



United States  
Department of  
Agriculture

Forest  
Service

White Mountain  
National Forest  
Saco Ranger District

33 Kancamagus Highway  
Conway, NH 03818  
Comm (603) 447-5448  
TDD (603) 447-1989

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File Code: 1950

Date: February 10, 2006

Dear Interested Citizen,

Several interested citizens sent comments and questions to us during the comment period for the Moat Thinning Project. I am going to attempt to answer the questions with this letter, and also inform you of our current status for this project.

*“What will the stand density be when the thinning is complete?”* The stand will be marked to a density of 80 – 90 square feet of basal area, which is a common density for mixed pine and hardwood stands.

*“Will the Outstanding Natural Community be propagated?”* Yes. The intent of the thinning, and the prescribe burn proposed under a separate decision, is to propagate the mixed pine – oak woodland stand.

*“Is there a buffer between the residential area and the area to be treated?”* Yes, a 200 foot buffer between the thinning treatment and the residential areas is planned.

*“Have the effect of smoke on residents during the prescribed burning been considered?”* Yes. The burn would occur when weather and fuel conditions are ‘in prescription’. The burning prescription will take into effect current and expected wind direction at the time of ignition. The goal will be to attempt the burn when winds will push smoke away from the residential areas.

*“Will the area remain open during implementation of the thinning?”* There is a likelihood that the main roads will remain available for non-motorized travel during the thinning, but the interior areas would be closed in the immediate area when a thinning operation is active. The access to the entire area would likely be restricted on the day when prescribed burning is taking place.

*“When are these activities to take place?”* The first prescribe burn, a 23 acre block, is planned for this spring. The burn would only take place if the weather and fuel conditions meet the prescriptions such that burn objectives will be met. Burn prescriptions are detailed plans that consider many factors of weather such as temperature, humidity, wind and site conditions such as fuel conditions, slope, aspect, and firebreaks.

A dozen comments were received and considered during the comment period for the Moat thinning. I have reviewed the comments and the analysis documents. All comments have been reviewed and an effort made to address all questions and concerns. I am satisfied that this project is beneficial, and can safely proceed with no significant adverse environmental effects to the National Forest or adjoining lands.



My decision is to thin approximately 175 acres, as documented in the Decision Memo, which is enclosed for your review.

Copies of the Decision Memo for this project are available for public review at the Saco Ranger District, 33 Kancamagus Highway, Conway, NH 03818. In addition, it is posted on the White Mountain National Forest web page ([www.fs.fed.us/r9/white](http://www.fs.fed.us/r9/white)). Once in the website, navigate to 'projects/assessments/Moat'. Questions regarding the project should be directed to Rick Alimi, Assistant Ranger for Forest Management, at 33 Kancamagus Highway, Conway, NH 03818 (phone: 603-447-5448, x103, FAX: 603-447-8405, TTY: 603-447-3121).

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Information regarding appeal procedures is enclosed in the Decision Memo.

Our planning staff has appreciated the public involvement on this project. The goal of public involvement efforts in our programs and projects is to improve decisions. From the high quality of constructive discussion we have seen on this project, we believe that goal is being fulfilled. We look forward to your continued involvement in projects on the Saco Ranger District.

Sincerely,

*/S/ Terry Miller*  
District Ranger

*February 10, 2006*

enclosures: (1) Moat Decision Memo

**DECISION MEMO**  
**Moat Thin**

**USDA Forest Service, White Mountain National Forest, Saco Ranger District**  
**Town of Conway, Carroll County, New Hampshire**

**I. DECISION**

**A. Background**

The White Mountain National Forest has identified a need to thin a pine stand located just northwest of Cedar Creek Estates in Conway, New Hampshire. The stand treatment is in conjunction with efforts to restore pitch pine that is present in diminishing numbers in the stand. Part of the process of restoring pitch pine to the site involves prescribed burning within a 120 acre stand. That action was approved in a separate decision, the Forest-wide Ecosystem Restoration and Hazardous Fuels Reduction Project Decision Memo signed by Thomas Wagner on April 15, 2004. In order to facilitate the understory burn, thinning on up to 120 acres would be needed. Reducing stand density by thinning would promote accomplishment of the ecosystem restoration and hazardous fuels reduction goals. It would also promote the potential establishment and regeneration success of natural pitch pine seedlings following the burning treatment. The stand would appear more open than its current condition, and sunlight reaching the forest floor may help new pitch pine seedlings to establish.

**B. The Proposed Action**

The proposed action is to thin individual trees based on their condition to a specified stand density. The stand will remain stocked at about a basal area of 90 square feet per acre, a stand density commonly prescribed for this type of intermediate thinning treatment. The residual stand would increase in vigor due to decreased competition for available resources. The proposed thinning is consistent with direction found in the White Mountain National Forest Land and Resource Management Plan (LRMP).

Haul route from a landing located within the stand would be over Forest Service Roads 379 to the north west, and then southerly to and on Forest Service Raod 227, to High Street.

**C. Description of the Decision**

My decision is to thin approximately 175 acres. This equates to about one third of the trees in the stand would be thinned. Trees to be removed will be those that demonstrate poor form, disease, or susceptibility to secondary agents due to over-competition. Pines would be retained to the extent possible. Pitch Pine would be retained. The pine -oak condition will be encouraged, with red maple and other hardwoods targeted for removal. The residual stand will be relatively uniform in its tree spacing with increased sunlight reaching the forest floor. Areas approved for prescribed fire (in the Forest-wide Ecosystem Restoration and Hazardous Fuels Reduction Project Decision Memo, April 15, 2004) would also receive those treatments, either before the thin, or after. The thinning project would likely be completed during the summer and fall of 2006. The prescribed burn project may occur over a period of five or six years.

My decision is within the Forest Plan Standards and Guidelines, and using standard contract clauses to ensure that soil and water resources, wildlife, and cultural resources are protected.

## II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when within a category identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b or 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

### A. Category of Exclusion

The project is within the category of exclusion 31.2-6, Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56).

1. No extraordinary circumstances are present, including no known Threatened, Endangered, Proposed or Sensitive Species and/or their Critical Habitat (see Biological Evaluation in planning record). The activities planned for this project will not adversely 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. Therefore, I have decided that this action will have 'no effect' on listed species or their critical habitats.
2. This area is not in a municipal watershed. The project is not located in or near floodplains and will not affect floodplains or wetlands. This has been validated by site-review. The buffer on a small nearby brook (Cedar Brook) combined with level topography and well drained soils preclude overland flow of runoff. Hydrologic or water quality effects from minor soil disturbance are not anticipated.
3. Congressionally Designated Areas  
This decision does not affect Wilderness, National Recreation Areas, Inventoried Roadless Areas, or Research Natural Areas. The closest Wilderness Areas, the Sandwich Range Wilderness and the Presidential – Dry River Wilderness, are over seven miles from the project. This decision, with impacts limited to the immediate area of activity, will not affect any Wilderness Area.
4. Cultural Sites, Archaeological Sites, or Historic Areas will not be affected by the project.  
The project area has been surveyed for cultural and historic resources. No cultural resource sites have been located in the immediate project area.

## III. PUBLIC INVOLVEMENT

Public involvement was conducted with a project scoping report and letter that was mailed on September 26, 2005 to approximately 75 interested individuals and agencies, and 35 adjacent landowners in Cedar Creek Estates and Birch Hill residential areas. Nine comment letters were received. These comments are appreciated, and are being incorporated into project design. Following the release of the new Forest Plan, the Scoping Report was added to the web site and on December 2, 2005, it was advertised in the legal notice section of the Manchester Union Leader. Additional public comments were received and considered. In addition, a well advertised public meeting was held on October 19, 2005 at the Saco Ranger Station from which several written comments were recorded. Approximately a dozen interested public citizens attended.

#### IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations, including:

- **The White Mountain National Forest Plan**
- **The National Forest Management Act;**
- **Archaeological Resources Protection Act**
- **National Environmental Policy Act** - as documented in this Decision Memo.

#### V. ADMINISTRATIVE REVIEW OR APPEAL

This decision is subject to a higher level of administrative review or appeal pursuant to 36 CFR 215. A person has standing to file an appeal only if they submitted substantive comments during the Comment Period. A person has standing to file an appeal only if they submitted substantive comments during the Comment Period. 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. 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  
ATTN: Appeals Deciding Officer, Moat Project  
626 East Wisconsin Avenue  
Milwaukee, WI 53202

The office hours are: 8:00am-4:30pm (Central Time), Monday through Friday, excluding holidays. A Notice of Appeal may be faxed to 414-944-3963, Attn: Appeals Deciding Officer, USDA Forest Service, Eastern Regional Office; or it may be electronically mailed to [appeals-eastern-regional-office@fs.fed.us](mailto:appeals-eastern-regional-office@fs.fed.us).

Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc), or any software supported by Microsoft applications.

It is the responsibility of appellants to ensure that their appeal is received in a timely manner. The 45-day appeal period is computed using calendar days, including Saturdays, Sundays, and Federal holidays. The day after the publication of this legal notice of the decision in the Manchester Union Leader is the first day of the appeal-filing period, and is the exclusive means for calculating the time to file an appeal. If you do not have access to the Union Leader, please call the Saco Ranger Station at 603-447-5448, ext. 120 (TTY 603-447-3121) for the published date. There will be no time extensions for appeals. If no appeal is filed this project may be implemented on, but not before, the fifth business day following the close of the appeal filing period. (36 CFR 215.7 (b) (2) (vi)).

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

**VI. IMPLEMENTATION DATE**

If no appeal is filed this project may be implemented on, but not before, the fifth business day following the close of the appeal filing period. (36 CFR 215.7 (b) (2) (vi)). Implementation of the entire project may extend over several years.

**VII. CONTACT PERSON**

- 1) Further information about this decision can be obtained from Rod Wilson, Team Leader, at the Saco Ranger Station of the White Mountain National Forest. Rod can be reached at the Saco Ranger Station, 33 Kancamagus Highway, Conway, NH 03818, or by phone at 603-447-5448 (ext 120) or use TTY @ 603-447-3121, or use **E-mail** [rmwilson@fs.fed.us](mailto:rmwilson@fs.fed.us)

**VIII. SIGNATURE AND DATE**

I have concluded that this decision may be categorically excluded from documentation in an environmental impact statement or environmental assessment, as it is within one of the categories identified by the U.S. Department of Agriculture in 7 CFR part 1b.3 or one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 sections 31.1b 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.

*/S/ Terry Miller*

*February 10, 2006*

\_\_\_\_\_  
 TERRY MILLER  
 District Ranger

\_\_\_\_\_  
 DATE

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