

**DECISION MEMO**  
**Franconia Brook Campground Vault Toilet and Site Rehabilitation Project**

**USDA Forest Service, White Mountain National Forest**  
**Ammonoosuc-Pemigewasset Ranger District**  
**Holderness, New Hampshire**

This Decision Memo provides documentation of my decision to install three barrier free double-vault toilets and to rehabilitate and relocate six campsites within the Franconia Brook Campground, in the Town of Lincoln, Grafton County, New Hampshire. The Project Area lies entirely within the Ammonoosuc-Pemigewasset Ranger District of the White Mountain National Forest (WMNF). This decision is categorically excluded from further documentation.

**I. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION**

Decisions may be categorically excluded from documentation in an Environmental Assessment (EA) or Environmental Impact Statement (EIS) when they are within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories listed in Forest Service Handbook (FSH) Chapter 30, Section 31.12 or 31.2 and there are no extraordinary circumstances related to the proposal.

**A. Category of Exclusion**

The Franconia Brook Campground Vault Toilet Project (the Project) is within FSH 1909.15-2004-3, Chapter 31.12-5 that permits “Repair and maintenance of recreation sites and facilities”.

**B. Rationale for Using the Category**

Based upon the environmental analysis contained in the Project File and on experience with similar activities on the WMNF and other National Forest Lands, I have determined that the proposed project fits squarely within the class of actions listed in FSH 1909.15-2004-3, Section 31.12 Category (5). I have reviewed the proposed action and the environmental analysis to date and have determined that the Project falls within this category of exclusion.

**C. No Existing Extraordinary Circumstances**

I have considered the following resource conditions to determine whether extraordinary circumstances related to the proposed action warrant additional analysis and/or documentation. I have reviewed the analysis in the project Planning Record and have determined that this decision will not have a significant effect on the resource conditions listed in FSH 1909.15-2004-3, section 30.3(2), and thus an instance of extraordinary circumstances does not exist or will not be adversely affected. A summary of how this decision affects each resource condition is disclosed below:

1. *Federally Listed Threatened or Endangered Species or Designated Critical Habitat, Species Proposed for Federal Listing or Proposed Critical Habitat, or Forest Service Sensitive Species*

No extra-ordinary circumstances are known to be present, including no observed Threatened, Endangered, Proposed or Sensitive Species and/or their Critical Habitat, Management Indicator Species (MIS) and invasive species. The activities planned for this project will not adversely harm individuals nor affect the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. Precautions would be taken to reduce the risk of introducing any Non-Native Invasive Species to the Project Area.

Therefore, I anticipate that this action will have 'no effect' on listed species or their critical habitats.

2. *Floodplains, Wetlands, or Municipal Watersheds*

The Project Area is adjacent to the 100-year floodplain of the East Branch of the Pemigewasset River. The Area also serves as a portion of the municipal watershed for the Town of Lincoln, New Hampshire. Forest specialists in hydrology and soil science have reviewed the Project and have determined the following effects of implementations.

- 1) Sealed vault toilets will afford greater environmental protection to both soil and water resources than the current portable toilets which are pumped weekly
- 2) The six campsites within the riparian indirectly compromise its integrity due to the effects of soil trampling and removal of low, understory vegetation whose presence is important to soil and bank stability during periods of high flows. Relocating these six sites to alternate locations within the Campground and away from the riparian area will improve protection of these important resources while maintaining the same net visitor capacity.

Both elements of this decision will improve resource protection of the floodplain and municipal watershed over the current condition.

3. *Congressionally Designated Areas, Such as Wilderness, Wilderness Study Areas, or National Recreation Areas*

The Project Area does not include any Wilderness, Wilderness Study Areas, or National Recreation Areas.

The Project Area includes a portion of the East Branch of the Pemigewasset River which is a candidate Wild and Scenic River corridor. Installation of these barrier free vault toilets and relocation of six campsites will not adversely affect the rivers suitability for Wild and Scenic designation. The Outstanding Remarkable Values for which this River was classified will not be adversely affected by the installation of these vault toilets; to the contrary, water quality, riparian area integrity, solitude and the quality of the area's recreation experience will be enhanced by the installation of these barrier free vault toilets and rehabilitation of six campsites.

The Franconia Brook Campground has been managed in its current location since 2001. This Decision Memo addresses several concerns regarding public health and sanitation, potential water quality concerns, and concern about potential compromise of riparian area integrity as a result of visitor use effects on six campsites.

The Project Area is adjacent to the southern boundary of the Pemigewasset Wilderness, though the toilets and the immediately surrounding area are entirely outside of the designated Wilderness. The toilets will be installed and the six campsites relocated within 1/2 mile of the Wilderness boundary and entirely within the existing Franconia Brook Campground. While proximity to Wilderness is potentially an extraordinary circumstance, I have determined that this decision will result in enhanced visitor experiences and resource protection by:

- improving visual resources by eliminating the blue fiberglass portable toilets and installing standard Forest Service-designed toilets constructed of natural materials and painted with the standard Forest Service pallet of brown and beige, blending well with the surrounding natural environment,
- eliminating the weekly servicing and pumping that had been required of the previously existing portable toilets, reducing service trips on the Campground service road and providing improved, secure human waste disposal,
- increasing access to sanitation facilities by providing year-round facilities in a recreation site that receives four-season use,
- rehabilitating six campsites within the riparian area of the East Branch of the Pemigewasset River, and
- relocating six sites to upland areas within the Campground.

Forest Service Handbook (FSH) 1909.15, 30.3-2 states “The mere presence of one or more of these resource conditions does not preclude the use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist.” I have determined that there are no extraordinary circumstances related to Wilderness, Wilderness Study Areas, National Recreation Areas or this candidate Wild and Scenic River corridor which might preclude implementation of the Proposed Project.

#### *4. Inventoried Roadless Areas*

The project area is within the Pemigewasset Extension Inventoried Roadless Area along with the existing access road and the Franconia Brook Campground. This section of the Roadless Area was considered and eliminated from recommendation for wilderness designation. Replacing the weekly-serviced portable toilets with permanent annually-serviced vault toilets constructed to standard design, material, and color standards would not preclude the area from any subsequent consideration for its roadless characteristics or potential Wilderness designation. There is no net effect to the Roadless Area caused by the rehabilitation and relocation of six campsites. Therefore, the proposed project does not adversely create or affect any extraordinary circumstances with regard to the Inventoried Roadless Area.

## 5. *Research Natural Areas*

Special Areas including candidate Research Natural Areas (RNA) are designated as MA 9.3 in the Forest Plan. This decision will not affect any RNA's.

## 6. *American Indians and Alaska Native Religious or Cultural Sites*

The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered on federal lands. See the discussion below for the potential effects to this and other heritage resources.

## 7. *Archeological Sites, or Historic Properties or Areas*

The WMNF Cultural Resources Atlas shows no known cultural sites in the project area. If, in the course of the project implementation, artifacts or cultural features are discovered, that information will be provided to the District Cultural Resource Paraprofessional and Forest Archaeologist for an evaluation.

No other extraordinary circumstances related to the project were identified.

## **II. PUBLIC INVOLVEMENT**

This project was presented to the public as part of a larger proposal included in the Franconia Brook Scoping Report which was mailed on July 15, 2005; the scoping period ended on August 15, 2005. Response to the scoping report was limited and comments were supportive of all facets of the proposed project most notably those activities designed to address human waste concerns on both sides of the East Branch of the Pemigewasset River. While additional activities described in the Scoping Report may be considered subsequently, it is my decision to implement these portions of the project at this time. The Scoping Notice and map were also posted on the WMNF website beginning July 15, 2005. The project was also published in the WMNF 4th Quarter Schedule of Proposed Actions.

## **III. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

My decision complies with all applicable laws and regulations; they are summarized below.

### **A. National Forest Management Act (NFMA)**

The NFMA requires the development of long-range land and resource management plans. The Forest Plan provides guidance for all natural resource management activities on the WMNF. The NFMA requires all project and activities be consistent with the Forest Plan.

The Forest Plan has been reviewed in consideration of this project. I have determined that this decision is consistent with all relevant Forest Plan goals, objectives, and standards and guidelines.

**B. Endangered Species Act**

See Section I, Item C.1 of this document.

**C. Regional Forester's Sensitive Species**

See Section I, Item C.1 of this document.

**D. Floodplains (Executive Order 11988)**

See Section I, Item C.2 of this document.

**E. Wetlands (Executive Order 11990)**

See Section I, Item C.2 of this document.

**F. Wild and Scenic Rivers Act**

See Section I, Item C.3 of this document.

**G. Native American Graves Protection and Repatriation Act**

See Section I, Item C.6 of this document.

**H. Archeological Resources Protection Act**

See Section I, Item C.7 of this document.

**I. National Historic Preservation Act**

See Section I, Item C.7 of this document.

**J. Environmental Justice (Executive Order 12898)**

This Executive Order requires consideration of whether this project will disproportionately impact minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

**K. National Environmental Policy Act**

This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with NEPA.

**IV. IMPLEMENTATION DATE**

This project may be implemented immediately following my decision. It is anticipated that work will be initiated and completed in fiscal year 2006.

## V. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is not subject to a higher level of administrative review or appeal pursuant to 36 CFR 215.12 (F). Detailed records of the environmental analysis documented by this Decision Memo are available for public review upon request at the Pemigewasset Ranger District Office, 1171 NH Route 175 Holderness, NH 03245.

## VI. CONTACT PERSON

Further information about this decision can be obtained by contacting Susan Mathison at the Pemigewasset Ranger District Office 1171 NH Route 175 Holderness, NH 03245, (603) 536-1315 (Office); 603-536-3281 (TTY); 603-536-5147 (Fax); or [smathison@fs.fed.us](mailto:smathison@fs.fed.us) (E-mail).

## VII. SIGNATURE AND DATE

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment, because it is within one of the categories identified by the Chief of the Forest Service in FSH 1909.15-2004-3, Sections 31.12 or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. My conclusion is based on information presented in this document and the entirety of the Planning Record for the Franconia Brook Project.

/s/ John J. Serfass  
JOHN J. SERFASS  
District Ranger

DATE: November 4 2005

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