

Letter #	Comment #	Response
1	1-1 It is my contention that it would be in the best interest of the public and the purpose of establishing the WMNF to grant the SUP for the Proposed Etna Skid Trail Project.	Comment noted
2	2-1 ATC's primary concern is that the permit and any associated documents make it absolutely clear that consent for this project is the direct result of extenuation circumstances created by the acquisition of land for placement of the Appalachian Trail footpath. That is, topography, hydrology and other physical barriers on adjacent land make the proposed action the most reasonable approach to honoring the terms of this specific easement.	A Special Use Permit (SUP) is a temporary authorization for a specified time period under specified conditions. This proposal is for a SUP for a one-season winter use skid trail and landing. If a SUP permit is issued, no additional or subsequent use would be authorized or inferred. Any subsequent application for this or other uses would be evaluated independently in context of the then-existing circumstances and conditions. All agency direction, regulations and environmental conditions, including now-unforeseen development, ownership changes, and resource conditions will be evaluated if and when a subsequent application is made. Any subsequent application will be evaluated in terms of the then-existing conditions and will not rely on any perceived or implied precedent as a result of this decision.
	2-2 It is worth noting, however that the project includes land that the proponent has never owned and therefore would have been obliged to obtain permission regardless of ownership. It should further be documented that this project does not authorize, condone, or in any way create precedent for similar projects on other Trail lands.	Noted, see comment response 2-1
	2-3 Several other provisions... should be represented in the terms of the Special Use Permit:	
	...the permit authorizes the activity only ONE TIME..	Noted, see comment response 2-1
	...activity should be limited to days with frozen ground conditions	The Proposed permit would so stipulate in its associated Operating Plan.
	...complete mitigation/remediation of damage or loss... re-grading and revegetaion (seeding) where necessary and appropriate	The Proposed permit would so stipulate in its associated Operating Plan.
	... seeds used should be from plant species native to the immediate area.	The Proposed permit would so stipulate in its associated Operating Plan.
	...compensation should be paid...for any incidental tree damage	The Proposed permit would so stipulate in its associated Operating Plan.
	... any damage to the AT footpath should be repaired to the AT manager's standards by May 15, 2006	The Proposed permit would so stipulate in its associated Operating Plan.
3	3-1  • I know the Coffi's have a logging road from their property to the AT so why can't they move the logs through that corridor and out to Partridge Road? Is the 600 foot long, 12 foot wide scar being created by the Cioffi's logging operation so that they don't mess up their own front yard? I would like to see written proof as to why they cannot drag this wood out via their own land?	A reference in the recorded deed for the parcel which fronts Partridge Road reads "The lot conveyed by this deed is subject to the terms of the instrument entitled 'Protective Covenants- Trescott Ridge-Hanover, New Hampshire' dated March 19, 1970, recorded in said Registry, Book 1118, Page 328; and said instrument is made a part hereof as completely as if incorporated verbatim herein," The referenced protective covenants, Article III, Section 8, Trees and Landscaping states "no mature trees over four (4) inches in diameter other than those in the immediate construction area of the dwelling, related structures, utilities, driveways and walks shall be felled without prior written permission of the Architectural Committee." Article V - General Provisions states "...No business activities of any nature shall be conducted upon the subject land..."

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3-4	I have lived here for almost nine years and have hiked the AT trail both north and south of my home and never have I seen evidence of sugar maple harvesting in the area as described in this project. I have never seen evidence of a sugarhouse in production, i.e. smoke or steam rising from that area as part of a home site sugar operation. Perhaps the landowner just wants to harvest firewood for personal use and sale due to the current fossil fuel price. If this project is truly for the development of a sugar bush then in a few years it should be evident that sugaring is taking place. Who is going to check that the purpose has been seen through? Does the WMNF follow-up?	The title to Parcel 198-29 is held by the project proponent. The owner, in exchange for compensation, has granted a Protective Easement to the United States. This easement includes provisions which allow the grantor (the project proponent and landowner) the following: "The sugar bush may be maintained in accordance with good and accepted practices for same, PROVIDED, however, that a maintenance and management plan must be developed with and approved by the Secretary or authorized representative." and "The right to harvest timber on the premises subject to the following conditions: No cutting of trees of any type is permitted within 100 feet of the footpath of the trail. In the area beyond 100 feet of the footpath of the trail, timber may be harvested on an individual tree or group selection system provided, however, that no group of trees so cut shall exceed one-fourth (1/4) acre in size, nor be closer than 150 feet of other groups of trees so cut during a 10-year cutting interval." In other words, the owner of Parcel 198-29 is permitted to harvest timber, as proposed, by virtue of the existing easement.
		The remaining parcel of land, lying immediately south of parcel 198-29 is held in fee by the proponent. Neither the Forest Service nor Park Service have jurisdiction over the management of this private land. The proponent retains the rights to harvest the entire parcel in any manner permissible under state and/or local land use or forest management regulations. Harvest activity on this privately held parcel, outside of 198-29 described above, is beyond the purview of this proposal.
3-5	Is the landowner going to throw down 50 lbs of conservation mix and call that reseeded, or are they going to replant with viable food source for wildlife?	The Proposed permit would stipulate that the weed-free conservation mix be established as needed. Likely, seeding would occur after snow melt. Final inspection and approval of rehabilitation would not occur until any affected areas are revegetated.
3-6	Are the Cioffi's going to replant trees and shrubs being taken off the AT property? What food source is being taken away i.e. productive oak and beech trees, from the WMNF corridor?	Most of the skid trail and landing is located in an existing hayfield that is mowed each year. There is a short section, less than 100 long and 12 feet wide that will cross a forested area. In this area, no trees greater than 6 inches diameter at breast height will be removed. Small saplings will be removed and will naturally revegetate through sprouting and/or germination of new seeds. There is no significant volume or type of food source proposed for removal. The District wildlife biologist concurs with this assessment of food resources.
3-7	How do we, the public, know that inspections will take place to make sure the "reseeding and proper cleanup" will take place? If a mess is left behind and it leaves ugly debris and scars on the land and other trees, who will hold the land owner accountable?	The Forest Service routinely inspects all operations associated with Special Use Permits. Resource specialists and a Special Use Permit administrator will inspect the permit area before, during, and after operations to assure that the permittee has complied with all terms of the permit and operation plan.

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3-8	<p>What does WMNF/Ammonoosuc/Pemigewaset district gain from this project? Does the landowner pay a fee? Have all the trees that are being removed from the WMNF property being cataloged? Who is getting the resources and profit from the trees being removed from the public land part of this logging operation? How do we, the public, know we are getting value from this "trade" of land use on public property?</p>	<p>Special Use Permits are issued according to a standard fee schedule. In the case of a skid trail and landing, the permit fee would be \$75 for the skid trail and \$200 for the landing. Yes, the site has been visited and evaluated by a variety of resource specialists including at least one of the following specialists: forester, wildlife biologist, hydrologist, archaeologist, timber sale administrator, District Ranger, and Forest Supervisor. All concur that the proposed removal of saplings and small brush is of no commercial value and their removal pose no threat to the functional integrity of the forest or agricultural ecosystem of the area. There is no measurable or perceived value gained or lost to the forest as a result of the proposed temporary over-snow use of this area.</p>
3-9	<p>The timing of this project is of concern because there other projects , very large, on private land on Greensborough Rd and Rt 120 where large tracks of private forest is being striped away for development. The wild animals are losing a great deal of habitat and are being squeezed out of shelter and food. Although the "Proposed Etna Skid Trail Project" is small compared to these other projects it is one more disruption of noise, gas engines and human interference. Was this not going to be considered at all?</p>	<p>The proposed project is of such negligible size and duration as to pose no net effect to the forest environment. In regard to the temporary "disruption of noise, gas engines, and human interference," the proposed landing is immediately adjacent to a paved, four season road and within 1000 feet of a second paved, four season road. The proposed project would generate approximately 30 truck loads of material removed over the course of less than two months. This additional activity does not pose a significant deviation from current traffic levels.</p>
3-10	<p>I consider land purchased by public tax payer funds for White Mountain National Forest to be land that should be managed for the good health of wildlife, land preservation, and public recreation with the ultimate goal of this land being preserved for these reasons, forever. Bit by bit the Federal Government is eroding away this concept of National Forest Land by favoring the interests of business and personal profit. It seems to me that this is one more example of this but on a small scale. So if you can answer the above questions then my faith will be restored that we will have National Forest for our grandchildren.</p>	<p>The Forest Service is charged by Congress to provide for a wide spectrum of multiple resources, including developed ski areas, campgrounds, hiking trails, picnic areas, wood products, municipal and domestic water supplies, wildlife habitat and range. It is charged with providing this wide array of resources and experience while maintaining healthy natural and social ecosystems. The proposed project meets these multiple management objectives while maintaining resource integrity.</p>
4	no substantive comment	
5	<p>5-1 The department of the Interior Park Service was charged, in 1984, with the purchase of the AT Corridor, where it was in private hands, and with the purchase in fee or by conservation easement of a buffer zone on either side of the Trail. That action was authorized by Congress to forestall just such a use as is proposed by the unnamed landowner.</p>	See comment response 11-6.
5-2	<p>...logging is NOT ordinarily part of the management of a sugarbush, and if TSI was called for to improve maple sugar production, the resulting culled trees should be disposed of on site and NOT be part of a commercial thinning requiring a skid road and landing. • Lastly, if the property is, in fact, a sugarbush, and not just a woodlot, are the trees NOW being tapped, and if so, how and where is the sap and or the syrup leaving this otherwise inaccessible woodlot? • If there is no current or past evidence of syrup production, then, this is a rouse.</p>	<p>The Forest Service does not have jurisdiction over the management of lands held in fee by the project proponent. The commenter questions the intent of the landowner's management; this is beyond the scope of Forest Service jurisdiction.</p>
5-3	Do the terms of the conservation easement allow for commercial logging?	Yes, see comment 3-4.

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5-4		<p>The Scoping Notice describes this Project as a TEMPORARY (one year) Special Use Permit. If the conservation easement allows the unnamed owner to commercially log and or to periodically cut timber to invigorate his sugar maples.....this will be a constantly revisited Special Use Permit with a precedent established by this Project if you authorize it. The unnamed owner need only point to the time cycle used by the Forest Service (in fact 10-12 years) between prescriptions. We are sure that the Congress did not intend that the taxpayer money used to purchase the AT corridor and buffer result in a permanent (if intermittent) trespass of this nature.</p>	<p>The Forest Service does not have jurisdiction over the management of adjacent privately owned lands held in fee by the project proponent. See comment 2-1 regarding concerns about requests for future entry.</p>
5-5		<p>The Scoping Notice states that "all options for reasonable, feasible access on non-federal lands were examined and eliminated from further consideration because of a variety of environmental factors including topography and saturated soils." This means to me that the Forest Service is proposing granting what amounts to a permanent Right-Of-Way to the unnamed owner. Permanent in the sense that your granting of this request for a Special Use Permit on the basis of the above statement can never be denied. What did our tax money buy? You are our watchdog.....I don't hear you barking.</p>	<p>This Special Use Permit is for a temporary one-season use of a skid-trail and landing. See comment 2-1. All agency direction, regulations and environmental conditions, including now-unforeseen development, ownership changes, and resource conditions will be evaluated if and when a subsequent application is made. Any subsequent application will be evaluated in terms of the then-existing conditions and will not rely on any perceived or implied precedent as a result of this decision.</p>
6	6-1	<p>The scoping letter and map are inaccurate. The proponent's house and lot abuts tract 198-29 , and is not shown on the map or mentioned in the scoping letter .</p>	<p>The proponent owns a house and parcel of land within the Trescott Ridge Subdivision which fronts onto Partridge Road. The subdivision and the parcel of land on which the proponent's home is located, is subject to recorded covenants and restrictions which preclude the establishment of a skid trail and landing on this parcel.</p>
6-2		<p>Conservation easements granted by the Crows, and Elaine Bent are not indicated on the map .</p>	<p>Comment noted. The Crow easement abuts the southern boundary of the proponent's land. The Bent easement is across Hanover Center Road from the project are; neither of these easements are affected by nor affect the proposed action.</p>
6-3		<p>The scoping letter does not mention Monihan Brook. It is alarming that the Forest Service is considering a road across the brook, when a better alternative has existed for years .</p>	<p>The proposed skid trail would cross a stream which is tributary to Mink Brook. This crossing would occur on privately held land; the crossing would be regulated and permitted by state rather than federal jurisdiction.</p>
6-4		<p>The area where the skid road ( mislabeled a "trail" in the scoping letter ) would be located is currently a roadless area, and is arguably the most attractive stretch of A.T. between Trescott and Two Mile Roads .Any road in this area would degrade the Trail and environs for years to come not the few minutes alleged in the scoping letter .</p>	<p>See comment 3-9. This proposed skid trail and landing are not within any designated nor contemplated roadless areas. The proposed temporary skid trail is within 1000 feet and within sight and sound of two paved, all-season rural routes.</p>
6-5		<p>The scoping letter misstates the history of the former Town Road which passes by the old cellar hole. While the project area is surrounded by the sights and sounds of paved roads, associated traffic and rural housing, so is the Bob Bridger Wilderness Area . I have been able to find total quiet, away from cultural intrusions on this section of A.T. as recently as yesterday .</p>	<p>Comment noted.</p>

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6-6	<p>Logging access to the project area is available from the north, via the old Town Road, from the South via the proponent's house lot, and from the East, via Two Mile Road South of the A.T. corridor.</p>	<p>The road to the north to which the commentor refers as the old "Town Road" has been vacated by the Town of Hanover and is no longer a public travelway. (New Hampshire Quitclaim Deed for former greenway number 50/56, recorded Grafton County Registry of Deeds in Woodsville, New Hampshire on December 9, 1983, Liber 1491, Folio 959) In addition, this route coincides with the AT footpath for approximately 200 feet; this location would require skidding along the AT footpath for approximately 200 feet whereas the proposed action would cross the trail at right angles, minimizing impacts to the trail and trail users. Regarding proposed access from the south, see comment 6-1. Regarding proposed access from the east, the area is a wetland and would require extensive fill to access Hanover Center Road. Extensive fill of a wetland is not a practical nor environmentally feasible alternative to the proposed route.</p>
6-7	<p>The scoping letter claim that the privately held parcel " ...Has no practical and environmentally feasible road access other than that proposed across National Forest lands is completely false. The scoping letter's claim that alternatives were eliminated because of "...Topography and saturated soils." Is ludicrous .The scoping letter claims the proposed log extraction would take place in winter, when saturated soils, then frozen, would be an asset on any route .</p>	<p>See comment 6-6.</p>
6-8	<p>The scoping letter's claim that" Access to remove forest products as a result of sugar bush management"... Is an implied use of the adjacent parcel.." is false and ludicrous .The proponent signed an agreement which allows him access from the house lot where he lives, immediately south of the wood lot. There is no need for a logging road thru the trail corridor and several good reasons why the current integrity of the Trail and corridor should be sustained .</p>	<p>See comments 3-4 and 6-1.</p>
6-9	<p>Not least, is the fact that if the Forest service (sic) approves this proposal, it will severely damage the reputation of the Forest Service and its current staff .</p>	<p>Comment noted.</p>
6-10	<p>The scoping letter's claim that" This proposal would not alter access management or land use objectives.." is false. The proposed logging road would not recover in less than 20 years, if ever. Once built, the road would be used as vehicular access by mountain bikers, and other vehicles .It is very likely this vehicular abuse would prevent vegetation from ever obscuring the logging road, or allowing stream side vegetation to stabilize Monihan Brook .</p>	<p>The commentor proposes that the proposed skid trail "would not recover in less than 20 years, if ever". Resource specialists with extensive professional experience with similar activities anticipate that there will be no noticeable evidence of the proposed activity within one year of the close of operations. The commentor offers no evidence to substantiate his claim. Regarding the commentor's claim that mountain bikers and vehicles would access area, the current conditions exist for easy access for all vehicles seeking illegal activity in the area. In violation of regulations, a mountain biker, motorcycle or two wheel drive vehicle could access the area currently. This has not been nor is there indication that this would become a problem in this area regardless of the outcome of this decision.</p>

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	<p>6-11 The proposal would completely subvert the efforts of the National Park Service to protect the Appalachian Trail in this area , and set a terrible precedent for the Forest Service .The Forest Service has already embarrassed itself by pursuing this project after it was initially turned down. Please stop wasting tax payers' dollars in attempting to degrade the Appalachian Trail corridor .The inaccuracies of the scoping letter are bad enough. Protect the Trail and deny this ludicrous project .</p>	<p>Given the stipulations and conditions outlined in the scoping document, both the National Park Service and Appalachian Trail Conservancy support the authorization of this Special Use Permit. See Project Record.</p>
7	<p>All comments address Cioffi's Congressional testimony</p>	<p>Beyond scope of decision.</p>
8	<p>8-1 We live at ..... We have lived on Partridge Road since..... We routinely run, walk our dog, snowshoe and hike ...year-round on this part of the AT. Besides our own use, this area of the AT has significant winter use by many area residents. This project would be very disruptive to use of this part of the trail (sic).</p>	<p>If a Special Use Permit is authorized, its associated Operating Plan would stipulate the maximum delay to hikers; the proposed delay is not to exceed 15 minutes. The duration of the skidding activity is expected to be less than two months.</p>
8-2	<p>(The proponent) already gains access to the lot through the back of his property. In addition, parts of the lot are very wet as it slopes down to the stream (Monahan Brook) pictured on the map. The location of the skid road crosses the AT at a very wet location and would require crossing Monahan Brook. This will do significant damage to this area of the trail. In addition, the skid road will allow access by bicycles and ATV's to the trail, further causing damage to the AT. Directing the skid road in the opposite direction towards Partridge Road eliminates crossing federal land, the AT or the wet areas of the lot. Therefore, the claim that there is no other alternative to removing saleable wood products from the lot is untrue. The proponent could remove wood through his property on Partridges Road and avoid serious long-term damage to the AT.</p>	<p>A spectrum of resource specialists have review the site and conditions proposed for the SUP. These specialists have concluded that the proposed project would not "cause serious long-term damage to the AT. " Also see comment responses 6-10 regarding illegal use and 3-1 regarding skidding to Partridge Road.</p>
8-3	<p>.... We are opposed to this plan because of the dangerous precedent being set concerning commercial use over the AT. The establishment of the AT does not allow this type of commercial development to occur on land it crosses.</p>	<p>See comment response 2-1.</p>
8-4	<p>...Wholesale timber harvest under the guise of sugarbush management should not be allowed under the conservation easement which has been granted to this property.</p>	<p>The Forest Service does not have jurisdiction over the management of lands held in fee by the project proponent. The commenter questions the intent of the landowner's management; this is beyond the scope of Forest Service jurisdiction. Furthermore, for parcel for which the United States is granted a protective easement, rather than "wholesale timber harvest under the guise of sugarbush management", the silvicultural prescription and as verified by actual tree-marking indicates selective harvest which would be expected to favor the production of sugar maple.</p>
9	<p>Comments describes the now-abandoned town road known as "Jones Road".</p>	<p>Comment noted.</p>
10	<p>Comments describes the now-abandoned town road known as "Jones Road" as well as maintenance issues on the AT.</p>	<p>Comment noted.</p>

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11	11-1 If the skid trail is expected to be entirely across a summer hay field, then tree cutting can be avoided. If however trees are on part of this skid road, then the effect is not temporary, but would last many years, unless the special use permit requires replacement of trees by native trees comparable in size and height to those removed.	See comment response 3-6.
	11-2 ... the skid road itself cannot be used by motorized vehicles, per the National Trail Act standards for a National Scenic Trail. Horses could be used for skidding trees to the landing.	See comment response 11-6.
	11-3  Having observed a helicopter being used for logging on privately owned lands in the Adirondacks, that is noted as an alternative which avoids the use of a skid trail.	Helicopter yarding is a viable option in certain forest conditions and when used in conjunction with certain harvest designs. The proposed silvicultural prescription calls for individual tree harvest in order to favor the growth of Sugar maple. This individual tree selection is not conducive to helicopter yarding which requires much more extensive harvest openings to allow for safe helicopter operations. In addition, the project area is surrounded by frequently traveled roads and residences which would be impacted by the sound as well as associated road closures and delays as logs are flown to an off-site landing. Low-hovering helicopters over the Appalachian Trail corridor would result in high noise levels and significantly more impacts to the recreation experience of AT users and neighbors.
	11-4  The conservation easement is quoted as allowing the applicant/owner to manage his sugarbush. The material you have provided does not clearly indicate the extent of the proposed logging. Managing a sugarbush would certainly require leaving all maple trees. Apparently the easement does not allow logging, meaning removal of marketable trees. Since the AT land here is a narrow corridor, it seems logical that the easement on the adjacent land would be intended to prevent both logging and housing developments. Hence it is quite significant that the easement does not include logging as a permitted activity. The intended logging is apparently more than a thinning of young second growth since the proposal says, "Removal of merchantable material". The use of "merchantable" means logging, whether of scattered select trees or all sizeable trees except sugar maples.	See comment response 3-4.
	11-5  The diagonally hatched area in your figure indicates the logging will only be in the area adjacent to the AT corridor. This appears suspicious, as if the intent is to almost completely log this adjacent area. If you cannot determine what the true extent of the intended logging will be in the easement area, or if you find that there will be significant logging in the he adjacent area of the AT, then any special use permit for the skid road should retain the right for the United States to sue the landowner for logging contrary to the easement.	The hatched area represents that portion of the proponent's property on which the United States is granted a protective easement. The proponent harvest prescription falls within the terms of the protective easement. See comment 3-4.

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11-6	The proposal relies on past US Forest Service Practices, saying that less than 5 acres, short term projects do not need an EA or EIS. However, in this case the lands are outside the White Mountain National Forest purchase boundary and are governed by the National Scenic Trail standards.	The National Trail Systems Act (P.L. 90-543) (16 U.S.C. 1241 et. seq.) as amended through P.L. 103-145, November 17, 1993 states: Section 7: (B) The Secretary charged with the overall administration of any trail pursuant to section 5(a) may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this Act. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement except to such extent as the agreement may otherwise expressly provide.
		Currently, the responsibility for administration and management of this section of the AT lies with the US Department of Agriculture, Forest Service, White Mountain National Forest. By virtue of the National Trail System Act, then, management decisions are based on established Forest Service regulations and National Environmental Policy Act requirements. The process by which this SUP application is being considered is in compliance with applicable laws and regulations.
		The National Trail System Act goes on to state in Section 7 (B) (2) (c) "...Provided, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: Provided further, That private lands included in the national recreation, national scenic, or national historic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary.
12	12-1 Clarifies that the old road along the west of proponent's property which crosses the AT, continues north to Dogford Road, is no longer a town-owned road.	Comment noted.
	Provides copies of Trescott Ridge subdivision protective covenants.	Comment noted.
13	13-1 I support the Proposed Etna Skid Trail Project. As a Maine Appalachian Trail Club member, who helps maintain the Appalachian Trail in Maine, my major concern is the minimal effect to the AT treadway and the AT corridor. That issue has been addressed, ie. under Proposed Action: 'any disturbance to the tread surface will be rectified at the completion of skidding activities' and "Any supplemental trail smoothing or reseeded of the approximately 12-foot wide skid corridor will occur in the Spring, 2006, as necessary.'	Comment noted.

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14	14-1 This proposal facilitate a traditional woodland stewardship effort on a piece of landlocked private land that abuts National Forest lands. Its impact on National Forest lands is a mere two football fields long and twelve feet wide, along with a half-acre log landing area.	Comment noted.
	14-2 Any unfavorable environmental impact will be negligible in scope and temporary in duration particularly in that the project schedule calls for conduction the skidding and yarding operations on frozen ground.	Comment noted.
	14-3 ...The conservation easement associated with this property implies that access will be available across National Forest lands.	Comment noted.
15	15-1 The subject property appears to have considerable road frontage on Hanover Center Road and a landing in this area would have much less impact on surrounding residences and would not require crossing or compromising US Forest Property.	Regarding proposed access from the east, the area is a wetland and would require extensive fill to access Hanover Center Road. Extensive fill of a wetland is not a practical nor environmentally feasible alternative to the proposed route.
	15-2 The planned landing location is immediately adjacent a stream that flows throughout the year and is the overflow for the water reservoir off Hanover Center Road. There is no practical buffer zone between the landing site, this stream and nearby natural wetlands. If this plan is implemented then it is imperative that water contamination counter measures and pollution monitoring equipment be implemented. Any contamination of the stream or nearby wetlands will have serious impact on wildlife, local residents, the town of Etna and all downstream properties and wetlands. One common mode of contamination is oil and gasoline spillage from the steady flow of log trucks and field logging equipment.	Because this skidding and removal activity will occur over frozen ground, site and ground cover disturbance will be minimal. All skidding and landing activity will comply with state harvesting regulations to protect water quality.
	15-3 The proposed landing location is on Dogford road which has a clearly posted, reduced weight limit restriction. The logging trucks and heavy equipment transport trucks will obviously violate this weight limit restriction.	The landowner and his contractors are responsible to comply with all applicable state and local regulations, permitting requirements, and laws. The landowner is aware of and intends to comply with this weight restriction (Personal Communication, Susan Mathison, December 7, 2005).
	15-4 The proposed site is immediately opposite a family residence with several small children. The site poses an obvious and substantial safety hazard to this family from the operation of heavy equipment on a steady basis directly in front of their home.	All property owners in the vicinity surrounding the proposed project were provided notice. Indeed all traffic on the roads immediately surrounding the referenced family residence provides some level of risk to pedestrians venturing into and across the roadway. It should be kept in mind that 1) children would have to cross the Dogford Road in order to access the site, 2) children face similar risks every summer when the subject hay field is mowed and baled, 3) all material will be removed from the site within one winter season and likely within one to two months, and 4) the SUP Operating Plan can include specifications regarding hours of operation, signage, flagging, etc. Those concerns notwithstanding, all heavy equipment would indeed pose a potential hazard to those entering upon the premises or on or near equipment while in operation.
16	16-1 I wanted to offer my perspective on these issues. For those of you who don't know me, I am the New England Regional Director for the Appalachian Trail Conservancy. I work out of our regional office in Lyme where I am responsible for coordinating management and protection of 730 miles of the Appalachian Trail between Connecticut and Maine.	Comment noted.

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16-2	<p>First, regarding the proposal to skid logs across the A.T. corridor, we have reviewed this issue extensively including a review of the on the ground conditions and a review of the policy implications. Tom Wagner, the Forest Supervisor of the White Mountain National Forest, Pam Underhill, the Park Superintendent of the Appalachian National Scenic Trail and I all have visited the site and reviewed the various federal rules and policy documents that pertain to this situation.</p>	Comment noted.
16-3	<p>... no skidding or mechanized use is permitted on federal Appalachian Trail corridor lands, without some sort of exception such as a special use permit. To grant such a permit there must be either a clear benefit for the Trail or an extenuating circumstance. In this case the neighboring landowner, David Chioffi, has applied for such a permit and has made a strong case that access to his lands for the timber harvesting was cut off as a result of the National Park Service's acquisition of land from his family. The NPS A.T. acquisition program was designed very carefully, but in this circumstance it seems that the NPS acquisition did create an access problem for the Chioffi family when the NPS acquired an important piece of road frontage on the Etna Hanover Center Road.</p>	Comment noted.
16-4	<p>As a legacy of the NPS acquisition program, there has been a permanently protected corridor for the Appalachian Trail, but there are numerous examples of minor problems of access or land use created as a result of acquisition. We try to resolve these issues cooperatively as would any neighbors, while still looking out for the long term interest of protecting the Appalachian Trail.</p>	Comment noted.
16-5	<p>In this situation, ATC has conceptually agreed to a one-time crossing of the A.T. corridor and the footpath for the purposes of skidding and yarding logs from the timber harvest which is occurring entirely within the Chioffi lands. No merchantable timber will be cut on the NPS –acquired fee lands. The proposal would include some temporary impacts to A.T. lands. There will be some removal of brush and possibly one or two small trees (less than 6" dbh) to facilitate the skidder trail. Most of the skid would be across a hay field and the crossing of the footpath would also be on this hay field, thus not creating any permanent damage to the Trail. The skidding would be limited to the winter months when the ground is frozen and there is snow on the ground to minimize damage to soils. We have been assured by the Forest Service that all of these conditions would be stipulated in any special use permit.</p>	Comment noted.
17	17-1	Comments describes the now-abandoned town road known as "Jones Road" as well as maintenance issues on the AT.
18	18-1	Commentor wanted to assure that the ATC had been consulted and invited to comment on this proposed project.
19	19-1	Given the history of the acquisition of these lands, the permit, as outlined, is the best alternative. Let' s hope that this permit does not constitute a precedent for future crossings of the AT.

Letter #	Comment #	Response
20	<p>20-1</p> <p>The scoping letter implies the project area is impacted by "...The sights and sounds of paved roads, associated traffic and rural housing." These things do "surround" the project area but they do not much affect it. Except for one old Town road, the area is in fact now roadless .The area offers quiet and frequently solitude as well . he new houses visible from the Trail corridor West of the project area could easily be removed from hikers' view with a minor trail location within the existing corridor .</p>	Comment noted.
	<p>20-2</p> <p>The scoping letter map should have included the Bent conservation easement granted to the Appalachian Trail Conservancy. This would have emphasized the inadequate width of the AT corridor between Two Mile and Trescott Roads.</p>	See comment 6-2. Comments regarding the width of the AT corridor between Two Mile and Trescott Roads are beyond the scope of this decision.
	<p>20-3</p> <p>The scoping letter claims " All options for reasonable feasible access on non-federal lands were examined and eliminated from further consideration because of a variety of environmental factors including topography and saturated soils." For winter logging, "saturated soils" when frozen, are an advantage, not a hindrance. Ice protects the soils. The scoping letter implies the contrary.</p>	The commenter is correct; operations on frozen ground can be a effective means of resource protection for winter operations. The area to which the comment refers, however, is a wetland with ecologically important vegetation. In order to operation on this frozen wetland, significant fill would have to be deposited along the area adjacent to the road. In the Spring this would have an adverse effect to the wetland by, in fact, filling a portion of this important ecological niche. Filling this wetland is neither desirable nor preferable to the negligible and temporary effects anticipated by the proposal.
	<p>20-4</p> <p>The scoping letter claims the project wood lot has "...No practical and environmentally feasible road access other than that proposed across National Forest lands ." This is false. The Forest Service was unaware of the existence of former Town Road 50/56 and its link to Dogford Road, when I spoke with the Forest Service in November 2005 .This road could be used either north or south to accomplish timber extraction.</p>	See comment 6-6.
	<p>20-5</p> <p>The scoping letter claims that " ..Access to remove forest products as a result of sugar bush management is an implied use of the adjacent parcel." This is completely false. If this were true, the forest products would have been removed by now. The scoping letter ignores the history and purpose of the Appalachian Trail's "protective" corridor .It also ignores the applicant's history. The applicant has owned his 4 acre house lot on Partridge Road ( abutting the project woodlot ) since 1972. His house has been complete since 1974 .The former Town Road ,linking the wood lot to Partridge Road, thru the applicant's house lot has been a physical fact for over 100 years .These facts, and the fact that the first road special use permit was sought in December 2004 and was turned down, are not mentioned in the scoping letter .</p>	Comment noted. The Forest Service has no jurisdiction over if or when the title holder exercises his rights for activities allowed under by an easement. The proposal was originally denied; subsequent field review by the District Ranger and Forest Supervisor revealed that lack of alternate feasible access required reconsideration.

Letter # Comment #	Comment	Response
20-6	<p>The scoping letter claims disruption resulting from the proposed skid road, would last for periods of less than 15 minutes at a time . This is false. The degradation of the Trail experience may well be permanent.</p> <p>The proposed road would allow mountain bikes ( about which the applicant complained before Congress ) and other vehicles to make a loop thru the applicant's property, across the A.T. corridor and out to Partridge, Trescott, or Jones Roads. Such vehicular trespass may prohibit revegetation of the proposed logging road.</p>	<p>The maximum delay of trail visitors would be included as a component of the Permit's operating plan. See comment response 6-10. There is current direct access to the trail from a paved road and via the hay field. There is no reason to anticipate a drastic increase in use as a result of this permit; revegetation, if necessary, will occur promptly given the area's environmental conditions.</p>
20-7	<p>The scoping letter and its map do not mention Monahan Brook and its floodplain .</p>	<p>While the scoping letter does not name the tributary as Monahan Brook, the map depicts the brook. The brook is on the parcel of land under protective easement.</p>
20-8	<p>The scoping letter claims the proposal would " ...Not alter access management or land use objectives ...." This claim is false. The proposal would impose an unnecessary road in the A.T. corridor. It would create a 12' wide gap in the trees and encourage trespass in the Trail corridor and nearby. In November 2005, I found mountain bike tracks in the muddy tread way of this section of A.T. on three of four trips. Until I complained to the DOC, there were no signs at all on the Trescott Road A.T. kiosk . There still is no signage at the Two Mile Road Trail crossing telling mountain bikers to keep of the Appalachian Trail .</p>	<p>Comment noted. See comment response 3-8 and 6-10.</p>
20-9	<p>The applicant's own testimony to Congress ( July 23, 2005 ) reveals that he has no right to cross the A.T. corridor for timber extraction. The applicant has been working among the trees on the project woodlot since the 1970s. The applicant, during the height of his anti-Appalachian Trail activity, volunteered that he was thinking of building a " retirement home" on the project wood lot. He objected to the Trail corridor being located anywhere on his ( then) father-in-law's woodlot .</p> <p>If the Appalachian Trail corridor were not on the applicant's woodlot, and he still refused to use his own lot, or the former Town Road ( North), he would have had to approach his neighbor's for permission to place a road on their land . No hardship has been imposed on the applicant by the Park Service, Forest Service or ATC . The applicant's claim that " the government" has created a hardship for him is false. The applicant identifies the ATC as a government agency . It is not.</p>	<p>Comment noted. See comment response 5-2.</p>
20-10	<p>There is no ambiguity. The applicant does not have a need, or right to cross any lands abutting his for log extraction . If the Forest Service grants the application, it will be reducing badly needed Appalachian Trail protection , and setting a terrible precedent for the Trail and the Forest Service .</p>	<p>See comment response 2-1.</p>

Letter # Comment #	Comment	Response
20-11	<p>I would like to make some comments on J.T. Horn's email of 30 November 2005. It is evident, that Horn supports the application. This in part, explains why I am not a member of the A.T.C. Horn, who was not involved in the A.T. corridor design or protection, is evidently not interested in learning the view's of the public on the ski road application. This is the only possible conclusion from the fact that he wrote his email before the close of the public comment period. Horn claims the NPS AT acquisition "...Did create an access problem for the Chioffi family when the NPS acquired an important piece of road frontage on the Etna Hanover Center [ Two Mile ] Road." This is an attempt at a red herring by Horn. The Stebbins wood lot used to have about 800' frontage on Two Mile Road. The NPS corridor required 235.8' of road frontage, leaving over 550' frontage for logging, if the owner wished to use it. Evidently the landowner does not, and in any case, if this egress was to be used, a wetland permit would be required. This permit would not be sought from the Forest service or</p>	Comment noted.
20-12	<p>Horn's claim that " Possibly one or two small trees would be all that would be cut for the skidding road is not credible .</p>	See comment response 3-6.
20-13	<p>The Forest Service should read its own language in M.A. 8.3 for the Appalachian Trail in its just released WMNF Management Plan P.3-45- " Roads and motorized trails are not present except at designated crossings. P. 3-46- " New roads are prohibited. P. 3-47 " s-5 " Corridor lands with easements... will be managed consistent with deed transfer language." P. 3-51 " S-1 " Management actions such as trail locations, improvements or increasing developments must not result in a change along the ROS scale from less to more developed." P. 3-52 S-1 " On all National Park Service (NPS) acquired corridor lands, commercial timber management and salvage operations are prohibited." The Stebbins woodlot was acquired by the NPS .P.3-53 G-1 After a discussion of M.A. 2.1 lands, the Plan states " Everywhere else in the AT management area. commercial timber management and salvage sales are prohibited." Not negotiable, "prohibited".</p>	No commercial timber harvest is proposed on these acquired lands other than the specifically reserved rights on parcel 198-29.
20-14	<p>The location of the AT on the applicant's property is the result of his animosity to the Trail in the late 1970s and early 1980s. As his own testimony shows, it has not hindered his vegetation management of the property. In his July 2005 testimony to Congress, the applicant states the proposed skid road and associated harvesting would be at best a break even proposition. This makes the value of the potential precedent, even more negative for the Forest Service .</p>	The Forest Service has no jurisdiction or interest in the economic viability of the proponent's project.

Letter #	Com- ment #	Comment	Response
20-15		<p>The location of the AT corridor in this area was largely determined by the necessity to locate the trail outside ( South of) the Hanover Water Works Company watershed.In the late 1970s, the applicant's father in law owned the woodlot in question and was the attorney for the Hanover Water Works Company .He had bought the woodlot in 1946 .Since the corridor decision was made, considerable thinning of trees on the former Stebbins wood lot has taken place. It is now possible to look South from the AT and look three times further south than was possible in the late 1970s.The present AT corridor in this area is too narrow to protect the Trail experience, which is of a much higher quality than the Forest service appears to appreciate. If the Forest Service does ignore facts, law and its own regulations and grant the unwarranted special use permit, it should do so only contingent upon the granting of a wider, more effective protective corridor for the Appalachian Trail. A wider corridor would not impinge on the operation of a sugarbush .There are others operating along the AT in New Hamps</p>	Comment noted; beyond the scope of the decision.
21	21-1	<p>..it is unreasonable for this much documentaion to be required for what appears to be a very minor incursion into the National Forest and totally unnexecessary. I would think your resources could be put to better use.</p>	