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Decision Memo

Parker Sugar Bush Special Use Permit Renewal

Town of Randolph,
Coos County, New Hampshire

Prepared By
The Androscoggin Ranger District
White Mountain National Forest

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Special Use Permit Renewal

1.0 – Decision

After conducting an environmental analysis and seeking public comment on Rebecca and Wayne Parker’s request to renew their special use permit I have decided to renew their special use permit for tenure of 5 years. The permit authorizes the Parkers to tap maple trees in the Boothman Tract of the White Mountain National Forest (see map located in Appendix C page 11). Renewing the permit would authorize uses identical to the previous permit that expired on December 31, 2006, consistent with approved operating plans.

1.1 -- Rationale for the Decision

An analysis of the resource conditions (see Section 4.2) revealed no extraordinary circumstances that would require further environmental analysis.

With no compelling reasons such as poor performance, and with support expressed by those who participated in the environmental analysis, I believe a decision to renew the permit is in the government’s best interest that best meets the purpose and need to renew the special use permit.

The purpose of the project is to enable the Parkers to continue to tap maple trees in the Boothman Tract of the existing permit area.

The need of this action is to address the Parkers’ request to renew the expired special use permit.

Renewing this special use permit meets the goal and objective of the White Mountain National Forest by renewing permits when appropriate in a timely manner (USDA 2005a, Ch. 1, page 1-7).

In addition, renewal of the Parkers’ special use permit is in the category of actions identified in Forest Service Handbook (FSH) 1909.15 Chapter 30, Section 31.2 (15):

The permit activities are consistent with first and second level screening criteria as described in FSH 2709.11/12.21 and 11/12.31.

2.0 Background and Location.

Background

On March 22, 2007 Rebecca and Wayne Parker, requested renewal of their special use permit. The Forest Service has issued a special use permit to the Parkers since 1991. The last five-year permit was issued on July 20, 2001. The special use permit authorizes the Parkers to tap sugar maple trees on 238 acres of National Forest System lands for the purpose of making maple syrup.

The special use permit requires the Parkers to submit annual operating plans that identify work projects. The area is inspected annually and compliance with the permit clauses is overseen by a Forest Service permit administrator.

Over the course of the years the Parkers have demonstrated responsible land stewardship by following the annual permit operating plan requirements and they have been responsive to communications and permit administration with the U.S. Forest Service.

Location

The project area is located in the Town of Randolph, Coos County, New Hampshire. The Parker's permit area is located in the Boothman Tract area adjacent in the Town of Randolph, Coos County, New Hampshire (see location map) within an approximate 238 acre area of National Forest Land. The area is mature northern hardwoods stands with well drained soils between Cold and Snyder Brooks.

3.0 – Parkers Sugar bush Operations

Approximately 1,000 taps are in place. Work begins in November by repairing tap lines and completing necessary preparation work for the coming season. Tapping begins in early March and lasts for approximately one month. A snowmobile is used for administrative use to check tap lines in late winter and early spring for a one day period. Primary access is foot travel with snowshoes. Maple syrup is collected at a central sap storage tank. The tank is drained and processing occurring off-Forest.

The Forest Service requires the Parkers to submit an Annual Operating Plan that identifies work projects, tapping and maintenance dates, and details associated with implementing the special use permit as specified in the Annual Operating Plan. The area is inspected during the season to ensure compliance with the permit clause. Monitoring is overseen by a Forest Service permit administrator.

The special use permit is a non-exclusive use permit and the Parkers shall implement the permit accordingly.

4.0 -- Category of Exclusion and Environmental Analysis

Renewal of the Parkers special use permit is in the category of actions identified in Forest Service Handbook (FSH) 1909.15 Chapter 30, Section 31.2 (15):

“Issuance of a new special use authorization for a new term to replace an existing or expired Special Use authorization when only the changes are administrative, there are no changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorizations.”

4.1 -- Rationale for Category

I find that the above category is appropriate for this analysis and decision because the Parkers are not proposing changes in the uses, or services currently authorized, and they continue to comply with the terms and conditions authorized by the Forest Service. I have determined that there will be no resulting significant effects on the environment, and therefore the proposed action requires no further analysis in an environmental assessment (EA) or an environmental impact statement (EIS).

4.2 -- Resource Conditions and Extraordinary Circumstances

The environmental analysis included rare plants, heritage resources and determination if any extraordinary circumstances exist that could result in significant effects to the environment. In accordance with FSH 1909.15 Chapter 30, the following specific resource conditions were examined:

4.2a -- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

A Biological Evaluation of the permit area was conducted to analyze and document if suitable habitat exists and what potential effects could occur as a result of this decision. It was determined that the permit area might have suitable habitat for eastern small-footed myotis. It was determined the proposed action:

- ⊙ would have no impact on eastern small-footed myotis.

Additional information on all species is in the Biological Evaluation, which is available in the Project File located at the Androscoggin Ranger District Office.

4.2b -- Floodplains, wetlands, or municipal watersheds.

The permit area does not include floodplains, wetlands, or lies within a municipal watershed. Renewing the permit should not result in any adverse impacts to wetlands or floodplains. Renewal of the special use permit is not expected to result in any impacts to any municipal watershed.

4.2c -- Congressionally Designated Areas

The Great Gulf Wilderness is the closest congressionally designated area to the permit area. This Wilderness area is located about 4 miles east. Renewal of the special use permit and implementation of the permitted activities will not result in any impacts to the Wilderness.

4.2d -- Inventoried Roadless Areas

The Parker Sugar bush permit area is not situated in any roadless areas. The authorized operations are confined to the permit area. Permit renewal will not affect the Great Gulf Inventoried Roadless Area approximately 3 miles south of the permit area.

4.2e -- Research Natural Areas (RNAs)

The White Mountain National Forest currently has three designated Research Natural Areas – The Bowl, Alpine Garden, and Nancy Brook. The Forest Plan also identifies several additional Candidate Research Natural Areas. None of the RNA's or Candidate RNA's is nearby or will be affected by renewal of the Parker special use permit.

4.2f -- American Indians and Alaska Native Religious or Cultural Sites/Archaeological Sites, or Historic Properties or Areas

An examination of cultural resources data revealed no known sites within the permit area; hence there will be not be any impacts to cultural or archeological sites through the operation and implementation of the special use permit. This is an administrative action with no proposed changes, and there will be no effects to the site.

5.0 -- Public Involvement

The White Mountain National Forest listed the renewal of the Parkers special use permit on the Schedule of Proposed Actions (SOPA) beginning in July 1, 2007, and mailed scoping reports to 6 interested and affected parties on July 27, 2007. One respondent supported renewal of the Parker special use permit for a period of five years (see Appendix A for details regarding public comments and Forest Service responses).

6.0 -- Consistency with the Land and Resource Management Plan (Forest Plan) and other Applicable Laws

My decision to renew the Parker special use permit operations is consistent with the Forest Plan. Standards and Guidelines in the Forest Plan are designed so that on-the-ground activities comply with applicable regulations, laws, and executive orders.

6.1 -- Forest Plan

The Parker Sugar bush is located in General Forest Management Area (MA) 2.1 and 6.1 Semi-primitive Recreation Management Area. While the Forest Plan does not refer to Special Uses in MA 2.1 and 6.1 specifically, permit operations are consistent with the goals within this management area, which allow for a wide range of uses and provides for a full mix of recreation opportunities and development levels (USDA 2005a, Ch. 3, pgs. 3-4 through 3-8. and 3-19 through 3-22)

Renewing this special use permit meets the goals and objectives of the White Mountain National Forest by renewing permits when appropriate and in a timely manner (USDA, 2005a, Ch. 1, page 1-7.)

One of the goals of the 2005 Forest Plan for the 2.1 Management Areas is to support local economies (2005a USDA Ch. 1, 1-3) and provide other Forest products on a sustained-yield basis (2005a USDA Ch. 3-3).

Management direction in the Environmental Impact Statement for the Forest Plan describes the Desired Future Condition as follows:

“Stewardship of the National Forest continues to be a collaborative effort between local communities, forest users, private sector entities, nonprofit partners, and other government agencies (USDA 2005b, Ch. 1, 1-9.)”

6.2 -- Special Uses – Forest Service Manual 2700

My decision to renew the Parker special use permit complies with Forest Service regulations as stated in Forest Service Manual 2700, which directs the management of special uses in the national forests. The regulations provide the authority and terms and conditions necessary for granting and administering special use permits.

7.0 -- Implementation Date

Renewal of the Parker special use permit may proceed immediately. A new permit is expected to take effect by September 15, 2007.

8.0 -- Administrative Review or Appeal Opportunities

This decision is not subject to administrative review or appeal, pursuant to 36 CFR 215.8.

9.0 -- Contact Persons

For more information, contact Katherine W. Stuart, District Ranger, or Thomas M. Moore, Special Use Permit Administrator, at 300 Glen Road, Gorham, NH 03581; (603) 466-2713 TTY 603-466-2856); email kstuart@fs.fed.us or tmmoore@fs.fed.us.

10.0 -- Signature and Date

I have concluded that renewing Parker special use permit may be categorically excluded from documentation in an environmental impact statement or environmental assessment, because the scope of activities will not individually or cumulatively have a significant effect on the quality of the human environment. My conclusion is based on the information presented in this document and in the Project File.

KATHERINE W. STUART
District Ranger

DATE: _____

References

USDA (U.S. Department of Agriculture, Forest Service). 2005a. Land and Resource Management Plan. Laconia, NH: USDA-FS, Eastern Region, White Mountain National Forest.

USDA (U.S. Department of Agriculture, Forest Service). 2005b. Final Environmental Impact Statement: White Mountain National Forest Land and Resource Management Plan. Laconia, NH: USDA-FS, Eastern Region, White Mountain National Forest.

Appendix A

Parker Sugar bush Special Use Permit Renewal Scoping Comments and Forest Service Responses

Public Involvement

July 1, 2007 - present: Listed on the White Mountain National Forest's Schedule of Proposed Actions. Distributed via mail and available on www.fs.fed.us/r9/white and ww.fs.fed.us/sopa/.

July 27, 2007: Mailed 6 scoping reports to interested and affected parties that provided the project description and contact information.

- 1 responded with a comment by the phone.

The project was also reviewed by White Mountain National Forest Service resource specialists.

Support of Proposed Action

The comment was noted and available in the project file. The respondent supports the Parker Special Use permit renewal.

The comment was:

"I am ok with the renewing the Parker sugar bush permit."

APPENDIX B

Implementation Guidelines

1. Tapping of sugar maple trees would begin from February to mid-March typically ending in or around the middle of May. The Parkers are to notify the Forest Service Permit Administrator prior to tapping and submit an annual operation plan prior to this period.
2. Tap lines will be secured high enough on the trees within the permit area to avoid damage by animals and impede human access within the area.
3. The Parkers will provide a tap count to the Permit Administrator by January 15th of each year.
4. Snowmobile use shall be confined within the permit area for the primary use of administering sugarbush operations including delivery and maintenance of tap lines and associated equipment.
5. Live tree removal shall be coordinated with the Permit Administrator. Trees shall be marked by the USFS prior to cutting

Appendix C - Location Map

