Connected Actions”).

Table 2: Summary of Proposed Activities for Alternative 4

Activity	Amount
Forest Management	Total - 929
Even-aged Management (acres)	
<ul style="list-style-type: none"> • Regeneration Cut <ul style="list-style-type: none"> ○ (Clearcut) (217) ○ (Shelterwood) (14) • Thinning 269 	
Uneven-aged Management (acres)	
<ul style="list-style-type: none"> • Individual Tree and Group Selection – includes softwood enhancement and • Single Tree Selection 384 	45
Connected Actions - Transportation	
<ul style="list-style-type: none"> • Pre-haul Maintenance of Existing Forest System Rd. 3 miles • Permanent System Road – Re-construction 2.8 miles • New Road Construction to a Landing 200 feet • Temporary Bridge Crossing of Ellis River (FR 5555) 1 bridge w/ sills • Temporary Skidder Bridges 5 • New Landings Constructed (#) 2 	
Similar Actions	
<ul style="list-style-type: none"> • Trail relocation 1250 feet • Timber stand improvement (regeneration release) 100 acres • Improving Fisheries Habitat Up to 6 miles • Decommission roads ----- 8 secondary roads: FR 5021, 5022, 5024, 5026, 5028, 95440, & 95441. 	

**Table 3: Harvest Planned for Selected Alternative (Alt 4)
Than Forest Resource Management Project**

Unit	Forest Type	Acre	Treatment Objective	Harvest Method	Operating Season
1	Hardwood	33	Quality hardwood	Thin	Fall/winter
2	Hardwood	37	Quality hardwood	Thin	Fall/winter
3	Mixedwood	18	Softwood development	Group Sel/STS	Winter
4	Hardwood	16	Regeneration	CC	SFW
5	Mixedwood	45	Softwood development	STS	Winter
6	Hardwood	61	Quality hardwood	Thin	Fall/winter
7	Hardwood	16	Regeneration	CC	SFW
8	Hardwood	15	Regeneration	CC	SFW
9	Mixedwood	32	Softwood development	Group Sel/STS	Winter
10	Hardwood	8	Regeneration	Shelterwood	Summer/fall
11	Mixedwood	22	Softwood development	Group Sel/STS	Winter
12	Hardwood	11	Regeneration	CC	SFW
13	Mixedwood	76	Softwood development	Group Sel/STS	Winter
14	Hardwood	18	Regeneration	CC	SFW
15	Mixedwood	30	Softwood development	Group Sel/STS	Fall/winter
16	Mixedwood	126	Softwood development	Group Sel/STS	Winter
17	Hardwood	13	Regeneration	CC	SFW
18	Hardwood	14	Quality hardwood	Thin	Fall
19	Hardwood	19	Quality hardwood	Thin	Fall
20	Hardwood	18	Regeneration	CC	Summer/Fall
23	Hardwood	23	Quality hardwood	Thin	Fall
24	Hardwood	13	Regeneration	CC	Summer/fall
25	Hardwood	23	Regeneration	CC	Summer/fall
26	Hardwood	16	Quality hardwood	Thin	Fall
27	Hardwood	64	Uneven-aged Mgmt.	Group Sel/STS	Fall
28	Hardwood	37	Quality hardwood	Thin	Fall/winter
29	Hardwood	9	Regeneration	CC	SFW
30	Mixedwood	16	Softwood and Q hardwood	Group Sel/STS	Fall/winter
31	Hardwood	17	Regeneration	CC	SFW
32	Hardwood	29	Quality hardwood	Thin	Fall/winter
33	Hardwood	16	Regeneration	CC	SFW
34	Hardwood	6	Regeneration	Shelterwood	Summer/Fall
37	Hardwood	10	Regeneration	CC	SFW
38	Hardwood	22	Regeneration	CC	SFW
Total		929			

Table KEY: (next page)

Table KEY:

Harvest Method: the silvicultural prescription, or type of harvest proposed for a given Unit.

Group Selection= small openings averaging 1/2 acre, spaced throughout, and treating up to 20 % of a Unit.

STS= Single Tree Selection, an uneven age management system that retains a representation of existing species and ages of trees while reducing stand density to an approximate Basal Area of 80 to 90 square feet.

CC= Clearcut, a cut method that removes all merchantable trees except in reserve patches, and creates an opening for regeneration of new trees.

Thin = Thinning a stand by removing smaller trees, damaged trees and low value or short lived trees to a Basal Area of 70 square feet.

Forest Type – represents the primary species composition of the Unit.

Treatment objective –harvest methods are designed to meet the Purpose and Need for treatment in each Unit, resulting in development of a particular type of vegetative habitat.

Operating Season - Time of year when harvest activities are scheduled to occur. Operating is allowed during the specified season. Activities may occasionally occur outside these periods when soil conditions and other resource considerations allow.

SFW= Summer, Fall, and Winter operating seasons.

3.3 Reasons for Decision

I have tried hard to strike a delicate balance. I've worked to develop a decision that responds to the Goals and Objectives of our Forest Plan. I've also tried to address specific concerns raised by the public during the planning of this project. I recognize that people feel strongly about their public lands, and specifically about current and future conditions on the White Mountain National Forest. The Regional Forester made programmatic decisions about the White Mountain NF in the Forest Plan, which helped me place this project in the broader contexts of Forest and regional landscapes. He recognized the challenge of meeting all demands and expectations when he wrote in his Record of Decision (page 22):

I also fully understand that there are many, and sometimes conflicting, demands and expectations for this public land called the White Mountain National Forest. In some cases, in order to meet long-term sustainable goals, not all these demands and expectations can be met from a finite resource base. Sometimes one person's values and desires cannot be met without having an effect on another person's values and desires. However, in my decision I have looked for an alternative that best meets the demands and expectations, ensures the long-term sustainability of the National Forest, and responds to the laws and policies under which the Forest Service must work.

The Than Resource Management Project is a good example of the above description. There have been intense feelings on both sides of several issues. For instance, residents along Carter Notch Road, the Selectmen, and some townspeople preferred winter hauling for reasons of public safety, noise, and possible road damage; while Nordic skiers, Jackson Ski Touring Foundation (JSTF), and some townspeople preferred summer and fall hauling to minimize the effects on winter recreation (Nordic skiing) and recreation-dependent businesses. Still others such as businesses along Route 16B objected to heavy trucks during any season, due to

potential effects to historic sites. Similar polarity was demonstrated on other issues such as early successional habitat and roadless character. I made every effort to address these issues while still accomplishing the purpose and need outlined for this project.

I have selected Alternative 4 because it implements the Forest Plan, responds to public input, and meets the Purpose and Need for this project, as elaborated below.

1. Implements Forest Plan goals & objectives. First and foremost, the Than project is the product of a faithful effort by our interdisciplinary team to implement the recently revised White Mountain Forest Plan.

The Environmental Assessment (Chapter 3) for the revised Than project describes how effectively each alternative implements Forest Plan direction. It is my determination, based on a thorough review of the EA, that Alternative 4 comes closest of all the alternatives to meeting the intent of the Forest Plan goals and objectives.

Specifically, Alternative 4 will:

- **Provide wood products** (approximately 6.0 million board feet) to the local economy and a source of revenue for Jackson Township and the US Treasury while providing for the continued development of quality timber stands and forests for the future (EA Chapter 3 – Vegetation & Silvicultural Practices).
- Generate 231 total acres of **early-successional habitat** (of which 217 is clearcut) in the Ellis River and Wildcat HMUs where only 149 acres of it currently exist, providing foraging and nesting habitat for many species (EA Chapter 3 - Wildlife).
- **“Increase softwood habitat”** by up to 364 acres, thereby improving habitat diversity (EA Chapter 3 - Wildlife).
- Use uneven-aged management to retain **mature and overmature habitat** in managed stands for species that use it (EA Chapter 3 - Wildlife).
- **Improve recreation facilities** by creating a new trailhead parking area and improving an existing trail by relocation (EA Chapter 3 - Recreation).
- **Improve aquatic and fish habitat** (EA Chapter 3 - Fisheries).
- Maintain **water quality** within the watersheds, including the Wildcat Wild and Scenic River and the Ellis River (EA Chapter 3 – Water Resources).
- Maintain **forest health, stand vigor, and forest soil productivity** through the application of sound forestry practices and Forest Plan and its Standards and Guidelines (EA Chapter 3 – Vegetation & Silvicultural Practices, Wildlife, and Soils).
- Maintain the **visual quality and scenic appearance** of the area when viewed from Wildcat Peak, Mount Washington, Hall’s Ledge, and other vantage points (EA Chapter 3 – Scenery).

2. Addresses “Roadless” concerns.

Some commenters have suggested that no activities should occur in areas inventoried for roadless characteristics during the Forest Plan, in order to meet their desires or

expectations for the Forest. While I understand their specific viewpoint, I believe the project can do both: meet the overall goals and objectives of the Forest Plan, and continue to provide many other values and experiences in the long term. The Than project does so.

The Forest Plan recognized the importance of unroaded landscapes which provide older forest conditions and large blocks of non-manipulated landscapes valued for both ecological and social character. These unroaded landscapes make up 53% of the 800,000 acre White Mountain National Forest. The remaining 47 percent of the Forest includes management emphasis that provides for forestry activities, road systems for public access, wildlife habitat projects, non-motorized trails, Nordic and downhill ski trails, snowmobiling, and a host of other activities. Many of these activities occur in areas allocated to the General Forest Management Area (or MA 2.1).

The Than project area lies within this General Forest Management Area 2.1 identified in the Forest Plan. As part of the Forest Planning effort, an inventory of roadless characteristics was completed for the whole Forest, to (1) inform the allocation process and (2) help with Wilderness recommendations to Congress. Approximately 55% of this Than project area fall into land that was inventoried as having “roadless” characteristics during the Forest Plan, despite having been actively managed for forest products over the last 40 years (EA, Chapter 3, Figure 13).

Proposed actions included in Alternative 4 will not significantly alter the character of the area or the qualities which qualified it for inclusion in the inventory. Analysis included in the EA (Chapter 3 – Roadless; Wilderness) demonstrates that these qualities would not be affected because the harvests are of limited intensity and minimal road systems will be used.

Proposed actions in the Than project within areas inventoried for roadless characteristics in 2005 include 464 total acres of harvest treatments and 200 feet of new road. The effects of these activities on Roadless character are displayed in Table 37 in the Roadless section of the EA. Table 38 shows similar data, cumulatively for other past, present and known future effects to roadless, including an estimated total of 937 acres of harvest within the entire IRA, or less than 2% of the IRA. The EA demonstrates that actions proposed in Alternatives 4 will not have a lasting or significant effect on the roadless character of the area (as defined by FS Handbook 1909.12, Ch. 7.11b).

Finally, none of the activities will occur in areas that were included as part of the 2001 Roadless Area Conservation Rule (RACR). The 2001 rule specifically addressed 58,518,000 acres on all National Forests nationwide (RACR, FEIS, Volume 1, Table 3-1, page 3-4), Furthermore, the 2001 Roadless Rule states:

*“The **58.5 million acres** (emphasis added) of inventoried roadless areas used as the basis for this analysis were identified from the most recent analysis for each national forest or grassland, including RARE II, land and resource management planning, or other large-scale assessments such as the Southern Appalachian Assessment.” (from Roadless Area Conservation Rule published in Federal Register on Friday, 1/12,2001, page 3246)*

On the White Mountain National Forest, the four-volume FEIS for the 2001 Roadless Area Conservation Rule clearly applies specifically to 241,000 acres of this Forest (excluding Wilderness), as shown in FEIS Volume 2 (Maps of IRAs), page 126. An accurate map of the 2001 Roadless Rule boundary in the vicinity of Than project area is found in the EA, Chapter 1 - Figure 4.

Therefore, it is my determination that Alternative 4 will allow the accomplishment of wildlife habitat improvement and forestry objectives, while also maintaining the options for a broad range of future management options, including management for primitive or roadless values.

3. Protects Wild & Scenic River attributes. As described in the EA (Chapter 3 – Wild & Scenic Rivers), the activities proposed in Alternative 4 comply fully with the Comprehensive River Management Plan of the “Wildcat Wild and Scenic River” and preserve the river’s Outstandingly Remarkable Values (ORVs). Several harvest units were located in the vicinity of Wildcat Brook and Bog Brook, which are categorized as “Wild” rivers under the Wild and Scenic Rivers Act. All units are located outside of the Wild & Scenic River boundary. Two units from the original Than project were totally dropped (Units 21 and 22), in part to preserve the integrity of the Wild & Scenic River. Other Alternative 4 proposals, such as stream restoration, are designed to enhance the aquatic ecosystems of Wildcat and Bog Brooks, by accelerating the return of down woody debris in the stream, a characteristic of “Wild” streams that is currently lacking.

In addition, the selected alternative will maintain the unique characteristics of the Ellis River for which it is listed in the Forest Plan as an “eligible” Wild and Scenic River (EA Chapter 3 – Eligible Wild & Scenic Rivers). All potential “outstandingly remarkable values” (ORVs) for the Ellis River are protected. This segment of the Ellis River would most likely fit the “Recreation River” classification if designated. The EA concludes that “the Than Project may have minor, short-term impacts on the ORVs”, but the proposed activities will not significantly alter the free-flowing character of the river or its eligibility for future consideration under the Wild and Scenic Rivers Act.

4. Addresses socio-economic effects. The EA (Chapter 3 – Socio-Economic Effects) contains an analysis of socio-economic effects. The analysis is confined to those direct effects of management activities on National Forest that can be reliably predicted or measured, and is not intended to be comprehensive. The prediction of economic and social effects can be subject to wide variability due to economic and human behavior factors outside of the National Forest.

The value of forest products from this project will help provide jobs, sustain local mills, and provide revenues back to the local area through yield tax and 25% revenues. Based on the comparative analysis of alternatives contained in the EA, I am confident that Alternative 4 will provide for the highest net receipts, tax revenues, and returns to the federal government and the Town of Jackson of all 5 alternatives. Alternative 4 also incorporates measures that should minimize the potential for adverse effects on recreation

visitation or tourism, and the corresponding social and economic effects to the community of Jackson that are feared by some respondents.

Socio-economic analysis conducted for the Forest Plan confirms the importance of recreation and tourism to the local economy of Jackson. Jackson is cited in the Forest Plan's "Socio-Economic Assessment..." as being one of only 3 towns on the White Mountains with median home values over \$250,000. The high values in these three towns are associated with recreation and seasonal home development (Assessment, page 32). This is true of Jackson. Further, the Assessment cites Nordic skiing as a growing recreation use and significant contributor to local economies.

"Major ski destinations in Conway, Bartlett, and Jackson, coupled with the retail, dining, and lodging businesses employ a large percentage of the residents in these communities." (pg. 90).

I have considered this information in trying to select an Alternative that implements the Forest Plan while recognizing the value of recreation and tourism to the local community. I believe Alternative 4 accomplishes that the best. It would spread out potential Nordic Trail closures over three to five years, and, most importantly, it would keep at least half of the trail system (thru Prospect Farm) open at all times. This would reduce the social and potential economic impacts to the community and businesses of Jackson.

5. Minimizes adverse impacts to Nordic skiing. There was public concern expressed about the potential closure of the Prospect Farm area to Nordic skiing for one or more seasons, both in letters received during the 30-day comment period and at the December 4 public meeting in Jackson. *Alternative 4 was changed as a direct result of these concerns after the public meeting.* Alternative 4 best addresses the concerns by staggering the harvest schedule over a longer period of time, and by requiring units to be logged sequentially in such a way that will prevent the east and the west sides of Prospect Farm from being closed simultaneously to winter recreation. It prevents both FR 233 and FR 512 from being simultaneously plowed and closed to skiing in the same winter. This will have the affect of preventing the closure of the Prospect Farm area to Nordic skiing, and allow the area to continue to serve as the "lifeboat" for Nordic skiing, as cited in many letters. By connection, this will also benefit local schools who rely heavily on the area for training of their ski teams, especially during marginal snow years.

Alternative 4 also provides for improvements to Forest Road 512 that will benefit Nordic skiing when the harvest is concluded. This road serves as the "Quail Trail" in the winter, and proposed improvements will better suit it for long-term grooming. It will also make the road surface better suited for early-season trail grooming, thereby increasing the quality of skiing and the season length.

6. Protects roads by allowing for winter hauling. Some commenters expressed a concern that there is not enough winter truck hauling included in the project. Winter hauling is considered less damaging to roads, and therefore they contend we should allow as much winter hauling as possible. This is of particular concern to the Town of Jackson Select Board, whose road agent has maintenance responsibility on all town roads. In Alternative

4, although it was necessary to exclude winter logging in some units to prevent closure of ski trails, a majority of the units to be hauled on Carter Notch Road (19 of 29, or 65%) allow for or require winter hauling. The result is that a significant amount of the timber hauling should be able to occur in the winter season, when less road damage is likely to town and state roads. (For some commenters, winter hauling was also preferable because they perceive it to have fewer pedestrian safety issues.)

7. Distributes socio-economic benefits and adverse effects over longer period of time. There was public concern that the bunching of so many forest management projects over the last 2-3 years (first “Popple”, then “Than”) was having inordinate economic and social impacts on the community of Jackson. We ordinarily try to distribute timber harvest projects over space and time so towns do not experience an inordinate impact. It allows towns to manage yield tax revenues from NF timber in a more measured way rather than “boom or bust”. And it has a less dramatic effect on social life in the community. Projects in the Jackson area were held up several years awaiting the completion and approval of the Wildcat Wild and Scenic River management plan, which has resulted in the current flush of activity. Alternative 4 addresses this issue somewhat, by allowing the harvest activities to be harvested over a longer period of time. Staggering the harvest will also have the positive affect of spreading truck hauling on Carter Notch Road and associated effects on noise and pedestrian safety over longer period of time.
8. Responds best to specific issues and concerns received from the public. Finally, I selected Alternative 4 in large part because it was the product of vigorous public involvement and collaborative efforts to resolve public concerns. As stated earlier, we received many comments from a very diverse number of people for the Than project. This project has had two comment periods, two public meetings, and much public interest. Over 90 people and organizations provided written comments on the project, and approximately 120 people attended the two public meetings combined. We have actively sought to be available and responsive as this project developed. We have actively listened. Several aspects of the selected alternative (Alternative 4) were a direct result of trying to address these concerns, such as the staggering of harvests and changes to Unit 25 harvest to further minimize visual quality effects at Hall’s Ledge overlook. Other actions were taken in response to comments we heard: for example, Carter Notch Road was nominated to NHDOT as a “Forest Highway”, which if approved would qualify the road to receive fuel tax funds toward road improvement.

The public involvement process effectively brought public issues to the forefront, and provided for dialogue which eventually has brought this collaborative effort to conclusion. Alternative 4 accomplishes the stated objectives for this project (purpose of and need for action) in a way that best meets public needs and public concerns, and minimizes resource impacts. Several respondents during the 30-day comment period agreed with this determination. Included in Appendix F are letters from prominent conservation organizations and individuals who were heavily involved in the Forest Plan revision process, and who support proposed actions in the Than project.

In summary, Alternative 4 was specifically created to respond to comments received during the official comment periods for the Than project. This included comments from numerous individuals, including Jackson Ski Touring Foundation, Society for the Protection of New Hampshire Forests (SPNHF), Sierra Club, New Hampshire Timberland Owners Association, Mount Washington Valley Economic Council, Audubon of New Hampshire, NH Division of Forests and Lands, Inn owners in the Jackson area, The Wilderness Society, New Hampshire Wildlife Federation, Mount Washington Nordic Club, and the Town of Jackson Selectmen. We have strived to understand the ideas and issues of each respondent, and to incorporate our response into the analysis. These public responses led to the development of Alternatives 4 and 5, and a better project. For all these reasons, Alternative 4 is the best choice for managing these public lands in accordance with the revised Forest Plan.

3.4 Other Alternatives Evaluated but Not Selected

In addition to issues raised during the scoping process and the design features and effects of the selected alternative, I considered the design features and effects of three additional action alternatives that addressed the Purpose and Need for this project, and the No Action Alternative. The effects of these other alternatives are disclosed in the EA.

Alternative 1: No Action

Under the No Action alternative, current management plans would continue to guide management of the Analysis Area, and no timber harvest or connected actions would take place in the Project Area at this time. Vegetation management, fishery and riparian habitat enhancement, trail improvement, wildlife opening, and road improvement activities would not occur at this time.

I did not select this Alternative because it neither accomplishes the Purpose and Need for Change, nor does it achieve Forest Plan goals and objectives for MA 2.1 lands in these HMUs. While taking No Action would avoid generating issues regarding management of this area, it would do so at the expense of implementing the Forest Plan in this area. Stand conditions would remain unchanged, except as affected by natural disturbance and natural processes. Creation of early-successional habitat from clearcuts would not occur. No sawtimber or other timber products would be generated by timber harvest in the Project Area at this time. A lack of regenerating stands could effect habitat conditions for a variety of wildlife species including Management Indicator Species chestnut-sided warbler and ruffed grouse. This is because development of habitat these species depend on would not be started with this action, nor would it subsequently develop into older age classes as discussed in the EA.

Alternative 2

Alternative 2 was originally designed to address the need for change in the analysis area with the optimal prescriptions, harvest proposals, and connected actions. Alternative 2, the Proposed Action, was developed prior to the first 30-day comment period with the most

current information available after preliminary scoping of known interested parties. Though it would have moved the HMU toward attaining wildlife habitat diversity objectives and other Forest Plan goals, it does not fully respond to social and economic issues related to winter recreation in the project area raised by local residents, local businesses, and the Nordic community. It partially responds to the need to create hardwood early successional habitat, although as some commenters pointed out, it stops short of fully meeting Age Class Objectives for regeneration habitat (Forest Plan page 1-21) by over 150 acres. Alternative 2 would increase the softwood component in mixedwood stands, provide for sustained timber production, and improve other resource conditions in the project area as described in the connected actions. However, especially considering all of the public comments, most of the Forest Plan and project objectives would be better met with Alternative 4, and with less impact to the local community.

Alternative 3

Alternative 3 responds to known concerns about effects on Nordic skiing due to winter harvesting. It does so by eliminating all winter harvest on Forest Road 512, allowing only for summer and fall use of that road system for timber haul. This would likely increase the amount of summer hauling on Town roads, but would make impacts to JSTF and Nordic skiing somewhat more manageable.

I did not select this alternative because, while it meets the “purpose and need for action” and reduces impacts to winter recreation, like Alternative 2 it meets Forest Plan objectives for early successional habitat to a lesser extent than Alternative 4.

Alternative 5

Alternative 5 responds to public concerns about harvesting trees and improving roads within the 2004 Inventoried Roadless Area (IRA). It did so by eliminating all proposed harvest and riparian improvement treatments within the IRA.

I did not select this alternative because it would only meet the “purpose and need for action” to a greatly reduced degree than the other action alternatives, including alternative 4. Alternative 5 would mimic the No Action alternative on 55 percent of the Project Area, or conversely stated, would apply Forest Plan Goals and Objectives to only 45% of the acres proposed for treatment in Alternative 2. While this Alternative would clearly minimize management in that portion of the Project Area determined during Forest Plan revision to have roadless attributes, it would do so at the expense of meeting other Forest Plan Goals and Objectives in those same areas. Alternative 5 creates the least amount of wildlife habitat diversity because of the reduced amount of areas harvested, as described in the Wildlife section of the EA. This alternative also has the least amount of watershed and fish habitat improvement work proposed.

3.4 Alternatives Considered but Not Fully Evaluated

Five other alternatives were proposed and briefly considered, but not fully evaluated in the Environmental Assessment. They are briefly listed below. These alternatives were dropped from further consideration after preliminary analysis due to failure to meet purpose and need, impracticality, and/or significant adverse environmental effects. More detailed explanations can be found in the EA, Chapter 2 – “Project Alternatives Considered and Eliminated from Further Study”.

- *Analyze an alternative that proposes only uneven-aged management.*
- *Analyze an alternative that proposes even-aged harvest, but with no clearcuts.*
- *Summer/Fall Only Harvest for all units.*
- *Winter Only Harvest for all units.*
- *Nordic Ski Trail to East Pasture proposal.*
- *Alternate access Route from the Project Area, west, directly to State Highway 16 via the proposed bridge over the Ellis River.*

4.0 Public Involvement

As mentioned earlier, this is the second Decision Notice issued for the Than project. Extensive public involvement efforts went into the completion of the first Environmental Assessment and Decision Notice issued on May 16, 2006. Those public involvement efforts are described in the first Than EA, pages 1-18 and 1-19, including a well-attended public meeting in Jackson Town Hall on February 13, 2006. The Forest Service response to comments is found in the first Than EA, Appendix F.

For the current effort to complete a revised Than EA, an additional round of public involvement was accomplished as described below. I believe the EA does an efficient job of responding to and addressing the substantive public comments received during this most recent effort.

- a. Schedule of Proposed Actions. The Than project has been listed in all of the Schedules of Proposed Actions (SOPAs) for the White Mountain National Forest since July 2005. This publication is available on the Web site for the White Mountain National Forest (www.fs.fed.us).
- b. Scoping - Public Involvement during Early Project Planning. During the initial stages of preparation of the current Than project, the Saco District Ranger used several sources to scope issues for the project. He worked directly with the ID Team, the Selectmen for the Town of Jackson, the Jackson road agent, Jackson Ski Touring Foundation (JSTF), the town forester, and other known interested parties to obtain their advice on likely issues and opportunities. The Notice of Appeal and the Appeal Reviewing Officer’s letter for the first Than project were also used as a basis for several “scoping” revisions to the EA. Also, time was taken to incorporate guidance from a recent Ninth Circuit Court ruling regarding the 2001 Roadless Conservation Rule. A revised Environmental Assessment was completed in November, 2006.

- c. 30-day Public Comment Period. On November 18, 2006, a revised Environmental Assessment for the Than Forest Resource Management Project was released for public comment.

A total of sixty-four individuals and groups responded during the 30-day EA comment period from November 18 to December 18, 2006. Each letter received during the 30-day public comment period was reviewed to identify issues and concerns. A total of 59 discernible comments were identified and addressed (EA Appendix F). Another public meeting was held at the Jackson Town Hall during the second comment period, on December 4, 2006, to inform the public of the proposed action and alternatives, to receive public comments, identify issues, and answer questions.

This comment period for the Than project generated many substantive comments. Some of the comments were similar to those received during the first comment period, and some were new. Consideration of additional comments received and our response to those comments can be found in the EA, Appendix F – “Comments on the Than Project and Forest Service Responses”. Some issues brought up by respondents were used to develop or refine alternatives (EA Chapter 2), and some were used to better focus our analysis of effects (see EA, Chapter 3 and Appendix F). This EA will be sent to those who commented and is available upon request and also on the WMNF web site.

- d. Public Notification of this Decision Notice/FONSI and Availability of the final EA. The final EA for this project is available for review. All individuals and organizations who commented during the recent comment period will receive a paper or electronic copy of this Decision Notice and FONSI, and the EA including the Forest Service Response to Public Comments (Appendix F). The EA and the Decision Notice/FONSI will also be posted on the White Mountain National Forest web page at: (www.fs.fed.us/r9/forests/white_mountain).

4.1 Issues Used to Formulate Alternatives

Issues received from the public and Forest Service specialists were separated into three groups: “Issues Used to Develop Alternatives”, “Issues Addressed by Meeting Forest Plan Standards and Guidelines”, and “Other Issues Brought Forward During Public Involvement”. The following issues were used in formulating alternatives to the proposed action.

1. ***Concerns that winter timber hauling on Forest Roads 233 and 512 may preempt or otherwise adversely affect winter recreation (Nordic Skiing) in the Carter Notch/Prospect Farm areas for one or more seasons;***
 - Alternatives 3 and 4 were written or revised to address this issue.

2. ***Concern that harvest openings (clearcuts) may adversely affect scenery as viewed from scenic viewpoints such as Hall’s Ledge, Carter Notch, Black Mountain Cabin, Bear Peak, Wildcat Peak, Iron Mountain and Mount Washington;***
 - Alternatives 4 and 5 were written or revised to address this issue.

3. *Concern that proposed harvest and road improvement may affect certain roadless characteristics of the Wild River Inventoried Roadless Area (IRA);*
 - Alternatives 4 and 5 were written or revised to address this issue.
4. *Concerns that proposed actions may adversely affect the characteristics of the Ellis River as relates to its eligibility status as a Wild and Scenic River.*
 - Alternatives 4 and 5 were written or revised to address this issue.

4.2 Other Issues

Some issues related to possible local effects are incorporated into the discussions in Chapter 3 of the EA under the related resource. They are either addressed in the EA effects analysis in chapter 3, or through application of Forest Plan standards and guidelines, or through design features or mitigation measures (EA Appendix A). These issues included:

- Concerns about effects to historic or archeological sites
- Concern about effects to Wildlife (silvicultural treatments)
- Soil and water quality effects from the project including the Connected Actions;
- Public Safety on Carter Notch Road and in the project area;
- Social and potential economic effects to local community
- Effects to hiking trails;
- Concerns about falling short on Forest Plan goals and objectives for early successional habitat and spruce-fir restoration.

5.0 Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment, considering both the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

5.1 Context of Effects

This project, and the environmental assessment on which it is based, applies only to the Wildcat River and Ellis River HMUs. The context for this Decision Notice is the immediate project area within White Mountain National Forest only. Neither the effects analysis nor this Decision Notice apply to decisions that may be made elsewhere, either Regionally or Nationally. After a thorough review of the effects analysis contained in the EA, I can find no basis for concluding that this project has significance (both short-term and long-term) beyond the bounds of the White Mountain National Forest. The reasons for my conclusions are more specifically and fully described in the paragraphs that follow.

5.2 Intensity of Effects

This refers to the severity of impact, as defined by the Council on Environmental Quality (CEQ) regulations 40 CFR 1508.27. The following 10 factors are considered in evaluating intensity:

1. Both Beneficial and Adverse Impacts have been Considered. (A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.)

Both beneficial and adverse impacts of implementing Alternative 4 have been considered in the EA (Chapter 3). There are likely to be both beneficial and adverse effects to certain resources from taking the proposed actions in Alternative 4. However, the EA demonstrates that these effects are relatively minor, of short duration, and they are not directly, indirectly or cumulatively significant. In the end, the sum total of all effects should be positive, and not significant in scale.

2. Effects on Public Health and Safety

There will be no significant effects to public health and safety because project design features will minimize resource impacts, and will provide safe public access and use of the project area. Alternative 4, with its scheduling of harvest seasons and staggered use of key Forest roads during project implementation, is designed to minimize potential conflicts between timber harvest activities and winter recreation use. These progressive adjustments restricting log haul to certain roads during high use seasons should provide an added measure of public safety (see EA sections for Recreation, Social/economic). Analysis found in the EA (Public Safety & Heritage chapters) addresses public concerns that were expressed during the comment period regarding the weight and speed of trucks traveling near inns, recreation sites, golf courses, and other seasonal pedestrian areas. Based on NHDOT traffic counts, logging truck traffic for this project would add less than 1 percent to the Average Daily Traffic (ADT) on Highway 16B, which averages between 630 and 950 vehicles per day. All logging equipment will be required to meet posted weight limits and speed limits on public roads. Public safety on Carter Notch Road, State Route 16B, and other open public roads can be adequately assured through enforcement of public road regulations, ordinances, weight limits, and speed limits, just as it is for other traffic.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There will be no significant effects to unique characteristics of the area, or to prime farmland, or heritage resources within the project area. There are no ecologically critical areas, such as wetlands, wild and scenic rivers, adjacent parklands, or Wilderness within the project area. Based on the EA (“Wilderness and Roadless” chapter), I have determined there will be no significant effects to the roadless or wilderness character of an Inventoried Roadless Area, nor will any of the proposed activities affect the availability of the Wild River Inventoried Roadless Area for inclusion in future roadless inventories.

The effects analysis contained in the EA clearly demonstrates that changes in forest cover will be detectable only within the project area boundary or from a limited number of vantage points in the immediate surrounding area (pp. 3-15 to 3-17). Furthermore, these changes will be of a temporary nature, and not on a scale that forecloses the area from roadless or wilderness consideration now or in the future. There will be minimal permanent change to the landscape from new road construction (200 feet) or trail construction (1250 feet relocation). All proposed activities are well within allowable limits for Eastern Wilderness. Less than one percent of the Wild River IRA will be harvested in this entry as a result of Than. Even when this project is combined with all the past, present, and reasonably foreseeable harvest in the area, it comes to less than 3% of the total Wild River IRA - nowhere near the 20% allowed. All of the planned activities combined do not directly, indirectly or cumulatively add up to a significant effect to the Wild River IRA. The effects of this project are even less significant when considered at the Forest level where, after decades of active management, we still record "27 Roadless Areas totaling over 403,000 acres Forestwide" (EA Page 3-88). Clearly, active management on the Forest has not adversely affected its generally primitive "roadless" character. The Than project is a relatively minor local entry into an inventoried roadless area, and not significant enough to require an EIS or set a National precedent.

The selected alternative does not violate standards set for Outstanding Resource Waters for New Hampshire nor does it adversely affect Threatened or Endangered species, Regional Forester Sensitive Species, or Management Indicator Species.

The EA also very adequately addresses potential effects of the project on eligible Wild and Scenic Rivers (Ellis River) or on existing Wild and Scenic Rivers (Wildcat River). The selected alternative does not violate standards set for designated Wild and Scenic Rivers or the Wildcat River Comprehensive River Management Plan, which was incorporated as part the revised Forest Plan (2005). And it does not adversely affect outstandingly remarkable values for the eligible Ellis River (EA, Ch. 3, Wild and Scenic Rivers).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial

Consultation with other State and Federal Agencies (including New Hampshire Fish and Game, U.S. Fish and Wildlife Service, NH Department of Transportation, and New Hampshire Historic Preservation Office) did not produce any scientific controversy regarding the projects direct, indirect or cumulative effects on the social, physical and biological environment (see EA, Chapter 3). Therefore I have concluded that the effects of this project on the human environment resulting from this decision to implement Alternative 4 are not highly controversial. This is based on (1) the extensive public involvement and the subsequent responsiveness of the Alternatives, particularly the selected Alternative 4, in responding to comments received during the 30-day comment periods; (2) the involvement of specialists from other State and Federal Agencies; and (3) the analysis by Forest Service resource specialists documented in Chapter 3 of the EA. Issues involving potential adverse effects are largely resolved through project design, particularly as it relates to soils and water quality effects (see EA and Appendix A). All actions proposed in Alternative 4 are within the standards and guidelines of the Forest Plan. Ongoing research at nearby Bartlett

Experimental Forest also reinforces the scientific validity of prescribed activities proposed in this project and the Forest Plan.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The White Mountain NF has considerable experience with the types of activities to be implemented in this project. The EA analysis shows the effects are not uncertain or significant, and do not involve unique or unknown risk (Chapter 3). The range of site characteristics are similar to those taken into consideration and disclosed in the Forest Plan FEIS, Chapter 3, and the effects of this project are within the range anticipated in the FEIS Chapter 3 and Record of Decision. Therefore, application of Forest Plan standards and guidelines are expected to be effective. Past knowledge gained through records of timber sale inspections, stand examinations, monitoring and research have provided a basis for determining the effects likely to occur under each of the Alternatives and disclosed in the EA.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration

This action does not establish a precedent for future actions with significant effects. The timber harvest proposal is similar to many other harvests conducted on the White Mountain National Forest over many decades. Many of those past harvests and associated road activities were in areas that later (in 2004) were found to meet the criteria for inventoried “roadless” areas in Eastern National Forests defined in FSH 1909.12, Ch. 7.11. As described in the EA, this action does not set a precedent for or direct future management that will limit the area’s future eligibility for roadless consideration, any more than previous management reduced its eligibility for consideration in the recent Forest Plan Revision (completed in 2005).

Based on analysis found in the EA, there is no reason to conclude that the Than project or its connected actions will directly, indirectly or cumulatively reduce the Wild River Roadless Area's future eligibility for Roadless or Wilderness consideration. The analysis of Than Project is tiered to the 2005 Forest Plan EIS and ROD (3-385 to 3-387 and Appendix C-3 to C-7) which clearly presents the scope and context of the Roadless Inventory relative to eastern and National wilderness. It also explains the reasons the Wild River Recommended Wilderness was allocated, and why those remaining areas within Wild River IRA were allocated to MA 2.1. Tiering to the Forest Plan, the EA sets the context for this project (Chapter 1, “Context and Scope of the Project”), clearly showing the proposed action has no potential to set precedence for any separate action.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed action does not individually or cumulatively reach a level of significance. The Environmental Consequences section of the EA (Chapter 3) describes the anticipated direct, indirect and cumulative effects on recreation, scenery, soils, water, fisheries, wildlife habitat,

threatened, endangered, sensitive species and Regional Forester listed species, roadless, wilderness, heritage resources, social-economics, and invasive species. The EA describes how Alternative 4, when considered along with past, present, and reasonably foreseeable actions, would “provide improved diversity of habitat for wildlife species” and “(n)o species is expected to have a viability concern with implementation of this alternative.” (Chapter 3 – “Wildlife”) In addition, Alternative 4 does not lead to any change in forest productivity (see EA Chapter 3, “Soils”- Soil Productivity). Adequate re-stocking of clearcut stands is anticipated within five years, and improved overall forest health is expected.

The EA also clearly demonstrates that, for the 47,687 acre Wild River IRA, even with the new Wild River Wilderness acreage deducted, none of the action alternatives come close to having a noticeable affect, either directly, indirectly, or cumulatively, on the roadless characteristics which qualified the area for inventory or wilderness consideration during the 2005 Forest Plan process.

There are no undisclosed or related actions that would produce cumulative significant effects on the physical or human environment. Based on my review of the Environmental Assessment and the project record, I am convinced that none of the direct, indirect or cumulative effects of the alternatives are significant.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places.

A Cultural Resource Reconnaissance Report was completed for the Project Area. Based on these field surveys there is no anticipated affect to historic or cultural resources. The New Hampshire State Historic Preservation Office (SHPO) concurred with the findings of the archeological survey on January 17, 2006.

The EA addresses concerns received during the comment period regarding possible adverse effects of timber hauling to a number of National Historical Register buildings along State Highway 16B. Research references are provided in the EA that address road vibration effects to structures, concluding that traffic “vibration levels are rarely high enough to be the direct cause of (structural) damage”. The EA cites documented traffic counts that of 630 to 950 vehicles per day, to which this project would add less than 1% for a temporary period.

In addition, because all logging traffic associated with this project will be required to meet State and local traffic laws and load limits, no effects from log truck traffic to historic buildings along the access route to the project, or through the Town of Jackson, are anticipated. From a strictly historical perspective the logging traffic is in keeping with traditional and historic uses of the forest surrounding Jackson, and the presence of log trucks on Carter Notch Road and State Highway 16 and 16B through Jackson township retains this historical although intermittent link to the past.

For all these reasons, I conclude that this project will have no significant adverse effects on actual and eligible National Register sites.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Alternative 4 may affect, but would not likely adversely affect Canada lynx , and would have no effect on the Indiana bat (EA Chapter 3.8) The Biological Evaluation does not show direct or cumulative adverse impacts that are in themselves significant, or would lead to significance. Chapter 3.8 provides detailed information regarding species with potential viability concerns which in summary are determined to not likely contribute to a trend towards federal listing or cause a loss of viability for these species.

The five Regional Forester Listed Sensitive Species (EA Wildlife section) each have a determination that any of the Action Alternatives may impact individuals but would not likely cause a trend toward federal listing or loss of viability. Forest Plan Standards and Guidelines, and project design minimize potential impacts to these species. If effects do occur, they are likely to be minimal, with no significant effect on populations or habitat (Biological Evaluation, Project File).

10. The Threat or Violation of Federal, State or Local Laws or Regulations that Protect the Environment.

The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws were incorporated into the Forest Plan Standards and Guidelines, and the Proposed Action complies with the Forest Plan.

6.0 Findings Required by Other Laws and Regulations

The decision to implement Alternative 4 is consistent with the intent of the Forest Plan's long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines. Other applicable regulatory requirements and laws are listed below:

NFMA (National Forest Management Act)

This project complies with guidelines that insure vegetation management provides a sustained yield of forest products, promotes diverse plant and animal communities, and occurs in suitable locations. The proposed project area lies within Management Areas 2.1 which are suitable for timber harvesting in accordance with the National Forest Management Act and the White Mountain National Forest Plan, and confirmed by field examination.

The proposed even-aged prescriptions are appropriate methods to create early-successional wildlife habitat in the northern hardwood and paper birch community types. The uneven-aged prescriptions are appropriate methods to increase the percentage of softwood and accelerate

the growth of softwood regeneration in mixedwood stands, and to provide diverse structure in a 45 acre hardwood stand where this technique is applied. The proposed prescriptions will achieve the “purpose” and the “desired condition of the land” as described under MA 2.1 – General Forest Management, on page 3-3 of the Forest Plan. This decision is in conformance with the “Estimated Silvicultural Practices for Decades 1 and 2” as shown in Appendix B of the Forest Plan.

In addition to the consistency findings pertaining to the White Mountain National Forest Land and Resource Management Plan, the NFMA establishes specific guidelines for prescriptions involving vegetative manipulation for the National Forests. My decision is consistent with these guidelines and is based on the best available science as shown below:

1. *The prescription is best suited to the multiple-use goals established in the Forest Plan for this area and considers the potential environmental, biological, cultural, scenic, engineering, and economic impacts as stated in the White Mountain National Forest Plan. The use of even-aged management prescriptions are optimal where applied because they regenerate stands that are mature (Forest Plan FEIS, Appendix B); and it protects other resource values, mitigates effects, provides wood products to the regional economy, and helps achieve Forest Plan objectives (see EA Chapter 1 and EA Chapter 3 - Wildlife, Vegetation & Silvicultural Practices).*

In the case of the Than project, clearcutting was proposed only in those instances where it met optimality requirements for both silvicultural and wildlife habitat objectives. Clearcutting is proposed for the Than Project where it is the required method of creating early successional habitat openings to achieve wildlife habitat objectives in these HMUs (NFMA 16 USC Section 1604(g)). Additionally, clearcut units were prescribed by a certified Silviculturist and are in mature hardwood stands where clearcutting is the optimum method to regenerate the stand. (see EA, Chapter 3 – Vegetation & Silvicultural Practices)

2. *The prescription assures that lands can be adequately restocked except where permanent openings are created for wildlife habitat improvement, vistas, recreation uses and similar practices. The practices prescribed for the Than Project are the same as those that have been successful in restocking WMNF MA 2.1 lands during past management entries (Forest Monitoring Reports – 1994 to 2001).*
3. *Alternative 4 is not chosen because it would give the greatest dollar return or the greatest output of timber. I am selecting Alternative 4 for reasons disclosed in the Decision Notice.*
4. *The prescription should be chosen after considering potential effects on residual trees and adjacent stands. Adverse effects to residual trees or adjacent stands are not anticipated because the prescriptions are formulated with these factors in mind, and with clear instructions for marking and close communication with the sale administrator to implement a harvest and removal process that has proven to protect residual trees and adjacent stands from undue damage. (Forest Monitoring Reports)*

5. *The prescription maintains site productivity and ensures conservation of soil and water resources.* The prescriptions implement Forest Plan Standards and Guidelines and are designed to prevent the permanent impairment of site productivity and to conserve water resources (EA Section Soils, Water; Riparian and Aquatic Habitats; and Appendix A – Project Design Features). Forest site productivity will remain constant and adequate re-stocking of clearcut and Shelterwood stands is anticipated based on the history of regeneration on similar soils nearby and elsewhere on the District. No change in soil productivity is expected. (See EA, Ch. 3 - Soil Productivity).
6. *The prescription provides the desired effects on water quantity and quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, scenery, and other resources.* The prescriptions meet Forest Plan Standards & Guidelines as described for MA 2.1 (Forest Plan Chapter 3, page 3), and EA Chapter 1 - Purpose and Need, and Appendix A – Design Features.
7. *The prescription is practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration.* Alternative 4 uses existing roads with the exception of 200 feet of new construction. Harvest units were selected, designed, and laid out to best meet resource management and protection objectives and human needs, while also protecting resources through proper application of Forest Plan standards and guidelines. Costs of project preparation, analysis, and sale administration are representative of a typical sale in this area. (see EA Chapter 2 –Alternatives; and Chapter 3, Socio-economics)

NEPA (National Environmental Policy Act)

This act requires public involvement and consideration of potential environmental effects for proposed actions. The public involvement process for this proposed action and the EA comply with NEPA regulations authorized under new planning regulations (36CFR 215 dated June 4, 2003). Substantive comments received for this project were used to improve project design including location of proposed harvest activities, season of harvest, location of the proposed trailhead, modifications to some prescriptions and deferring treatment of some units.

National Historic Preservation Act

The White Mountain National Forest consults with the New Hampshire State Historic Preservation Office (SHPO) prior to reaching a decision on the project. We received concurrence from SHPO on the cultural resource report, which determined that no adverse effects would occur to heritage resources on National Forest land. The SHPO gave approval to implement the project on January 17, 2006.

Also, in response to public concerns, we considered the possible effect of logging truck traffic on National Historical Register buildings along Route 16B in Jackson village. The EA (Ch. 3 – Heritage) examined research references that address road vibration effects to structures, which state that traffic “vibration levels are rarely high enough to be the direct cause of

(structural) damage”. Also cited in the EA are NH Department of Transportation traffic counts of 630 to 950 vehicles per day on Route 16B, to which this project would add less than 1% for a temporary period. Based on these two factors combined, it is highly unlikely that logging trucks will have a measurable, distinguishable, or significant affect on historic structures along the road.

MBTA (Migratory Bird Treaty Act)

This project complies with the Migratory Bird Treaty Act and will not cause measurable negative effects on Neo-tropical migratory bird populations.

Endangered Species Act

The White Mountain National Forest completed a site-specific Biological Evaluation (BE) of the potential effects to Threatened, Endangered, Proposed and Sensitive Species (TEPS). It was determined that there are not likely to be adverse effects to these species.

7.0 Implementation Date

If no appeal is received, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition.

8.0 Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.7. A person has standing to file an appeal only if they submitted a comment or expressed interest during the 30-day Comment Period, in accordance with 36CFR 215.11(a)(dated 11/4/1993). A Notice of Appeal must be in writing and clearly state that it is a Notice of Appeal being filed pursuant to 36 CFR 215.7. Appeals must be filed within 45 days of the date of legal notice of this decision in the Manchester Union Leader, Manchester, New Hampshire to:

USDA Forest Service, Eastern Region
ATTN: Appeals Deciding Officer, Than Project
626 East Wisconsin Avenue
Milwaukee, WI 53202

The office hours for those submitting hand-delivered appeals are: 8:00am-4:30pm (Central Time), Monday through Friday, excluding holidays. The Notice of Appeal may be faxed to 414-944-3963, Attn: Appeals Deciding Officer, Tom Wagner, USDA Forest Service, Eastern Regional Office; or electronically mailed to appeals-eastern-regional-office@fs.fed.us. Electronic appeals must be submitted in plain text (.txt), rich text (.rtf), or Word (.doc) format.

It is the responsibility of appellants to ensure that their appeal is received in a timely manner. The 45-day time period is computed using calendar days, including Saturdays, Sundays, and Federal holidays. When the time period expires on a Saturday, Sunday, or Federal holiday,

the time is extended to the end of the next federal working day. The day after the publication of the legal notice of the decision in the Manchester Union Leader is the first day of the appeal-filing period. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on dates or timeframe information provided by any other source. If you do not have access to the Union Leader, please call the Saco Ranger Station at 603-447-5448, ext. 103 (TTY 603-447-3121) for the published date. There will be no time extensions for appeals.

When there is a question about timely filing of an appeal, timeliness shall be determined by:

1. The date of the postmark, e-mail, fax, or other means of filing (for example, express delivery service) an appeal and any attachment;
2. The time and date imprint at the correct Appeal Deciding Officer's office on a hand-delivered appeal and any attachments; or
3. When an appeal is electronically mailed, the appellant should normally receive an automated electronic acknowledgment from the agency as confirmation of receipt. If the appellant does not receive an automated acknowledgment of the receipt of the appeal, it is the appellant's responsibility to ensure timely receipt by other means.

Appeals must meet the content requirements of 36 CFR 215.14. At a minimum, an appeal must include the following:

1. Appellant's name and address, with a telephone number, if available;
2. Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
3. When multiple names are listed on an appeal, identification of the lead appellant (§215.2) and verification of the identity of the lead appellant upon request;
4. The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
5. The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§215.11(d));
6. Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
7. Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
8. Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and
9. How the appellant believes the decision specifically violates law, regulation, or policy.

The Environmental Assessment for this project is available for public review at the Saco Ranger District, 33 Kancamagus Highway, Conway, NH 03818. In addition, the EA will be posted on the White Mountain NF web page (www.fs.fed.us/r9/forests/white_mountain). Questions regarding the EA should be directed to Rick Alimi, Assistant Ranger, at 33 Kancamagus Highway, Conway, NH 03818 (phone: 603-447-5448, x 103, TTY: 603-447-3121).

9.0 Responsible Official and Contacts

The Responsible Official for the Than Forest Resource Management Project is Terry Miller, District Ranger for the Saco Ranger District, White Mountain National Forest. His office is located at 33 Kancamagus Highway, Conway, NH 03818 (phone: 603-447-5448, Ext. 102).

For additional information concerning this decision or the Forest Service appeal process, contact: Rick Alimi at the same address, or by phone (603-447-5448, x103), or by FAX (603-447-8405).

/S/ Terry Miller

April 10, 2007

TERRY MILLER
District Ranger

Date