Decision Notice and Finding of No Significant Impact

Popple Vegetation Management Project

1.0 Background

Popple Vegetation Management Project is located within the Towns of Jackson in Carroll County, New Hampshire, on the Saco Ranger District of the White Mountain National Forest. The analysis area for the project encompasses Habitat Management Unit (HMU) 503, an area of approximately 8530 acres. Activities are proposed in Management Areas (MA) 3.1 and 2.1 lands, within the Meserve Brook and Miles Brook watersheds.

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 Popple project area, the proposed action would address site-specific needs and opportunities to move from the existing condition toward the desired future condition (DFC), as stated in the Forest Plan.

The Forest Plan establishes the goals listed below for Management Area 3.1 and 2.1 within HMU 503. This proposal does not propose any harvest activities within MAs 6.1 and 6.2.

The goals for MA 3.1 and 2.1 applicable to this proposed action are:

- Provide high quality hardwood sawtimber on a sustained yield basis and other timber products through intensive timber management practices
- *Increase wildlife habitat diversity for the full range of wildlife species with emphasis on early-successional species*
- Maintain the range of recreation options

2.2 Need for Change

The need for change within the analysis area is determined by comparing the existing condition of this area with its "desired condition", as described in the Forest Plan. For MA 3.1 and 2.1 lands within HMU 503, the Interdisciplinary Team identified the existing conditions, and then compared them to the desired future condition (DFC) to determine where change was needed. Table 1 below summarizes the differences.

Table 1. Need For Change, by Acres of Community Type in MA 2.1 and 3.1 lands for HMU 503

Community Type	Existing	Desired Future Condition	Need
Early-successional hardwood	119	362	243
Spruce/Fir	264	1500	1236
Paper Birch and Aspen	266	800	534

In order to achieve the desired forest-habitat conditions for HMU 503, as Table 1 shows, there is a need to (1) establish young stands of regenerating aspen, paper birch and northern hardwoods; and to (2) increase the spruce-fir component (by releasing it from the understory of mixedwood stands). Commercial timber harvest can be used to achieve these objectives.

- Even-aged regeneration harvest methods such as clearcutting 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 co-dominant hardwood trees where spruce-fir is present and where spruce-fir is a component in the understory.

The Forest Plan endorses the use of these harvest systems to increase residual stand growth and vigor, increase wildlife habitat diversity, manage for a desirable range of species, produce forest products, and improve future sawtimber quality and productivity. These objectives are goals identified for MA 3.1 and 2.1 lands in the Forest Plan.

3.0 Decision

3.1 Decision

I have determined that the Environmental Assessment and project record provide sufficient detail to make an informed decision and select a preferred alternative. I am satisfied that public involvement was sought, relevant issues properly addressed, and analysis provided in sufficient detail to make an informed decision.

I have decided to implement **Alternative 4** as described in the Environmental Assessment (EA), Chapter 2.B. Table 2 below summarizes the proposed activities. Figure 1 on the following page is the Alternative 4 map from the EA. Table 3 follows the map and contains a description of the forest type, acreage, treatment objective, harvest method, and season of operation for each unit. All three of these items are hereby incorporated as part of this decision document.

Mitigation measures provided in Appendix A of the EA are in addition to Forest Plan standards and guidelines and are also incorporated and hereby made part of this decision. These Forest Plan standards and mitigation measures provide additional safeguards to minimize the effects to visual quality, recreation uses, heritage resources, water quality, soil, wildlife, and sensitive plants.

As a result of this decision, timber harvest will occur on approximately 1037 acres, or 12 % of the land area within HMU 503. An estimated 5.0 million board feet of timber will be removed from 41 treatment units, requiring the construction of 0.6 miles of Forest system road and 0.3 miles of temporary road. The 3000-foot system road will remain as a part of the managed Forest Road system, and will be closed to public use after the sale closes. Also, I am further deciding that limited future use of the new road by Jackson Water Precinct and/or Jackson Ski Touring Foundation (JSTF) may be authorized by Special Use Permit after the sale is completed.

A variety of connected actions including invasive plant eradication, timber stand improvement (regeneration release), streambank stabilization, and fish habitat improvement are also authorized by this decision.

Finally, up to 2.4 miles of new Nordic ski trail may occur within the JSTF permit area on the route identified on the Alternative 4 map as Proposed Nordic Trail #3. This will be located largely on old road and skid trail locations once harvest is complete. Skid trails in Units 30, 31, and 32 will be located in a manner that lends them to conversion for Nordic use upon completion of harvest. Trail construction will be the responsibility of the permittee, under the supervision of designated Forest Service personnel.

Table 2: Summary of Proposed Activities for Alternative 4

Activity	Amount
Timber Harvesting (acres)	**Total - 1037**
Even-aged Management	
• Regeneration Cut (Clearcut)	205
• Thinning	697
Uneven-aged Management (acres)	
• Individual Tree and Group Selection	80
• Single Tree Selection	55
Transportation	
• Pre-haul Maintenance of Existing Forest System Rd.	5.3 miles
• Permanent System Road - New Construction	3000 feet
• Temporary Road Construction to Landings	1450 feet
• Temporary Haul Road Bridges	1
• Temporary Skidder Bridges	8
• New Landings Constructed (#)	5
• Approved new Nordic Ski Trails	2.4 miles
Connected Actions	
• Non-native Invasive Species treatment	4 acres
• Timber stand improvement (regeneration release)	20 acres
• Improving Fisheries Habitat	½ to ¾ miles
• Stabilize Streambanks	1.25 miles
• Correct drainage concerns with existing ski trail	1 section of trail
• Replace culvert on NFSR 623 and ditch skid trail	One location each

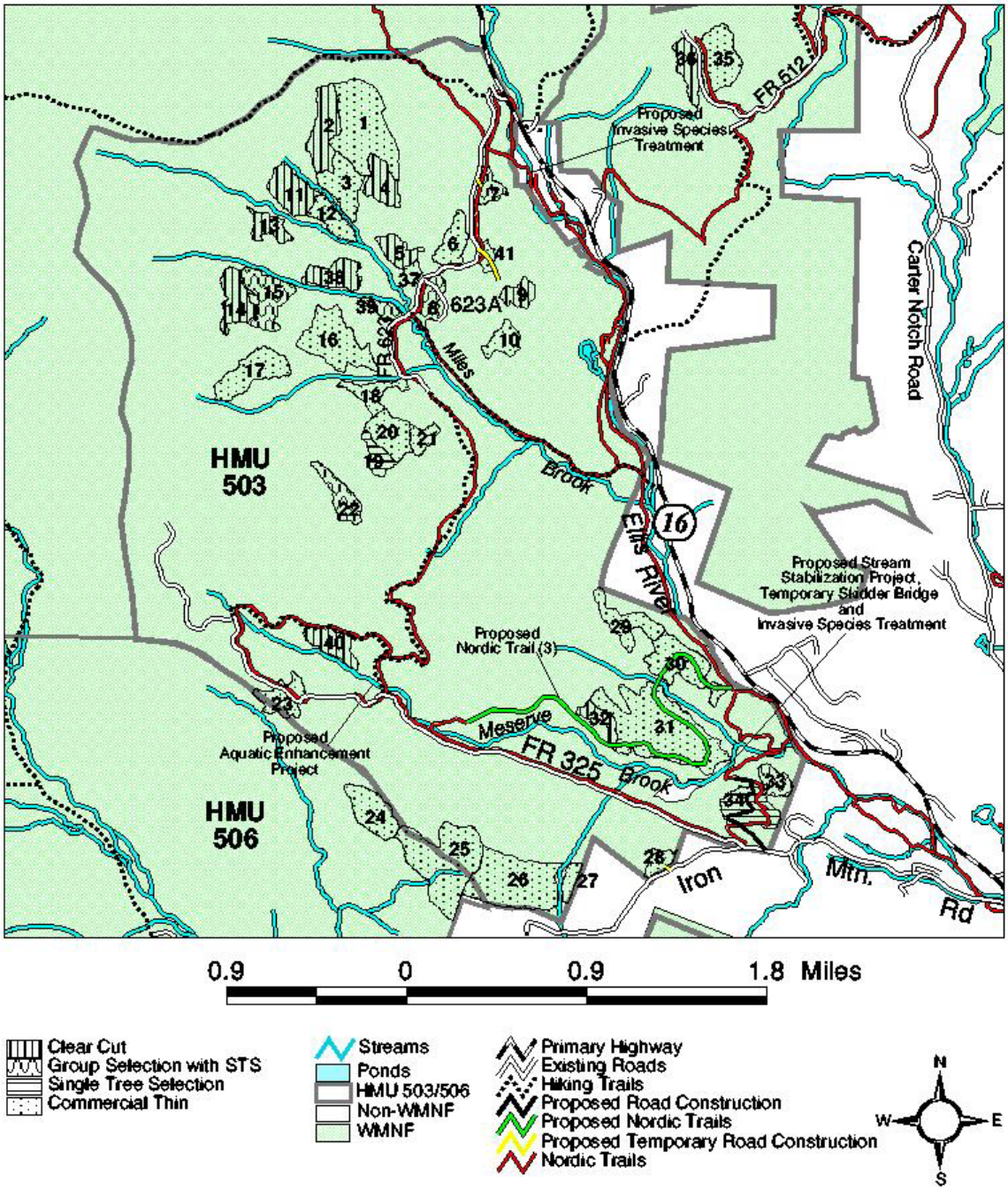

Figure 1:
Popple Vegetation Management Project
Alternative 4

Table 3: Selected Alternative

Unit	Forest Type	Acre	Treatment Objective	Harvest Method	Operating Season
1	Hardwood	60	Hardwood Quality	Thin	Fall
2	Hardwood	30	Hardwood regeneration	Clear Cut	Summer/Fall
3	Hardwood	27	Hardwood Quality	Thin	Fall
4	Hardwood	19	Hardwood regeneration	Clearcut	Summer/Fall
5	Hardwood	12	Hardwood regeneration	Clearcut	Winter
6	Hardwood	18	Hardwood Quality	Thin	Fall/Winter
7	Hardwood	14	Hardwood Quality	Group Selection / STS	Fall
8	Mixedwood	18	Softwood development	Group Selection / STS	Winter
9	Hardwood	11	Hardwood regeneration	Clear Cut	Winter
10	Hardwood	13	Hardwood Quality	Thin	Winter
11	Hardwood	25	Hardwood regeneration	Clear Cut	Fall
12	Hardwood	19	Hardwood Quality	Thin	Fall
13	Hardwood	13	Hardwood regeneration	Clear Cut	Summer/Fall
14	Hardwood	23	Hardwood regeneration	Clear Cut	Summer/Fall
15	Mixedwood	25	Softwood development	Group Selection / STS	Fall
16	Hardwood	42	Hardwood Quality	Thin	Fall
17	Hardwood	33	Hardwood Quality	Thin	Fall
18	Hardwood	15	Hardwood Quality	Thin	Fall/Winter
19	Mixedwood	9	Softwood development	STS	Winter
20	Hardwood	22	Hardwood Quality	Thin	Winter
21	Hardwood	11	Hardwood Quality	Thin	Winter
22	Mixedwood	19	Softwood development	Group Selection / STS	Winter
23	Hardwood	20	Hardwood Quality	Thin	Fall
24	Hardwood	24	Hardwood Quality	Thin	Fall
25	Hardwood	89	Hardwood Quality	Thin	Fall
26	Hardwood	79	Hardwood Quality	Thin	Fall
27	Hardwood	8	Hardwood Quality	Thin	Fall
28	Hardwood	9	Hardwood Quality	Thin	Fall
29	Hardwood	25	Hardwood Quality	Thin	Fall
30	Hardwood	38	Hardwood Quality	Thin	Fall
31	Hardwood	99	Hardwood Quality	Thin	Fall
32	Hardwood	10	Hardwood regeneration	Clear Cut	Summer/Fall
33	Mixedwood	12	Softwood and Oak devel	Group Selection / STS	Fall
34	Hardwood	30	Hardwood Quality	STS	Fall
35	Hardwood	34	Hardwood Quality	Thin	Fall
36	Hardwood	19	Hardwood Regeneration	Clear Cut	Summer/Fall
37	Hardwood	5	Hardwood Quality	Thin	Fall/Winter
38	Hardwood	20	Hardwood Regeneration	Clearcut	Summer/Fall
39	Mixedwood	9	Softwood Development	Group Selection / STS	Fall
40	Hardwood	23	Hardwood Regeneration	Clearcut	Summer/Fall
41	Hardwood	6	Hardwood Quality	Thin	Winter
Sum		1037			

* implies small groups averaging 1/4th acres.
STS= Single Tree Selection, an uneven age management system (see attachment for descriptions)
Forest Type – represents the primary species composition of the unit
Treatment objective –the harvest methods are designed to meet the Purpose and Need for treatment in each unit.
Harvest Method: the silvicultural prescription, or type of harvest proposed for a given unit.
Operating Season - Time of year when harvest activities are scheduled to occur. Activities may occasionally occur outside these periods when soil conditions and other resource considerations allow.

3.2 Reasons for Decision

a. General. I have selected Alternative 4 for the following reasons, all of which are based on information contained in the Environmental Assessment for the Popple Vegetation Management Project:

1. Alternative 4 will distribute a balanced **mixture of even-aged and uneven-aged** forest treatments across the landscape (EA Chapter 3.5, pages 82-88).
2. It will take advantage of the opportunity to generate **early-successional habitat** in HMU 503 where only 119 acres of it currently exist on National Forest land, providing **foraging and nesting habitat** for many species (see EA Chapter 3.8).
3. It will use uneven-aged management to retain **mature and overmature habitat** for species that use it (EA Chapter 3.8).
4. It will "provide improved diversity of habitat for **Management Indicator Species**" (EA Chapter 3.9).
5. It will enhance **skiing opportunities** on trails managed by Jackson Ski Touring Foundation (EA Chapter 3.1).
6. It will continue to maintain or improve **water quality** within a municipal watershed that is utilized as a public drinking water source by Jackson Water Precinct (EA Chapter 3.4.3).
7. It will provide new **roads and Nordic trails in acceptable locations** that can be utilized in the future by both JSTF and Jackson Water Precinct.
8. It will provide **wood products** for the greatest return to the local economy and the Treasury (EA Chapter 3.5).
9. It will improve forest health, vigor, and productivity through the application of **sound forestry practices**.
10. It **addresses** the reasonable **concerns of people** who took time to provide comments (Appendix **C)**.
11. It will maintain the **visual quality** and scenic appearance of the area when viewed from key vantage points in the vicinity of the project area (EA Chapter 3.2).
12. It preserves potential **roadless and wilderness characteristics** of the area (EA Chapter 3.7).
13. It best meets the need for change and **desired future condition** for Habitat Management Unit 503, as described in Table 1 (above) and in the White Mountain National Forest Plan. It will create forest conditions that most closely resemble the Desired Future Condition described in

the Forest Plan, while protecting or improving valuable water and recreation resources in the area.

b. The Product of Collaboration. I selected Alternative 4 in large part because it was the product of vigorous public involvement and a collaborative effort to resolve public concerns. Over 50 interested parties used our public involvement process in a constructive and adaptive way to bring a desired outcome. Alternative 4 accomplishes the stated objectives for this project in a way that best meets public needs and minimizes resource impacts.

Alternative 4 was specifically created to respond to issues received during the official comment period for the Popple project. Over 50 response letters were received. Several of the key respondents contributed to the development of Alternative 4 (including the Jackson Water Precinct, Jackson Ski Touring Foundation, and the Eastern Region Winter Sports Team). Because of the active interest and involvement of all who responded to the public comment package, we were able to resolve concerns through collaboration, and ended up with a better project. In my opinion, this project is a good model of what public land management is all about.

c. Achieves the Desired Condition for Forest Habitat. I base my decision to implement Alternative 4 on the analysis of effects found in the EA. As described in Chapter 3.8, Alternative 4 will contribute toward achieving desired wildlife habitat conditions within Habitat Management Unit (HMU) 503, and provide high quality hardwood sawtimber and other timber products on a sustained yield basis. The project will establish 205 acres of early-successional habitat while harvesting approximately 5.0 million board feet of timber utilizing both uneven-aged and even-aged management techniques on approximately 1037 acres of National Forest land. To facilitate the timber harvest the project will include construction of 3000 feet of new permanent road; placement of one truck bridge across a tributary to Meserve Brook; use of up to 5 new and 5 existing log landings; provide road maintenance of approximately 5.3 miles of existing Forest Roads; and implement other fisheries and streambank stabilization projects.

d. Addresses Visual Concerns. Some respondents expressed concerns regarding visual effects of harvesting in the Popple project area. After examining the visual effects analysis and mitigation measures described in the EA (pages 59-62), I am convinced that the visual effect of harvesting and clearcut openings will be in compliance with Forest Plan guidelines. Cutting unit edges will be softened in a manner that produces a more natural appearance on the landscape. The EA discusses (1) the proper and thoughtful placement of ¼-acre to ½-acre reserve patches in clearcuts required by the Forest Plan, (2) the feathering of the perimeter on clearcut units, (3) the protection of snags and den trees, and (4) the retention of additional trees required for Indiana bat. All of these measures combined should significantly reduce the visual impacts of harvest. Proposed harvests were modeled onto the landscape using "Visual F/X" software designed for visual analysis. The program produces simulated views that might be expected from specific vantage points.

e. Meets Recreation and Road Access Needs. Alternative 4 not only provides Jackson Ski Touring Foundation options for future Nordic trail development, but it will also give the Forest Service greater flexibility in the future to manage land without necessarily forcing closure of trails for skiing. The development of "Proposed Nordic Trail #3" will provide a groomed route that allows the Forest Service to winter haul on Forest Road 325 without having to close the south loop of its trail system

in this area. This is to the advantage of everyone, including the Town of Jackson, because winter hauling on these roads is economically and environmentally preferable.

f. Meets Municipal Watershed Needs. Alternative 4 addresses concerns expressed by Jackson Water Precinct (JWP). The Forest has a long standing relationship with JWP and we have been involved with them in the development of this project. The Popple project area is part of a municipal watershed serving the Town of Jackson, and JWP also owns a parcel of land surrounded by National Forest within the project area. The property has a dam and water impoundment on it. The impoundment is not maintained as a primary drinking water source, but it does provide hydrologic pressure that powers a hydroelectric generator at their well and treatment plant in Jackson, thus providing electric power for the plant. We have designed mitigations (such as setbacks and buffers) into the project that are specifically designed to protect the impoundment and water pipeline. These mitigations would exceed State and Town's water supply mitigation requirements even if the impoundment were the town's primary drinking water source, which it is not. Also, the haul road discussed previously has the dual advantage of also providing the Precinct improved access to their property for the purposes of maintaining their dam and impoundment. Safe and reliable access to the dam has been a problem for the Precinct in the past. The District Ranger plans to issue the Jackson Water Precinct a permit for use of the road once the project is complete.

In a February 9 meeting with Jackson Water Precinct members, we reviewed our plans and discussed their concerns. The dialogue was constructive, and, in a subsequent letter dated February 14, they stated that they are "comfortable" with efforts made to meet their needs and address their concerns.

3.3 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 an itemized comparison, see "Table 6. Summary of Potential Effects" in the Environmental Assessment (Chapter 2. E, page 49).

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 accomplish the Purpose and Need for Change, nor does it achieve Forest Plan goals and objectives for MA 2.1 and 3.1 lands in HMU 503. While taking No Action would avoid issues regarding recreation use, municipal watersheds, and scenic quality, it would do so at the expense of implementing the Forest Plan in this area. Stand conditions would remain unchanged, except as affected by natural disturbance processes; and creation of early-successional habitat that clearcuts mimic may not occur. No sawtimber or other timber products would be generated by timber harvest in the Project Area at this time. A lack of regenerating stands could effect, over time, habitat conditions for Management Indicator Species such as chestnut-sided warbler, broad-winged hawk, ruffed grouse, snowshoe hare, Cape May Warbler, and Canadian Lynx (as shown on Table 23, EA Chapter 3.8.1)

Alternative 2

Alternative 2 was designed to address the need for change in the analysis area with the optimal prescriptions, harvest proposals, and connected actions. Alternative 2, the Proposed Action, proceeded receipt of public comments but was developed with the most current information available. Though it would move the HMU toward attaining wildlife habitat diversity objectives and other Forest Plan goals, it does not fully consider the impact to the Nordic Skiing community. It fully responded to the need to create hardwood early successional habitat, to increase softwood component in mixedwood stands, to provide for sustained timber production, and to improve other resource conditions in the project area as described in the connected actions. However, upon receipt of public comments, and the subsequent development of Alternative 4, many of the Forest Plan objectives would be met with less impact to the local community.

Alternative 3

Alternative 3 was created to respond to concerns about effects on Nordic skiing due to winter harvesting. It did so by eliminating all winter harvest, eliminating several units that were scheduled for winter only treatment due to other resource concerns.

I did not select this alternative because: (1) it falls short of meeting our habitat objectives in this HMU (EA Chapter 3.8, page 113); (2) it meets the "purpose and need for action" to a lesser extent than Alternatives 2 and 4 because Alternative 3 falls short of promoting quality hardwood and softwood stands, and decreases the acres of new early-successional habitat now lacking in HMU 503; and (3) although public interest in minimizing effects to winter recreation activities is strong, and this alternative resolves that issue entirely, it does so at the expense of implementing other Forest Plan goals for this area.

4.0 Public Involvement

The Popple project has been listed in the October 2004 and January 2005 issues of the Quarterly Schedule of Proposed Actions for the White Mountain National Forest. This publication is mailed to over 500 people interested in and/or affected by the White Mountain National Forest management.

a. Public Involvement during Early Project Planning. During that initial stages of project development, the Saco District Ranger worked directly with Jackson Ski Touring Foundation (JSTF) and other interested parties to keep them informed and involved.

After a July 2004 meeting with the JSTF Board of Directors about the proposed action (Alternative 2), the district developed an alternative proposal (Alternative 3) designed to address concerns and suggestions from JSTF.

b. 30-day Public Comment Period. In January 2005, a preliminary public comment package titled "Popple vegetation Management Project – Public Comment Package" was mailed to over 120 abutters, landowners, organizations, and interested parties for a 30-day comment period which ended on February 14, 2005. An announcement of the Proposed Action was published in the *Mountain*

Ear, and in the legal notices section of the **Manchester Union Leader** on January 13, 2004. The public comment document was also posted on our White Mountain National Forest web page (www.fs.fed.us/r9/white). And finally, through use of their website, Jackson Ski Touring Foundation notified nearly 3000 members via e-mail.

A total of 65 comment letters (including E-mail) were received. Responses to those comments can be found in the EA, Appendix C.

c. Public Meeting. Saco Ranger District staff hosted a public meeting in the Jackson Town Hall on February 3, 2005 at the request of the Selectmen. The meeting was attended by over 30 people. A presentation was given and questions answered. The response to the meeting was positive. An issue that emerged from the meeting was the proposed timber haul road location and its potential impact on the Hall Trail Connector.

d. Individual Meetings. The District staff and I responded by meeting in the field with Jackson Ski Touring Foundation on February 4 and again on February 17, 2005 to discuss road and ski trail concerns. An additional Alternative (#4) was developed to address these concerns. We heard clearly how important the Hall Trail Connector was in its current condition and location, to a large number of JSTF skiers, and adjusted plans out of respect for those who commented.

We also met on February 9, 2005 with Jackson Water Precinct members. We reviewed our plans and discussed their concerns. The dialogue was constructive, and some adjustments were made to the project proposal.

e. Public Notification of this Decision Notice/FONSI and Availability of the EA. The EA for this project is available for review, and is being mailed to those individuals who request it. All individuals and organizations who commented during the comment period are receiving a paper or CD copy of this Decision Notice, and a notice of the availability of the EA, including the Forest Service Response To Public Comments (EA Appendix C). The EA and the Decision Notice/FONSI will also be posted on the White Mountain National Forest web page (www.fs.fed.us/r9/white).

4.1 Issues Used to Formulate Alternatives

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.

Issues considered in the EA were raised by the public during scoping or were formulated by the Interdisciplinary (ID) Team. Main issues of concern used to develop alternatives were:

Issue 1: ***Effect that winter haul on Forest roads would have on Nordic Ski Trails, of proposed road construction to access units 29-34 on the existing Hall Trail Connector, and of additional proposed Nordic Ski Trails***
Issue 2*: Effect of harvest openings (clearcuts) on scenery;*
Issue 3: ***Control of Invasive Species in the Project Area;***
Evidence of openings created during harvest activities may be apparent to individuals viewing the Project Area from Iron Mountain, Doublehead Mountain, Attatash/Bear Peak, and from Nordic Ski

Trails in the vicinity of Spruce Mountain. The effects of the alternatives on scenic quality are displayed in section 3.2 of the EA.

Issue 4: ***Water quality effects from the vegetation management project including the connected streambank, fisheries and Nordic Trail projects;***

Issue 5***: Wildlife and aquatic habitat enhancements and improvements to timber stands.***

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 4 have been considered in the EA (Chapter 3). My finding of No Significant Impact is not biased by the beneficial effects of the action. Though the effects from Alternative 4 may be both beneficial and adverse to certain resources, the EA demonstrates that these effects are relatively minor and the impacts generated are not directly, indirectly or cumulatively significant.

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 (see EA section 3.1 Recreation, and Forest Plan Sale Contract Clauses). Similar activities have been implemented in the past and the mitigation measures have proven to be effective. Public safety can be adequately assured through signing public roads and trails.

Unique Physical and Biological Characteristics

There will be no significant effects to unique characteristics of the area, or to prime farmland, or heritage resources within the project area. There are no ecologically critical areas, such as wetlands, wild and scenic rivers, adjacent parklands, or Wilderness within the project area. There are no significant effects to the roadless or Wilderness character of a Inventoried Roadless Area, nor will any of the proposed activities affect the availability of the Presidential – Dry River Inventoried Roadless Area #2 for consideration as potential Wilderness in Forest Plan Revision.

The selected alternative does not violate standards set for Outstanding Resource Waters for New Hampshire nor does it adversely affect Threatened or Endangered species, Species with Potential Viability Concerns, or Management Indicator Species.

Controversial

Consultation with other State and Federal Agencies (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). Based on public comments received during the 30-day comment period, and the involvement of these other State and Federal Agencies, and the analysis by Forest Service resource specialists documented in Chapter 3 of the EA, I have concluded that the effects on the human environment from the proposed action are not highly controversial. Issues are largely mitigated in project design and mitigations (see EA and Appendix A-C). Alternative 4 is within the standards and guidelines of the Forest Plan. Ongoing research at nearby Bartlett Experimental Forest also reinforces the scientific validity of activities prescribed in the Forest Plan and proposed in this project.

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 charateristics 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 does not establish a precedent for future actions. 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 Area 3.1 and 2.1. In addition, this action does not set precedent for or direct future management, or limit any management options or restrict land designations under the Forest Plan revision process.

Cumulative Impacts related to Other Actions

The proposed action does not individually or cumulatively reach a level of significance. The Environmental Consequences (Chapter 3) section of the EA describes the anticipated direct, indirect and cumulative effects on vegetation, recreation, soils, water, fisheries, scenery, wildlife (Management Indicator Species, threatened, endangered, and sensitive species), heritage resources, and roadless areas. EA Chapter 3.9 describes that Alternative 4 would "provide improved diversity of habitat for Management Indicator Species". In addition, the selected Alternative 4 does not lead to any change in forest productivity, and adequate re-stocking of clearcut stands is anticipated. Improved forest health is expected.

The Biological Evaluation does not show direct or cumulative adverse impacts that are in themselves significant, or would lead to significance. US Fish and Wildlife Service

concurrence for Alternative 4 was received on April 27, 2005. There are no undisclosed or related actions that would produce cumulative significant effects on the physical or human environment. I am satisfied after review of the Environmental Assessment and the project record that none of the direct, indirect or cumulative effects of the alternatives are significant.

Effects to Significant Scientific, Cultural or Historical Resources

A Cultural Resource Reconaissance Report was completed for the Project Area. Based on these field surveys there is no anticipated loss of historic or cultural resources. The New Hampshire State Historic Preservation Office (SHPO) concurred with the findings of the archeological survey on January 6, 2005.

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

Alternative 4 would not adversely affect any threatened or endangered species or habitat that has been determined to be critical under the Endangered Species Act of 1973.

Though Region 9 Sensitive or State-listed species potentially exist in the Project Area. Forest Plan Standards & Guidelines, and site-specific mitigation measures (avoidance), minimize potential impacts to these species. If effects do occur, they are likely to be minimal, with no significant effect on populations or habitat (Biological Evaluation, 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 the selected alternative 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.

6.0 Findings Required by Other Laws and Regulations

The decision to implement Alternative 4 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 are suitable for timber harvesting in accordance with the National Forest Management Act and the White Mountain National Forest Plan, and confirmed by field examination.

The proposed even-aged prescriptions are appropriate methods to create early-successional wildlife habitat in the northern hardwood and paper birch community types. The uneven-aged prescriptions are appropriate methods to accelerate the growth of softwood regeneration in the understory, and to provide diverse structure in hardwood stands where this technique is applied (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 for National Forest Management (see Forest Plan, Appendix M, p.VII-M-9). My decision is consistent with these guidelines and is based on the best available science as shown below:

1. *The prescription is best suited to the multiple-use goals established in the Forest Plan for this area and considers the potential environmental, biological, cultural, scenic, engineering, and economic impacts as stated in regional guides and the White Mountain National Forest Plan.* The use of even-aged management prescriptions is optimal where applied because it regenerates stands that are mature; it supplies wood products predicted in the Forest Plan (Forest Plan, Appendix M); and it protects other resource values, mitigates effects, and helps achieve Forest Plan objectives (see Popple EA: Section 3.5 - Vegetation; and EA section 3.8 Wildlife).

2. *The prescription assures that lands can be adequately restocked except where permanent openings are created for wildlife habitat improvement, vistas, recreation uses and similar practices.* The practices prescribed for the Popple Project are the same as those that have been successful in restocking WMNF MA 2.1 and 3.1 lands during past management entries (Forest Monitoring Reports).

3. *Alternative 4 is not chosen because it would give the greatest dollar return or the greatest output of timber.* Alternative 4 would have a higher dollar return than Alternative 3, and a lesser return than Alternative 2. Alternative 4 was selected for reasons disclosed in the Decision Notice.

4. *The prescription should be chosen after considering potential effects on residual trees and adjacent stands.* Negative effects to residual trees or adjacent stands are not anticipated (Popple EA: Section 3.5 - Vegetation).

5. *The prescription maintains site productivity and ensures conservation of soil and water resources.* The prescriptions include Forest Plan Standards and Guidelines, Best Management Practices, and Mitigations designed to prevent the permanent

impairment of site productivity and to conserve water resources (Popple EA: Section 3.5 – Vegetation, Section 3.6 – Soils; Section 3.4 – Water; and Appendix A – Project Mitigations). Forest site productivity will remain constant and adequate re-stocking of clearcut stands is anticipated based on the history of regeneration on similar soils nearby and elsewhere on the Forest. No change in soil productivity is expected. (See Popple EA: Section 3.6, Soils).

6. *The prescription provides the desired effects on water quantity and quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, scenery, and other resources.* The prescriptions meet Forest Plan Standards & Guidelines, which describe the Desired Future Condition (Popple EA: Chapter 3, all sections, Appendix A – Mitigations and Chapter 1, and sections E. Purpose and F, Need for Change).

7. *The prescription is practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration.* Alternative 4 uses existing roads that only need maintenance, with the exception of 3000 feet of new construction and three temporary landing access roads that total approximately 1450 feet. Harvest design and mitigations to protect resources are practical and are designed to best meet resource management and protection objectives and human needs. Costs of project preparation, road work, logging and sale administration are representative of a typical sale in this area. (see Popple EA: Chapter 2 – Alternatives; Chapter 3, section 3.5, Vegetation and section 3.8, Wildlife).

NEPA (National Environmental Policy Act)

This act requires public involvement and consideration of potential environmental effects for proposed actions. The public involvement process for this proposed action and the EA comply with NEPA regulations authorized under new planning regulations (36CFR 215 dated June 4, 2003). Substantive comments received for this project were used to improve project design including project design, location of proposed road construction and Nordic Ski Trail (*where*), and season of harvest (*when*).

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 received concurrence from SHPO on the cultural resource report and approval to implement the project on January 6, 2005.

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 (TEPS). 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, Popple Project
626 East Wisconsin Avenue
Milwaukee, WI 53202

The office hours for those submitting hand-delivered appeals are: 8:00am-4:30pm (Central Time), Monday through Friday, excluding holidays. The 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 *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 Saco Ranger Station at 603-447-5448, ext. 103 (TTY 603-447-3121) 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 Saco Ranger District, 33 Kancamagus Highway, Conway, NH 03818. In addition, the EA will be posted on the White Mountain National Forest web page (www.fs.fed.us/r9/white). Questions regarding the EA should be directed to Rick Alimi, Assistant Ranger, at 33 Kancamagus Highway, Conway, NH 03818 (phone: 603-447-5448, x 103, TTY: 603-447-3121).

9.0 Responsible Official and Contacts

The Responsible Official for the Popple Vegetation Management Project is Terry Miller, District Ranger for the Saco Ranger District, White Mountain National Forest. He is located at 33 Kancamagus Highway, Conway, NH 03818 (phone: 603-447-5448, Ext. 102).

For additional information concerning this decision or the Forest Service appeal process, contact: Rick Alimi at the same address, or by phone (603-447-5448, x103), or by FAX (603-447-8405).

TERRY MILLER
District Ranger

Date