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Peabody Vegetation Management Project

USDA Forest Service
White Mountain National Forest
Androscoggin Ranger District
Coos County, New Hampshire

Decision Notice and Finding of No Significant Impact for the Environmental Assessment

Appendix G – Forest Service Response to 30-Day Comments

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**Peabody Vegetation Management Project
Androscoggin Ranger District
White Mountain National Forest**

DECISION NOTICE and FINDING OF NO SIGNIFICANT IMPACT

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**Decision Notice and
Finding of No Significant Impact
Peabody Vegetation Management Project**

1.0 Background

The Peabody Environmental Analysis combines two previously scoped projects, North Carter (1997) and Pine Mountain (1999). Since the time these two projects were initially scoped, substantial changes, based on new findings and analysis, were made to each proposal. These proposals were combined into the Peabody Vegetation Management Project, which was scoped in February 2003.

The Peabody Vegetation Management Analysis Area is located within the Towns of Gorham, Martins Location, Beans Purchase, Thompson and Meserves Purchase, Greens Grant and Shelburne, Coos County, New Hampshire, on the Androscoggin Ranger District of the White Mountain National Forest. The Analysis Area encompasses Habitat Management Units (HMU) 213 and 214, an area of approximately 28,080 acres. Activities are proposed in Management Area (MA) 2.1 and 3.1 lands within Compartments 33, 34, 40, 41 and 42 of these two HMUs.

Within the Analysis Area, approximately 310 acres of land purchased since 1992 has not yet been assigned a Management Area (MA) designation. The Peabody Project includes a proposal for a non-significant Forest Plan amendment assigning these lands to MA 2.1.

2.0 Purpose and Need

2.1 Purpose of the Action

The Purpose of this project is to accomplish resource objectives to meet the overall management direction of the White Mountain National Forest, as established in the Forest Plan (USDA 1986a. Forest Plan, III 30-41). Within the Peabody project area, the proposed action would address site-specific needs and opportunities to move the area from the existing condition (EC) toward the desired future condition (DFC).

The project would also meet the goals of MA 2.1 and 3.1 to manage for a balance of wildlife habitat for the full range of wildlife species (with emphasis on early-successional species in MA 3.1), and to provide a supply of high quality hardwood sawtimber and other timber products on a sustainable yield basis. Harvesting mature and overmature trees provides high quality sawtimber to area mills while at the same time, lower quality or damaged trees can be harvested to improve future stand quality and productivity.

The Purpose of this project, as well, is to assign a Management Area designation to 310 acres of National Forest land within HMU 214 that was purchased since 1992 and was never assigned a Management Area designation. To do so as part of any Proposed Action would require a Forest Plan amendment.

2.2 Need for Change

The Need for Change is determined by comparing Desired Future Conditions in the Forest Plan with the existing conditions in the Analysis Area. The Forest Plan provides desired conditions for even and uneven-aged management systems for MA 2.1 and 3.1 lands and for HMUs.

**Table 1. Need For Change, by Acres of Community Type in
MAs 2.1 & 3.1 for HMUs 213 & 214**

Community Type	Existing	Desired Future Condition	Need
HMU 213			
Hardwoods/mixedwoods (regeneration)	103	143	40
Spruce/Fir	505	1543	1038
Permanent Wildlife Openings	101	194	93
HMU 214			
Hardwoods/mixedwoods (regeneration)	0	119	119
Paper Birch (regeneration)	0	34	34
Aspen (regeneration)	0	26	26
Permanent Wildlife Openings	14	117	103

Table 1 shows that, in order to meet the habitat and stand structure objectives of the Forest Plan for HMUs 213 and 214, there is a need to establish regenerating stands of aspen, paper birch and northern hardwoods; and to release spruce-fir from the understory of other stands. Commercial timber harvest can be used to achieve these objectives. Even-aged harvest methods can be used to convert mature and overmature northern hardwoods, aspen and paper birch stands to a younger, regenerating age class. Uneven-aged harvest methods can be used to increase the acres of spruce-fir by removing the overstory trees where spruce-fir is in the understory.

3.0 Decision to be Made

3.1 Decision Points

The Decision Notice documents activities to be implemented to meet the project's Purpose and Need. The decision points considered in my selection of an alternative were:

1. Which of the alternatives would best move the Peabody Analysis Area toward the DFC outlined in the Forest Plan and best meet the Purpose and Need for action?
2. Which of the alternatives best addresses relevant issues raised by the public and the interdisciplinary team?
3. Would the proposed action and its alternatives pose any significant environmental impact to warrant the need for an environmental impact statement?
4. Do the mitigation measures for the proposed action and its alternatives meet the Forest Plan Standards and Guidelines?
5. Which Management Area designation to assign to approximately 310 acres of National Forest land in HMU 214 purchased since 1992 and never assigned a MA designation?

3.2 Decision

I have decided to implement Alternative 3, the Modified Proposed Action (see maps on pages 15 and 16). I base my decision on the Environmental Assessment (EA), the direction provided by the Forest Plan (and the associated Final Environmental Impact Statement), the Finding of No Significant Impact (FONSI), and on input provided through the Public Involvement process. I believe this alternative is responsive to the issues raised during the public scoping process, and meets the Purpose and Need for Change with a balanced approach to resolving these issues and meeting the resource management objectives for HMUs 213 and 214. I have read the comments submitted during the 30-day Comment Period, and I appreciate the quality of public input to this project. I considered this input carefully in making this decision. My rationale for selecting Alternative 3 is detailed in Sections 3.3 and 3.4 of this document.

Alternative 3 will contribute toward achieving desired wildlife habitat conditions within Habitat Management Units (HMUs) 213 and 214, and provide high quality hardwood sawtimber and other timber products on a sustained yield basis. The project will establish 107 acres of early-successional habitat and 9 acres of permanent wildlife openings while harvesting approximately 4.6 million board feet of timber utilizing both uneven-aged and even-aged management techniques on approximately 1,248 acres of National Forest land. Connected actions to the timber harvest include: construction of 150 feet of temporary road; placement of a temporary bridge across Imp Brook; re-establishment of 17 log landings; restoration of approximately 4.8 miles of existing road; improvements to the Hayes Copp ski trail (replacement of 18 timber stream crossings with metal culverts and replacement of the existing timber bridge across Culhane Brook with a steel bridge).

Alternative 3 would also assign a Management Area (MA) 2.1 designation to approximately 310 acres of National Forest lands acquired since 1992 and located in HMU 214. These lands are in the Town of Shelburne and are identified in the Forest Service Land Status Atlas as Tracts 1031 (235 acres, purchased in 1992) and 1060 (75 acres, purchased in 1995). (The EA had identified these tracts as comprising 295 acres, but this was an estimate digitized from a GIS computer program. The Land Status Atlas records the actual transaction.) Tract 1031 includes stands 42/6, 42/5a, 42/5, 42/4, 42/3 and 42/3a. This will require a non-significant Forest Plan amendment. This amendment would be consistent with management practices on surrounding National Forest lands, and other MA 2.1 lands within the National Forest that have similar characteristics.

Table 2: Proposed Activities for Alternative 3

Activity	Amount
Timber Harvesting (acres)	
Even-aged Management	
• Regeneration Cut	80
• Seed Tree Cut	27
• Permanent Wildlife Opening	9
Uneven-aged Management	888
• Individual Tree and Group Selection (ITS&GS)	244
• Commercial Improvement Cut	
Transportation (miles)	4.8

3.3 Reasons for Decision

I have selected Alternative 3 because it resolves a number of specific issues that caused me concern with Alternative 2, and it takes greater advantage of opportunities to generate early-successional habitat than Alternative 4. I could have selected the No Action Alternative, but I believe the opportunities to address the Purpose and Need for Change in the suitable lands of HMUs 213 and 214 outweigh any benefits of refraining from actively managing the vegetation and infrastructure on these lands. And, of the Action Alternatives, I think Alternative 3 provides the most balanced approach to managing the resources available in HMUs 213 and 214.

Specifically, Alternative 3 defers proposed treatment on stands that have inadequate stocking or undersized trees to support economical harvest at this time (including stands 33/58, 33/59, 41/48 and parts of stands 40/19c and 33/71). Most of these stand acres had been proposed for uneven-aged treatment in Alternative 2, although one 5-acre aspen stand had been proposed for a patch clearcut. A follow-up field survey after the scoping period revealed that these stands weren't really ready for treatment at this time.

Alternative 3 also changes some of the stand prescriptions proposed in Alternative 2 from even-aged to uneven-aged treatments to meet Visual Quality Objectives established in the Forest Plan, as well as some specific concerns about visual effects from particular viewpoints.

And Alternative 3 makes changes to some of the seasons and areas of operation proposed in Alternative 2. Portions of stands proposed for treatment in Alternative 2 are dropped or modified in Alternative 3 because of concerns about steep terrain, wet soils and damage to the residual understory. Access concerns in Alternative 2 are also addressed in Alternative 3. And the effects of noise and traffic to key recreation corridors (Appalachian Trail, Pinkham B Road) are reduced by changing the season of operation on several stands to winter only.

In each of these situations, I think it is important to note that both our own Forest Service specialists and the public (during scoping) raised concerns about the original Proposed Action (Alternative 2), and recommended changes. Alternative 3 is the result of that process; a modified Proposed Action that incorporates this collective input, and suggests changes that continue to meet the Purpose and Need with reduced impacts to the forest environment.

3.4 Other Alternatives Considered but not Selected

In addition to the selected alternative, I considered three additional alternatives that addressed the Purpose and Need for this project, as well as issues raised during the scoping process. For a detailed comparison of these alternatives see Comparison of Alternatives (section 2.3) in the Environmental Assessment (pp.14-18).

Alternative 1: No Action

Under the No Action alternative, current management plans would continue to guide management of the Analysis Area, and no timber harvest or connected actions would take place in the Project Area at this time.

I did not select this alternative because it does not meet the Purpose and Need for Change, nor does it help achieve Forest Plan goals and objectives for MA 2.1 and 3.1 lands in HMUs 213 and 214. Stand conditions would remain unchanged, except as determined by natural disturbance; and no new early-successional habitat would be generated through timber harvest. No sawtimber or other timber products would be generated by timber harvest in the Project Area at this time.

Alternative 2: Original Proposed Action

Using the most current information available at the time it was developed, the original Proposed Action was intended to take advantage of the best opportunities for achieving the Purpose and Need in HMUs 213 and 214. This alternative would establish 149 acres of early-successional habitat and 10 acres of permanent wildlife openings while harvesting approximately 5.3 million board feet of timber utilizing both uneven-aged and even-aged management techniques on approximately 1,371 acres. It would require restoration maintenance on 5.3 miles of existing roads.

I did not select this alternative because of concerns raised during the project analysis. Approximately 174 acres proposed for harvest are not silviculturally or economically feasible to harvest at this time. Reconstruction of a ¼-mile of road off Route 16 to access stands 40/19, 40/102 and 40/102a poses a soil stability concern and could result in a road slump. The proposed summer and fall harvest of stands 42/1, 42/3, 42/4, 42/5 & 42/6 in the Rattle River area would be potentially more damaging to the residual softwood understory than winter harvest; and the harvesting machinery would generate noise along the Appalachian Trail during periods of peak use. Summer and fall harvest of stands 33/4, 33/5, 33/5a and 33/71 would put logging trucks on the Pinkham B Road during the period of highest recreation use on this road. And the proposed treatment for stand 4/24 would not meet the Visual Quality Objectives established by the Forest Plan, particularly for the Appalachian Trail to Mt. Hayes Viewpoint.

One commenter expressed support for Alternative 2 because it generated the most acres of early-successional habitat for wildlife. However, recognizing the concerns about stocking or visual quality with some of the even-aged stands, the commenter suggested that, if we selected Alternative 3, we should consider replacing these deferred stands with comparable even-aged harvest elsewhere in the suitable land base of HMUs 213 and 214. This is certainly a reasonable suggestion; however, there are simply no viable stands of aspen or paper birch available in these HMUs to substitute. All candidate stands have the same concerns about stocking or operability that affects the deferred stands (see Appendix G, Response to Comments, page 7 for further explanation).

Alternative 4: Reduced Even-Aged Management

Alternative 4 was designed to give us the opportunity to consider the effects of reducing clearcut acres well below the original Proposed Action. This alternative proposes no even-aged harvest in HMU 213 (with the exception of two patch clearcuts for future wildlife openings), and the fewest acres of even-aged harvest in HMU 214 of the Action Alternatives. This alternative would establish 54 acres of early-successional habitat and 9 acres of permanent wildlife openings while harvesting approximately 3.7 million board feet of timber utilizing both uneven-aged and

even-aged management techniques on approximately 1,248 acres. It would require restoration maintenance on 4.8 miles of existing roads.

I did not select this alternative because it is the least responsive of the Action Alternatives to the Purpose and Need for increasing wildlife habitat diversity, and regenerating northern hardwoods and paper birch in HMUs 213 and 214. Another concern is that the location of a temporary road to access stands 40/19, 40/102 and 40/102a from Route 16 crosses Imp Brook in a floodplain. Alternative 3 proposes a better location, with less impact to the brook.

One commenter expressed support for Alternative 4, primarily because of concerns with clearcut units adjacent to the Pinkham B Road and hiking trails, and a desire to see mature and overmature sugar maple and beech retained in the lower elevations. I am equally concerned that we maintain visual quality along the Pinkham B Road, and I think that Alternative 3 attends to this concern. The one clearcut unit in Alternative 3 that is near the Pinkham B Road would be at least 300 feet from the road, and most likely not visible to passing vehicles. With regard to sugar maple and beech, in HMU 213, Alternative 4 retains 10 acres more of overmature hardwoods than Alternative 3; and in HMU 214, Alternative 4 retains 10 acres more of uneven-aged northern hardwoods than Alternative 3 (see Tables 21 and 22 in Peabody EA). I think that the increased wildlife habitat diversity provided by the even-aged harvests in Alternative 3 outweighs any benefits from retaining the 20 acres of overmature and uneven-aged northern hardwoods (see Appendix G, Response to Comments, page 7 for further explanation).

4.0 Public Involvement

A scoping letter soliciting comments on the Peabody Vegetation Management proposal was sent to 370 interested people, adjacent property owners, local newspapers and various agencies and organizations on February 24, 2003. The project was also listed in the Quarterly Schedule of Proposed Actions for the White Mountain National Forest which is mailed to over 500 people interested in and/or affected by the White Mountain National Forest management. The scoping letter was also posted on the White Mountain National Forest web page (www.fs.fed.us/r9/white). An announcement of the original Proposed Action appeared in the legal notices section of the **Manchester Union Leader** on February 28, 2003.

Issues received from the public and Forest Service specialists were separated into two groups: "Issues Used to Develop Alternatives" and "Other Issues Brought Forward During Public Involvement". Other Issues Brought Forward During Public Involvement are incorporated into the discussion in Chapter 3 of the EA under the related resource.

The 30-day Comment Period for the Peabody Environmental Assessment was initiated with a legal announcement in the Manchester Union Leader on January 6, 2004. The EA was mailed to 15 individuals who had requested it, and notice of the availability of the EA was sent to another 15 individuals who had requested it. In addition, the EA was posted on the White Mountain National Forest web page (www.fs.fed.us/r9/white). During this period, we received six responses. I have considered the substantive comments in these responses in making my decision, and have included my response to all comments in Appendix G of this document.

4.1 Issues Used to Formulate Alternatives

The issues considered during the analysis were raised by the public, Forest Service employees, and the interdisciplinary (ID) team during the scoping process. Main issues of concern used to develop alternatives include:

Issue 1: Creating Early Successional Habitat through Vegetative Management to meet Wildlife Habitat Management Goals (Public):

The Forest Plan direction is to provide a balanced mix of habitat for all wildlife species and to increase wildlife habitat diversity for a full range of wildlife species with an emphasis on early successional species. In the Peabody project area, the present mixture of age classes and forest type is not providing the mix of wildlife habitat, especially in regard to early successional species. Vegetative management will help move this area closer to the Forest Plan direction.

Issue 2: Effects of Road Reconstruction on Soil Stability and Water Quality (ID Team):

During the interdisciplinary process, it was discussed that reconstruction of a ¼ mile of road proposed in Alternative 2 could result in a potential deep soil slump above Route 16. To address this concern, Alternative 3 and 4 were developed. Alternative 3 and 4 each propose construction of a temporary road and placement of a temporary bridge across Imp Brook, but in different locations. In Alternative 3, the road would be constructed outside a floodplain, whereas in Alternative 4 it appears to cross Imp Brook in a floodplain.

Issue 3: Effects of Vegetation Management on Scenic Quality (ID Team):

Alternative 2 was the only action alternative that did not meet the scenic visual quality objectives (VQOs) within the Analysis Area. A proposed seed tree cut did not meet the VQOs when seen from one viewpoint (the Appalachian Trail at Mount Hayes).

5.0 Finding of No Significant Impact

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

Both Beneficial and Adverse Impacts have been Considered.

Both beneficial and adverse impacts of implementing Alternative 3 have been considered in the EA (Chapter 3). My finding of no significant environmental effects is not biased by the beneficial effects of the action. Though the effects from Alternative 3 may be both beneficial and adverse to certain resources, the EA demonstrated that these effects are relatively minor and the impacts generated are not directly, indirectly or cumulatively significant. It is important to note that the Forest Plan amendment is programmatic in nature and only results in effects when

implemented as part of a site-specific project. For example, assigning a MA of 2.1 to 310 acres of land does not cause any effects in itself. The effects are generated from the proposed management of these lands under MA 2.1 guidelines.

Effects on Public Health and Safety

There will be no significant effects to public health and safety because mitigation measures are in place to minimize conflicts between timber harvest activities and recreational users in the area. (Appendix D, Recreation). Similar activities have been implemented in the past and the described mitigation measures have proven to be effective.

Unique Physical and Biological Characteristics

There will be no significant effects to unique characteristics, such as prime farmland, within the project area since it has been forested for well over 100 years. There are no ecologically critical areas, such as wetlands, wild and scenic rivers, adjacent parklands, or Wilderness areas within the proposed project area. There are no significant effects to the roadless or Wilderness character of the Wild River Roadless Area, nor will any of the proposed activities affect the availability of the Wild River Roadless Area for consideration as potential Wilderness in the Forest Plan Revision.

Controversial

Consultation with natural resource organizations (New Hampshire Fish and Game, U.S. Fish and Wildlife Service and New Hampshire Historic Preservation Office) did not raise any highly controversial or uncommon concerns regarding the effects of the proposed action on the physical or biological environment. (see EA, Chapter 3). Nor did comments received from the public during scoping refute the conclusions reached by the Forest Service. Based on the involvement of these organizations, the public and Forest Service resource specialists, the effects on the human environment from the proposed action are not highly controversial.

Highly Uncertain, Unique or Unknown Risks

We have considerable experience with the types of activities to be implemented. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk (Chapter 3). The effects of the alternatives, as well as the range of site characteristics are similar to those types taken into consideration and disclosed in the FEIS, Chapter IV. Past knowledge gained through records of timber sale inspections, stand examinations, monitoring and research have provided a basis for determining the effects likely to occur in response to the proposed action.

Precedent for Future Actions

The action is not likely to establish a precedent for future actions with significant effects, since the timber harvest proposal is similar to many other harvests conducted on the White Mountain National Forest over many decades. The proposed action is consistent with the Forest Plan goals for Management Areas 2.1 and 3.1. The Forest Plan amendment is also consistent with past

practices that similarly assign MA designations to newly acquired lands based on past usage, significant features and management objectives of surrounding National Forest lands.

Cumulative Impacts related to Other Actions

The proposed action does not individually or cumulatively reach a level of significance. The Environmental Assessment (Chapter 3) describes the anticipated cumulative effects on vegetation, recreation, soils, water resources, fisheries, visuals, wildlife, threatened, endangered, and sensitive species, heritage resources, roadless areas and socio-economic. I am satisfied after review of the Environmental Assessment that none of the cumulative effects of the alternatives are significant. Where appropriate, mitigation measures are proposed to minimize the level of significance.

Effects to Significant Scientific, Cultural or Historical Resources

A cultural resource report (CRRR #03-2-03) was completed for the Project Area. Based on field surveys and a review of historic maps and literature there is no anticipated loss of significant historic or cultural resources. The New Hampshire State Historic Preservation Office (SHPO) concurred with the findings of our archeological survey and is in accordance with our proposed actions (July 2003). Mitigation measures (EA, Appendix D, Heritage Resources) will be employed to eliminate or lessen any impacts to undiscovered artifacts caused by timber harvesting, road restoration or temporary road construction.

No significant scientific study areas exist within or adjacent to the project area. The Forest Plan amendment is programmatic and by itself does not propose any action that could affect scientific, cultural or historic resource.

Threatened, Endangered Species and Their Habitats per the Endangered Species Act.

The action will not adversely affect any threatened or endangered species or habitat that has been determined to be critical under the Endangered Species Act of 1973.

The New Hampshire Natural Heritage Inventory (NHNHI) maintains inventories of critical habitats and rare species on National Forest lands. A landscape analysis and subsequent field reviews conducted by NHNHI and a private contractor in 1993, 1995 and 2003 found no records of state listed plants in the Analysis Area.

Several Region 9 Sensitive or State-listed species potentially exist in the Project Area. Forest Plan Standards & Guidelines, and site-specific mitigation measures, minimize impacts to these species (Peabody EA, Section 3.9). Any effects that do occur are likely to be minimal with no significant effect on populations or habitat (Biological Evaluations, Project File).

The U.S. Fish and Wildlife Service concurred with the determination that the proposed project will not have adverse effects to Indiana bats or Canada lynx. They also agreed that the proposed project will comply with measures and terms of the Incident Take Statement (Biological Opinion) for Indiana Bat and with conservation measures within the Canada lynx Conservation Assessment and Strategy.

The design of Alternative 3 complies with the April 2001 Forest Plan Amendment for Threatened, Endangered and Sensitive Species.

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

The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws were incorporated into the Forest Plan Standards and Guidelines (Forest Plan pages III-5-29, III-31-35, III-37-41), and the Proposed Action complies with the Forest Plan. In addition, some project mitigation measures have incorporated more recent “best management practices” utilized by state agencies.

6.0 Findings Required by Other Laws and Regulations

The decision to implement Alternative 3 is consistent with the intent of the Forest Plan's long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines. Other applicable regulatory requirements and laws are listed below:

NFMA (National Forest Management Act)

This project complies with guidelines that insure vegetation management provides a sustained yield of forest products, promotes diverse plant and animal communities, and occurs in suitable locations. The proposed project area lies within Management Areas 2.1 and 3.1 which is suitable for timber harvesting practices in accordance with the National Forest Management Act and its implementing regulations, 36 CFR 219.27(b)(1) and was confirmed by field examination.

The even-aged prescriptions proposed for stands 33/5a, 34/13a, 33/86, 34/45, 40/18, 40/19a, 40/19b, 40/35a, 40/35b, 40/84, 40/102a, 41/1, 42/3a, 42/4, 42/5a and 41/34 are appropriate methods to create early-successional wildlife habitat in the northern hardwood and paper birch community types (see Forest Plan, Appendix M).

The even-aged prescriptions proposed for stands 33/41, 34/13b and 34/50 are appropriate methods to accelerate the growth of softwood regeneration in the understory (see Forest Plan, Appendix M).

In addition to the consistency findings pertaining to the White Mountain National Forest Land and Resource Management Plan, as amended, this act establishes specific guidelines for prescriptions involving vegetative manipulation in National Forest Management (see Forest Plan, Appendix M, p.VII-M-9). My decision is consistent with the guidelines for management prescriptions that involve vegetative manipulation of tree cover [36 CFR 219.27(b)] as follows:

1. *The prescription should be best suited to the multiple-use goals established for the area with potential environmental, biological, cultural resource, aesthetic, engineering, and economic impacts, as stated in the regional guides and Forest Plans [36 CFR 219.27(b)(1)].* The use of an even-aged management prescription is optimal because it regenerates stands that are mature, supplies wood products predicted in the Forest Plan

(Forest Plan, Appendix M), and protects other resource values and mitigates effects as needed (Peabody EA: Section 3.2 - Vegetation; Appendix D – Mitigation Measures).

2. *The prescription should assure that lands can be adequately restocked except where permanent openings are created for wildlife habitat improvement, vistas, recreation uses and similar practices [36 CFR 219.27(b)(2)].* The practices prescribed for the Peabody Project are the same as those that have been successful in restocking WMNF MA 2.1 and 3.1 lands during past management entries (Project Record: Stocking surveys for Pinkham B and Spring Brook Timber Sales; Forest Monitoring Reports).
3. *The prescription should not be chosen primarily because it would give the greatest dollar return or the greatest output of timber, although these factors shall be considered [36 CFR 219.27(b)(3)].* Alternative 2 has a higher dollar return than Alternative 3. However, Alternative 3 was chosen because it best meets the project Purpose and Need while responding to the issues and operating within the Forest Plan Standards & Guidelines (Peabody EA: Section 2.3 - Comparison of Alternatives; Section 3.12 Socio-Economics).
4. *The prescription should be chosen after considering potential effects on residual trees and adjacent stands [36 CFR 219.27(b)(4)].* No negative effects are anticipated to residual trees or adjacent stands (Peabody EA: Section 3.2 - Vegetation).
5. *The prescription should avoid permanent impairment of site productivity and ensure conservation of soil and water resources [36 CFR 219.27(b)(5)].* The prescriptions include Forest Plan Standards and Guidelines, Best Management Practices, and Mitigations Measures designed to prevent the permanent impairment of site productivity and conservation of water resources (Peabody EA: Section 3.2 – Vegetation, Section 3.6 – Soils; Section 3.7 – Water; Appendix D – Mitigation Measures).
6. *The prescription should provide the desired effects on water quantity and quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, aesthetic values, and other resource yields [36 CFR 219.27(b)(6)].* The prescriptions meet Forest Plan Standards & Guidelines, which describe the Desired Future Condition (Peabody EA: Chapter 3 – Affected Environment and Environmental Consequences; Appendix D – Mitigation Measures).
7. *The prescription should be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration [36 CFR 219.27(b)(7)].* Prescriptions use existing roads that need only restoration maintenance for use, or temporary roads and structures. Harvesting restrictions protect other resources. Costs of preparation, logging and administration are representative of average conditions in the area. (Peabody EA: Section 2.1 – Alternatives; Chapter 3 – Affected Environment and Environmental Consequences; Appendix D – Mitigation Measures).

NEPA (National Environmental Policy Act)

This act requires public involvement and consideration of potential environmental effects for proposed actions. The Environmental Assessment is used to document compliance with this act.

National Historic Preservation Act

The White Mountain National Forest consults with the New Hampshire State Historic Preservation Office (SHPO) prior to reaching a decision on the project. We have received concurrence from SHPO on the cultural resource report and approval to implement the project with mitigations measures.

MBTA (Migratory Bird Treaty Act)

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

Endangered Species Act

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

7.0 Implementation Date

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

8.0 Administrative Review or Appeal Opportunities

This decision is subject to appeal in accordance with 36 CFR 215.7. A person has standing to file an appeal only if they submitted substantive comments during the 30-day 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 215.7. Appeals must be filed within 45 days of the date of legal notice of this decision in the Manchester Union Leader, Manchester, New Hampshire to:

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

The office business hours for those submitting hand-delivered appeals are: 8am-4:30pm (Central Time), Monday through Friday, excluding holidays. The Notice of Appeal may also be faxed to 414-944-3963, Attn: Appeals Deciding Officer, USDA Forest Service, Eastern Regional Office; or it may be electronically mailed to www.appeals-eastern-white-mountain@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 time period is computed using calendar days, including Saturdays, Sundays, and

Federal holidays. When the time period expires on a Saturday, Sunday, or Federal holiday, the time is extended to the end of the next Federal working day. The day after the publication of the legal notice of the decision in the Manchester Union Leader is the first day of the appeal-filing period. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on dates or timeframe information provided by any other source. If you do not have access to the Union Leader, please call the Androscoggin Ranger Station at 603-466-2703, ext. 222 (TTY 603-466-2856) for the published date. There will be no time extensions for appeals.

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

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

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

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

The Environmental Assessment for this project is available for public review at the Androscoggin Ranger District, 300 Glen Road, Gorham, NH 03581. In addition, the EA is posted on the White Mountain National Forest web page (www.fs.fed.us/r9/white). Questions regarding the EA should be directed to Gail Wigler, Forester, at 300 Glen Road, Gorham, NH 03581 (phone: 603-466-2713, x230, FAX and TTY: 603-466-2856).

9.0 Responsible Official and Contacts

The Responsible Official for the Peabody Vegetation Management Project is Tom Wagner, Forest Supervisor for the White Mountain National Forest. Tom is located at 719 Main St., Laconia, NH 03246 (phone: 603-528-8774).

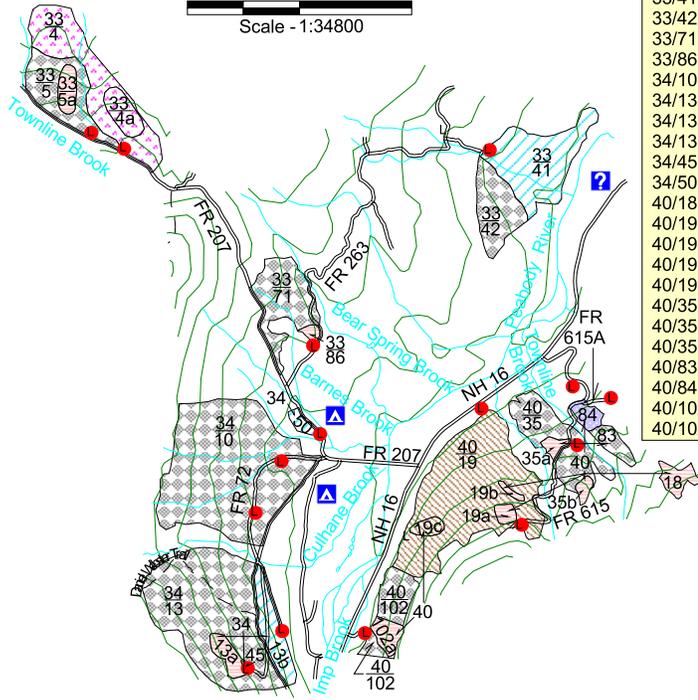
For additional information concerning this decision or the Forest Service appeal process, contact: Pat Nasta at 300 Glen Road, Gorham, NH 03581, or by phone (603-466-2713, x222), or by FAX (603-466-2856).

THOMAS G. WAGNER
Forest Supervisor

Date

MAP 3A
Alternative 3 (Modified Proposed Action)
Proposed Peabody Project Area

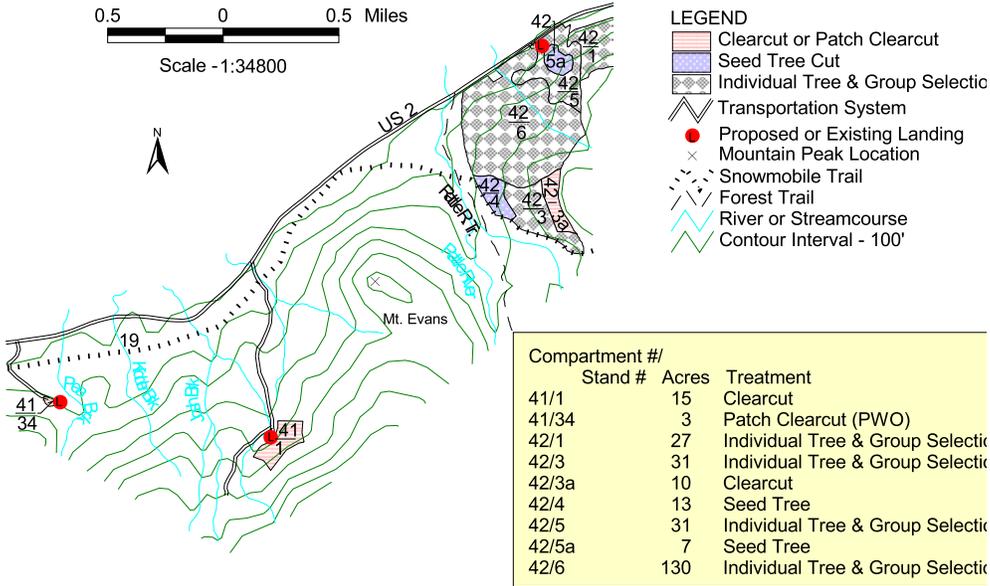
0.5 0 0.5 Miles
Scale - 1:34800



Compartment #/ Stand #	Acres	Treatment
33/4	70	Commercial Im
33/4a	15	Commercial Im
33/5	43	Individual Tree
33/5a	10	Clearcut
33/41	72(12)	Group Selection
33/42	35	Individual Tree
33/71	45	Individual Tree
33/86	3	Patch Clearcut
34/10	200	Individual Tree
34/13	154	Individual Tree
34/13a	10	Clearcut
34/13b	27(8)	Group Selectic
34/45	3	Patch Clearcut
34/50	5(1)	Group Selectic
40/18	10	Clearcut
40/19	154	Commercial Th
40/19a	5	Patch Clearcut
40/19b	2	Patch Clearcut
40/19c	5	Commercial Th
40/35	49	Individual Tree
40/35a	4	Patch Clearcut
40/35b	4	Patch Clearcut
40/83	10	Individual Tree
40/84	7	Seed Tree
40/102	29	Individual Tree
40/102a	10	Clearcut

- LEGEND**
- Clearcut or Patch Clea
 - Seed Tree Cut
 - Group Selection Cut
 - Individual Tree & Grou
 - Commercial Improvem
 - Commercial Thinning
 - Transportation System
 - Public Information Cen
 - Public Campground
 - Existing or Proposed L
 - Forest Trail
 - River or Streamcourse
 - Contour Interval - 100'

MAP 3B
 Alternative 3 (Modified Proposed Action)
 Proposed Peabody Project Area



Appendix G

Responses to Public Comments on the Peabody Vegetation Management Environmental Assessment

The Peabody Environmental Assessment was offered for public review and comment for 30 days from January 7 through February 6, 2004. The invitation to comment was promoted through mailings, a Legal Ad in the Manchester Union Leader and posting the document on the White Mountain National Forest web site. Six responses were received via email, conventional mail and telephone.

We appreciate the time all respondents spent reviewing this Environmental Assessment (EA) and thank you for your thoughtful comments.

The comments are arranged by category and then by commenter and whenever possible, the respondent is quoted directly and in the context of their full comments.

The categories are:

1. Support of proposed Peabody Vegetation Management Project
2. Vegetation
3. Wildlife
4. Recreation
5. Roads
6. Management Area designation
7. Visuals
8. Other Preferred Alternatives

All correspondence is filed in the Peabody Environmental Analysis Project File located at the Androscoggin Ranger Station in Gorham, NH, and is available for public inspection.

1.0 Support of Proposed Action:

- 1.1 **Comment:** “Anyone who is smart enough to figure out all the different alternatives ought to decide which is the best alternative, not some layman. Whatever you trained people decide is what we ought to do base on all the research you have done. If you go wrong, it’s not because you certainly didn’t try.” (Joan Gable)

Response: Comment is noted and appreciated.

- 1.2 **Comment:** Supports timber harvesting in the Peabody Project Area and supports the timber program in the White Mountain National Forest. (Allan Bouthillier)

Response: We appreciate your support of both the Peabody project and the timber program on the national forest.

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- 1.3 **Comment:** “I consider timber harvesting to be very important for the following reasons: 1) produces healthier forest; 2) lessens the chance of forest fire and; 3) there is a good domino effect, from timber harvesting all other projects will benefit.” (Vincent MacIlvain)

Response: Comment is noted and appreciated.

- 1.4 **Comment:** “I view timber harvesting and wildlife habitat management as a fundamental element of good forest management of our National Forest...We can cut modest amounts of timber on a sustained yield basis without upsetting the recreational use of the forest.” (Robert Richardson)

Response: Comment is noted and appreciated.

- 1.5 **Comment:** “ ...I believe that Alt. III is the correct one.” (Lewis Parker)

Response: We appreciate your comment on a preferred alternative.

2.0 Vegetation

- 2.1 **Comment:** “I believe forest needs new growth and also clearcuts.” (Lewis Parker)

Response: Comment is noted and appreciated.

- 2.2 **Comment:** “... Reference is made in the EA to existing substantial acreage of over-mature northern hardwoods, hemlock, spruce and fir located outside the existing suitable timber base in HMU 213 and 214 above 2500 feet. Apparently the Forest Service is relying on this acreage to meet the over-mature component goals for these HMU...If the Forest Service is planning on meeting its over-mature goals for northern hardwoods and hemlock in HMU 213 and 214 on the acreage of non-suitable timberlands, it appears to be making the wrong assumptions about acreage of stands that include beech or hemlock.” (Erik Sohlberg)

Response: We do not consider habitat outside the suitable timber base (MA 2.1 and 3.1) when evaluating our desired habitat goals for habitat in HMUs, and as stated in Section 3.9: Wildlife of the EA (pg. 71), no vegetative management is permitted in elevations above 2,500 feet.

We do, however recognize the value of lands outside the suitable timber base as providing wildlife habitat. On lands outside of MA 2.1 and 3.1 (MA 6.1 and 6.2), HMU 213 has approximately 3,779 acres of over-mature northern hardwoods and 1,449 acres of over-mature spruce/ fir. HMU 214 has approximately 1,223 acres of over-mature hardwood/mixedwood, 883 acres of over-mature spruce/fir and 224 acres of over-mature hemlock. This acreage is not incorporated into meeting the Forest Plan’s HMU wildlife objectives.

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When comparing existing condition to the desired future condition for meeting wildlife habitat goals, only lands within MA 2.1 and 3.1 are considered as per the Forest Plan. Within MA 2.1 and 3.1 of HMU 213, Table 1 shows the acreage of over-mature stands for the different community types. The amount of existing over-mature hardwood/mixedwood exceeds the desired future condition by 1,099 acres. Of this acreage, selection harvest is proposed on 381 acres to maintain an uneven age stand structure as well as 13 acres of regeneration harvest to promote early successional habitat. We would still exceed the desired acres of over-mature hardwood/mixedwood. The proposed action did not select any stands within the over-mature spruce/fir community and there is no over-mature hemlock within this HMU.

Table 1. HMU 213: Acres of over-mature habitat by community in MA 2.1 and 3.1

Community	Even-Aged		Uneven-aged	
	Over-mature		Over-mature	
	Existing	Desired	Existing	Desired
Hardwoods/mixedwood	694	143	821	273
Spruce/fir	0	43	69	110
Hemlock	0	0	0	0

Table 2. HMU 214: Acres of over-mature habitat by community in MA 2.1 and 3.1

Community	Even-Aged		Uneven-aged	
	Over-mature		Over-mature	
	Existing	Desired	Existing	Desired
Hardwoods/mixedwood	697	119	176	122
Spruce/fir	39	36	19	41
Hemlock			801	13

Within MA 2.1 and 3.1 of HMU 214 (Table 2), the amount of over-mature northern hardwood/mixedwood exceeds the desired future condition by 632 acres. We are proposing selection harvest on approximately 181 acres to maintain an uneven-aged stand structure and 10 acres of regeneration harvest to provide early successional habitat. The existing acres of over-mature habitat still far exceeds the desired future condition after these treatments. There are no proposed treatment within over-mature spruce/fir and hemlock stands.

- 2.3 **Comment:** “ No mention is made in the EA regarding the level of infestation of beech bark disease/nectria complex and whether silvicultural treatments are projected to reduce levels of infestation over time” (Erik Sohlberg)

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Response: Beech bark disease is a problem in our stands and we try to limit the spread by removing infected trees through harvesting. Aside from using expensive insecticides, this currently is the only way to reduce disease losses.

Roughly one percent of America's beech trees are genetically resistant to the disease (North Country Trail Association, 2002). Disease resistant beech trees within the proposed stands would be retained for the propagation of genetically resistant offspring. This would increase the level of resistance in the Forest and lead to a healthier beech population in the future. Mitigation measures in the EA (Appendix D), state that disease resistant beech trees will be deferred from harvest.

3.0 Wildlife

- 3.1. **Comment:** Timber harvesting and multiple use management are good for forest because it benefits wildlife by creating habitat which in turn benefits hunting, fishing and recreational uses. (Allan Bouthillier)

Response: Comment is noted and appreciated.

- 3.2 **Comment:** “I heartily endorse the creation of small patches of regeneration hardwoods. The browse that results from clearcutting and seed tree cuts will be a significant benefit to deer, partridge and a long list of other wildlife.” (Robert Richardson)

Response: Comment is noted and appreciated.

- 3.3 **Comment:** “Given that stand 33/4 and 33/5 include prescriptions that are likely to reduce the proportion of beech...these assumptions may have long term consequences for wildlife that depend on mature or over-mature beech” (Erik Sohlberg)

Response: The stand prescription for stand 33/4 is a commercial improvement cut with the goal of removing high risk and poor quality trees within the stand. The prescription for stand 33/5 is individual tree selection and groups with the goal of removing high risk and poor quality trees within all age classes and putting in small groups to enhance the growing condition of softwoods, early successional species such as aspen and paper birch, and sugar maple saplings. In most cases, unless a tree species represents a very small percentage of the stand (i.e. cherry, oak, and hemlock), all tree species are equally judged on quality and risk and one species is not favored over the other. We recognize the value of beech trees to wildlife and have addressed their importance in the mitigation measures of the EA, such as all bear claw and disease resistant beech trees are reserved from harvest.

- 3.4 **Comment:** “In the small openings that are maintained, I would like to know the reasoning between mowing and burning. Also, how often is this done?” (Lewis Parker)

Appendix G

Response: Accessibility determines whether an opening is mowed or burned. If the opening has good accessibility such as a nearby road, then mowing equipment can be brought in. If the opening is not accessible and equipment can not be brought in, then it is then burned. Openings are mowed or burned every three to five years.

There currently is an on-going study on the Forest comparing the vegetation composition of permanent wildlife openings after different maintenance treatments (prescribed fire, mechanical and hand brushing) are applied.

- 3.5 **Comment:** “I appreciate not allowing full tree harvesting, but when the tops are taken back into the woods, I hope they are piled rather than spread around. I’m back again on rabbit protection. The answer to my previous comment suggests that thick growth is the best for rabbits, which is true. In a perfect rabbit world that would be enough, but realistically coyote and rabbits can also travel fast through this cover. Brush piles provide 5-10 years of needed protection.” (Lewis Parker)

Response: Our main objective for scattering tree tops across the stand is to replenish the soil of needed nutrients depleted by acid rain. Scattered tops have additional benefits over piles in that they; a) provide calcium and nutrients uniformly over a wider area than piles; b) tend to decompose faster and release nutrients into the soil c) minimizes soil erosion and compaction in skid trails; d) lessen the fire hazard and, e) allow seedlings to germinate beneath them (piles can take land out of production).

Snowshoe hare is the Management Indicator Species for regeneration and young spruce/fir habitat (Section 3.92 of the EA, page 79). Research indicates that key habitat features needed by snowshoe hare include dense shrubby cover for browse and dense regenerating sapling and coniferous cover for protection from predators (DeGraaf and Yamasaki 2001, USFS 2001). We try to provide this type of habitat by creating softwood and hardwood regeneration through clearcuts, patch cuts and group selection harvests (EA, Desired Wildlife Habitat Goals pages 3-4, and Effects of Proposed Action on snowshoe hare, page 83).

- 3.6 **Comment:** “Clearcuts are a win-win situation for all as they provide the food and nourishment that supports a larger wildlife population and in turn increases the opportunity for wildlife sightings.” (Robert Richardson)

Response: Comment is noted and appreciated.

4.0 Recreation

- 4.1 **Comment:** Timber harvesting benefits recreationists by opening up vistas and providing roads and skidder trails for snowmachining, hiking hunting and mountain biking. (Allan Bouthillier)

Response: Comment is noted and appreciated.

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5.0 Roads

- 5.1 **Comment:** Road building costs should be partially billed to the recreation program. The Forest Service timber sale accounting should reflect the benefit of the transportation system to recreationists. (Allan Bouthillier)

Response: Temporary road construction and improvement is usually instigated by the need to gain access to stands proposed for treatment. The costs are covered by the timber sale since the primary reason for their construction or upgrade is to make them useable for logging equipment. Upon completion of the timber sale, most roads are closed (removal of culverts, installation of waterbars) and barricaded, and maintenance ceases until the next stand entry. These roads are then accessible to public for non-motorized recreation use.

Road improvement cost for FR 72 (Hayes Copp ski trail) will be shared between timber and recreation. This is because the road is a designated ski trail that is permanently opened and maintained year round. To enhance recreational opportunities, the recreation program will fund the replacement of 18 trail bridges with permanent culverts to allow mowing and grooming equipment safe access throughout the year.

- 5.2 **Comment:** The road and landing restoration proposed in the Peabody and other timber sale projects will benefit wildlife and recreationalist who use roads and landing. (Allan Bouthillier)

Response: Comment is noted and appreciated.

6.0 Management Area Designation

- 6.1 **Comment:** Supports the designation of Management Area 2.1 to undesignated lands in the project area. (Allan Bouthillier)

Response: Comment is noted and appreciated.

7.0 Visuals

- 7.1 **Comment:** “The clearcuts and seed tree cuts proposed...are mere postage stamp size lots compared with the thousand of acres that make up the Peabody watershed. When viewed from Pine Mountain or other viewpoints, they will appear as less of an intrusion on the vast forest than seeing the town of Gorham, Barnes Field, Glen House, etc.” (Robert Richardson)

Response: Comment is noted and appreciated.

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8.0 Other Preferred Alternatives

8.1 **Comment:** “I support Alternative 2 because it seeks to achieve Forest Plan wildlife habitat improvement objectives by proposing the largest number of clearcuts and seed tree cuts. However the Forest Service in more recent analysis has determined that two or three of the planned Alternative 2 clearcuts are inappropriate because they lack site aspen or they violate Forest Service visual quality standards. Given the Forest Service most recent findings...if the Forest Service opts for Alternative 3, then I request that substitute locations be identified for creating the regeneration hardwood to retain the total clearcut acreage specified in Alternative 2.” (Robert Richardson)

Response: We agree that Alternative 2 would best meet the Purpose and Need of the project by providing the greatest amount of early successional habitat and forest products for the local economy. The reasons for modifying this alternative and forming Alternative 3 (the preferred alternative) are described in Section 2.1.3 (page 16 of the EA).

The majority of the aspen (94%) within the analysis area is in the young age class (10-39 years) and is not economical viable for harvest at this time. The remaining 6% of aspen is either mature or overmature, but is located on steep, inoperable ground. Thus we did not identify other opportunities for creating aspen regeneration habitat within these HMUs.

The Pine Mountain vegetation project originally proposed two additional paper birch stands for seed tree cuts. Field visits found that many of the trees within these stands were either dead or severely damaged from the 1998 Ice Storm and were no longer economically viable for harvest. Additional field review of other paper birch stands within the analysis area found similar mortality and damage.

8.2 **Comment:** “Alternative 4 is preferable...because it keeps clearcuts away from non-motorized use trails and the Pinkham B road, it better protects the habitat values of forest containing sugar maple and beech on the lower slopes of the Presidential range and it minimizes the acreage that will be in areas not valuable for wildlife, recreation and not ready for commercial logging 20 to 80 years after clearcutting when the stands will be large saplings and small poletimber.” (Erik Sohlberg)

Response: Under Alternatives 2 and 3, there are several proposed clearcuts either along or near a portion of the Hayes Copp ski trail and Pinkham B Road. The proposed clearcuts along the Pinkham B Road would be located at least 300 feet from the roadside and would not be visible to motorized users. The clearcut along the Hayes Copp ski trail would have a short term visual effect on recreational users as trees become re-established.

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There is one ten acre clearcut proposed on the lower slopes of the Presidential range surrounded by thousands of acres of mature and overmature forests. The newly created stand will continue to have great habitat value, but to a different wildlife species mix. Past monitoring of clearcuts, has shown that newly generated stands maintain the same tree species mix prior to cutting, but in different proportions. So the stand should continue to have sugar maple and beech as a component.

The National Forest Management Act and associated regulations directs the Forest Service to maintain species viability for all species that occur on the White Mountain National Forest. Based on this, the current Forest Plan was developed to provide an array of habitat conditions for wildlife species ranging from regeneration age to mature forests. An analysis of each HMU found that there is no regeneration age habitat within HMU 213 and 4% within HMU 214.

Regeneration age stands are not only important for early successional species, but to individuals who rely on these wildlife species for their recreational enjoyment such as hunters, bird dog clubs and/or wildlife watchers.

The forests are slowly reverting to mature and overmature stands, displayed by the fact that the existing acreage of mature northern hardwoods within HMUs 213 and 214 is greater than the desired amount. Because there is an overabundance of mature stands, clearcutting 89 acres would not significantly lessen the available harvest acres within the next 20 to 80 years.