Pemigewasset Wilderness
Thoreau Falls Trail Bridge
Removal Project

Town of Lincoln, Grafton County, New Hampshire

Draft Decision Notice and
Finding of No Significant Impact

Pemigewasset Ranger District

May 2018

For Information Contact: Thomas Giles
White Mountain National Forest
71 White Mountain Drive
Campton, NH 03223
Phone: 603 536-6102
Fax: 603 536-3685
http://www.fs.usda.gov/projects/whitemountain/landmanagement/projects
This document is available in large print

Contact the Pemigewasset Ranger District
White Mountain National Forest
603-536-6100
TTY 603-536-3665

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer and lender.

Cover photo: Thoreau Falls Trail Bridge showing warped and deteriorated decking. (WMNF photo)

Printed on Recycled Paper
# Table of Contents

1. Introduction .................................................................1
2. Purpose and Need ..........................................................1
3. Decision and Rationale ..................................................3
4. Public Involvement .......................................................10
5. Findings Required By Other Laws and Regulations .............12
6. Finding of No Significant Impact .......................................16
7. Pre-Decisional Objection Opportunities ..........................21
8. Implementation Date and Contact ....................................22
1. Introduction

This document announces my proposed decision regarding the Pemigewasset Wilderness Thoreau Falls Trail Bridge Removal Project (Thoreau Falls Bridge Project) and my finding that this project will not have a significant impact on the quality of the human environment. This Draft Decision Notice and Finding of No Significant Impact (DDN/FONSI) incorporates by reference the Pemigewasset Wilderness Thoreau Falls Trail Bridge Removal Project Environmental Assessment (EA) dated May 2018 and the supporting project record.

The Thoreau Falls Bridge, built in 1962, is in the Town of Lincoln, Grafton County, New Hampshire (see map p. iv). The bridge was constructed to provide recreational hikers with a crossing of the East Fork of the Pemigewasset River as part of the Thoreau Falls Trail. The 60-foot long “full tree length” log stringer bridge has a wooden deck, wooden rails and concrete abutments, and is of simple utilitarian design. The log stringers were treated with creosote prior to installation. The bridge is located near the center of the 45,000 acre Pemigewasset Wilderness. The Pemigewasset Wilderness was added to the Wilderness Preservation System through the New Hampshire Wilderness Act of 1984 (Public Law 98-323); the Wilderness Act was passed in 1964. The shortest route to the bridge is a 6.6 mile hike from the Lincoln Woods Visitor Center off the Kancamagus Highway.

2. Purpose and Need

The purpose of the Thoreau Falls Bridge Project is to: 1) address public safety concerns related to the failing condition of the bridge and 2) determine what if any structure is needed to provide a pedestrian crossing of the East Fork of the Pemigewasset as part of the Thoreau Falls Trail during the primary season of use (summer and fall) as directed by the 1964 Wilderness Act and related laws, regulations, policies, and plans.

The Thoreau Falls Bridge has had a one-person at a time weight limit since 2011. Although the bridge has been periodically maintained, it has deteriorated over time and the deterioration has been accelerated by storms (see also EA Chapter 1 pp. 5, 8 and project record). The bridge sustained substantial damage during Tropical Storm Irene in 2011. Engineers inspected the bridge after Irene and recommended that it be decommissioned due to structural damage. They
advised that, if the bridge were to remain in service, no more than one person cross the bridge at a time and that they be advised to do so slowly to avoid accentuating forces on the structure. The bridge remained in use, and was signed for one-person at a time, and is inspected annually. This project is needed to address the failing condition of the bridge. In August 2017, WMNF engineering staff performed their annual safety inspection of the bridge and recommended the bridge be permanently closed to the public beginning summer 2018 due to further cracking, rotting, the overall failed condition to the wooden structure, and the safety risk it poses to the public.

The bridge is located in the Pemigewasset Wilderness. The Wilderness Act defines wilderness as an area that provides “outstanding opportunities for solitude or a primitive and unconfined type of recreation.” Although the Wilderness Act defines wilderness as “undeveloped,” trails are defined as an acceptable improvement. Trails in wilderness are typically maintained to a standard that provides a greater challenge compared to non-wilderness trails. The need for bridges and other structures is minimized through the design and location of trails, and structures are used only for the protection of the wilderness resource or to address extraordinary safety hazards. Under the Wilderness Act, the Forest Service is required to insure that projects are reviewed and that actions taken to meet the purpose and need of projects are determined to be “…necessary to meet minimum requirements for the administration of the area for the purpose of this Act” (16 USC 1131).

This project is tiered to the White Mountain National Forest (WMNF) Land and Resource Management Plan (Forest Plan), revised in 2005. The Forest Plan addresses the management of wilderness by defining the purpose and desired condition, as well as establishing standards and guidelines for activities in wilderness (Chapter 3, pp. 9-17). The Wilderness Management Plan (Forest Plan Appendix E) directs that wilderness be “managed to allow natural processes to continue with minimal impediment, to minimize the effects and impacts of human use, to provide primitive and unconfined recreation opportunities.” Recreation—Use Administration Guideline 5 provides that “Only those improvements needed to protect and manage the Wilderness resource, or that address an unusual and extraordinary public safety hazard should be constructed.” (Forest Plan p. 14). This guideline is based in part on the direction provided by Forest Service Manual 2320: Wilderness Management “Provide or replace bridges only: a. When no other route or crossing is reasonably available. b. Where the crossing, during the primary
season of public use, cannot be negotiated afoot safely .... c. Where unacceptable bank damage will occur from visitors seeking a crossing.” (FSM 2323.13f2).

Based on the direction for management of wilderness, the Thoreau Falls Bridge project is also needed to determine what, if any, structure is necessary to provide a pedestrian crossing at this location on the Thoreau Falls Trail.

3. Decision and Rationale

Decision

Having considered on-the-ground conditions in and near the project area, input from the interdisciplinary team, public comments, the EA, and the goals for Management Area 5.1 - Wilderness, I have decided to implement Alternative 1: Removal of Bridge Without Replacement.

This alternative will remove the bridge without replacement. The bridge will be removed using traditional tools (e.g., cross-cut saws, sledge hammers, and other similar hand tools). The concrete abutments would be left in place and allowed to decompose over time. The creosote treated wood would be removed from the site for proper disposal. Depending on the size of material to be packed out (e.g., large pieces of bridge stringers) mechanized and motorized equipment, including chainsaws and helicopters, could be used. Up to two helicopter trips would be necessary to remove large material. Untreated wood materials would be chopped up and burned on site. Up to 12 trees greater than 3” diameter at breast height (DBH) would be cut down to facilitate bridge removal. The trail would maintain its current alignment and users would ford the river using their own discretion. Bridge removal would take approximately five days and would likely occur between early July and late September. Following bridge removal, the site would be monitored for user created impacts (soil erosion), and if resource concerns were to develop, they would be addressed with future project(s) in compliance with the National Environmental Policy Act. The Zoning for the small segment of Thoreau Falls trail would be administratively changed from Zone C to Zone B to reflect the change in conditions following bridge removal, resulting in the entire trail length being Zone B.

All applicable Forest Service National Core Best Management Practices, New Hampshire Best Management Practices, and Forest Plan Standards and Guidelines would be followed during implementation of this project. All
necessary State and Federal permits would be secured prior to project implementation.

Monitoring of conditions outlined in the Forest Plan and Wilderness Management Plan for streambank conditions would continue under all action alternatives. If the bridge is removed without replacement, the project area would be monitored for informal trail development and impacts to cultural sites. If resource concerns develop, then management proposals would be initiated to address the concerns.

**Reasons for the Decision**

In arriving at this decision, I followed the process that is outlined in our Forest Service Manuals and Handbooks and reviewed the statutory requirements and guidelines found in the Wilderness Act of 1964. Being bound by these manuals and handbooks, I have also allowed the ‘intent’ of the Wilderness Act of 1964 to assist in my thoughts and decision process. As described in the Act, a wilderness is “an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain,” and “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.”

During my project review, I learned the deteriorated bridge was pre-existing at the time this landscape was designated as a wilderness in 1984, and that the bridge actually predates the passage of the Wilderness Act. I considered what a wilderness designation means, comparing this primitive expectation to an experience elsewhere on the forest, that is not a designated wilderness.

However, there is another part of this decision that I considered, which looks to the future. Please allow me to relate an experience I had hiking to the Thoreau Falls Bridge. If you have ever been out to the Thoreau Falls Bridge, suffice it to say, it is a nice, relatively easy hike that follows the East Branch of the Pemigewasset River on its eastern and southern shore from the Lincoln Woods Trailhead. After 2.8 miles you pass by the Franconia Brook Campsites where
you’ll see the campsites, a toilet building and then the gate which marks the entrance to the Pemigewasset Wilderness on the other side. There is a sign welcoming you to the Wilderness and a message notifying you that motorized and mechanized transport is not allowed from that point forward. It also states that you should expect primitive conditions with few signs and rough trails that may be difficult to follow.

I’ve walked 2.8 miles from the Lincoln Woods Trailhead to get this far and I’ll have another 12.3 miles to get to the Zealand Trailhead, if I use the Thoreau Falls Trail. Personally, I would need to plan an overnight, avoiding a very long day of hiking totaling over 15 miles.

It’s almost four more miles from this boundary to the crossing of the East Branch where the Thoreau Falls Bridge is located. On the way, I’ll negotiate Cedar Brook, which I can use as a gauge to judge the water depths for the crossing at the Thoreau Falls Bridge site. Gauging the water at Cedar Brook will be very important. If it’s really challenging to cross there, it may not be safe to traverse at the Thoreau Falls Bridge crossing site if there is no bridge.

And there it is – without the Thoreau Falls Bridge, the decision process of whether to continue or turn back at Cedar Brook is now important, one which relies solely on my evaluation of the natural environment I am surrounded by; with the Thoreau Falls Bridge still there, it wouldn’t be a factor and I would wade through Cedar Brook confident that nature has been tamed by a bridge ahead of me and that I’ll be able to cross with little consideration to the water level in the river.

If you have never truly had a wilderness experience, where you rely solely on your own judgement to evaluate nature and its inherent risks, it’s hard to capture in words the emotional, physical, and spiritual rewards those experiences provide. There is no comparison for this experience to modern day life, whether it be leaving your home in a vehicle to go to a distant destination or visiting a park in your community. With a true wilderness experience, you acknowledge
and accept that you will be a visitor to this wilderness, and at some point, will have to leave it.

Wilderness is intended to be protected and managed to preserve its natural conditions, where you have to accept nature entirely on its own terms, with the imprint of man’s work substantially unnoticeable. Removing the Thoreau Falls Bridge will assure all of us that this opportunity is available, here in the largest wilderness area in the Northeast United States.

I can certainly prepare myself for this raw experience by looking at the weather forecasts on my smart phone before the trip and even looking at stream gauge information on the USGS web site. Standing on the bank of Cedar Brook and then again at the bank of the Thoreau Falls Bridge crossing site, I am left without any tools other than my own judgement. There is no cell phone coverage here, nor did I expect there would be. Instead, I stare at the water in both the brook and the river, looking for rocks to step on, and evaluating the height of the river above those rocks. I evaluate nature on its terms, not mine. I know that this will only be an issue at high water and all of the indicators I observed leading up to it on this trip pointed to it not being an issue. Standing here on the bank, the real decision is in front of me – do I cross, do I change my route, do I wait it out and let the high water lessen, or do I turn back? Each of these decisions are for me to decide, with the only relevant information provided by nature that surrounds me. The wilderness experience is enriched from these decisions and the challenge they present. I recognize there is risk here and that it is fully intentional in the precepts that established the National Wilderness Preservation System and were codified in the Wilderness Act of 1964.

The amount of comments we received from the public asking us to replace this bridge weighs heavily on me, especially knowing the existing bridge predates The Wilderness Act. I would like to offer up to the many people we heard from, thank you, and please consider the reasons for this decision with an open mind. It is not my desire to put my “stamp” on the Pemigewasset Wilderness, rather it is my duty to uphold the laws and regulations I am charged to carry out. The river at the Thoreau Falls Bridge crossing is fordable during the primary season of use- summer. There is ample support of this in the environmental analysis, and it is common sense for people that have first-hand experience in the Pemigewasset Wilderness. There are numerous water crossings within the wilderness that would be hazardous during high water, the crossing at Thoreau Falls Bridge is but one. These high water events typically occur during spring runoff and after significant rain events. So, you alter your plan or you come back
when these crossings are fordable – in other words, you meet nature on its terms and are reminded you are but a visitor.

In looking at current conditions, my staff studied search and rescue (SAR) data and there was no data indicating Thoreau Falls Bridge was a cornerstone for SAR operations. Due to the rugged and wild setting of the Pemigewasset Wilderness, SAR operations have certainly occurred within its boundaries. However, the bridge has not been known to play a role in these operations. As I have previously explained, when traversing into a wilderness, the visitor is exercising their ability to utilize their backcountry and self-reliance skills.

I have carefully and thoughtfully reviewed the comments submitted during public scoping and the 30-day public comment period, and I have reflected on the Wilderness Act and what it says about safety. The one reference to safety in the Act refers to responding to an emergency situation, not the prevention of risk. The hikeSafe Program, developed jointly by the White Mountain National Forest and New Hampshire Fish and Game, references preparedness and a hiker’s responsibility code. This code encourages hikers to be prepared, it promotes hiker’s to have knowledge of the area, to leave their itinerary behind with someone, to stay together if with others, to turn around if something is unsafe, it encourages people to be prepared for emergencies, and finally, to share this code with others. Through our various outreach efforts from our frontlines to our trailhead and backcountry stewards, we will continue to encourage our public to Hike Safe, know the area, be prepared, and know their responsibilities.

The White Mountain National Forest Trailhead and Back Country Steward Volunteers and Lincoln Woods Visitor Center Volunteers encourage hikers of all skill levels to have the “10 Essential” items in order to be prepared for their backcountry experience, as well as engaging visitors on their preparedness based on their itinerary. In addition, they encourage visitors to be aware of weather and current trail conditions. Ultimately, the decision(s) made on the trails are of the individual, regardless of any advice provided.

I take comfort that this decision will contribute to enhancing the qualities of the Pemigewasset Wilderness’s character, namely:

- **Untrammeled** – wilderness is essentially unhindered and free from modern human control or manipulation.
- **Natural** – wilderness ecological systems are substantially free from the effects of modern civilization.
• Undeveloped – wilderness is essentially without permanent improvements or modern human occupation.
• Outstanding opportunities for solitude or a primitive and unconfined type of recreation.

Finally, the concluding part of my decision process would be remiss if I did not consider the financial cost of replacement and the long-term maintenance of this kind of infrastructure in a wilderness area, on a trail determined to have moderate use. Working within our allocation, we must be strategic in where we commit taxpayer dollars. High use facilities by the public will always require more maintenance and higher attention by our dedicated, but limited staff. This has been a difficult decision to arrive at and one I have not taken lightly, however, I believe future investment in new infrastructure in the wilderness is simply not prudent—financially or philosophically.

Finding a wilderness experience and the solitude one seeks leaving the daily life of work and the city can be difficult to find in the Northeast. The Pemigewasset Wilderness is sought by visitors who are seeking a primitive and self-reliant experience, which requires them to practice their back-country skills. Providing a refuge that is relatively devoid of the imprint of man’s work for the 70 million people that live within a day’s drive is an invaluable resource for the health and well-being of its visitors. We know that those that can’t or won’t visit this wilderness take comfort in knowing a place like this exists, and provides the benefits of nature for others that can experience it. This decision will offer a wilderness that is much more in keeping with the goals of the Wilderness Act and it does so in perpetuity, for future generations to enjoy and cherish. While displacement may occur for some users during the first few years after removal, I believe ultimately the public will benefit. This ‘rewilding’ of the wilderness landscape will only further the Pemigewasset Wilderness’s reputation as one of New England’s best backpacking and hiking experiences.

I have made this decision based on my review of the Thoreau Falls Bridge Project EA and the extensive supporting documentation in the project record, including input from the public and appropriate resource specialists. I am satisfied that the interdisciplinary team conducted a thorough analysis of the proposed action and alternatives and that we effectively involved the public and carefully considered and responded to their comments. In addition to applying standards and guidelines from the Forest Plan, the interdisciplinary team carefully considered and applied Best Management Practices developed by the State of New
Hampshire, and project design features developed by the team. The record shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk.

**Alternatives Considered but not Selected**

The interdisciplinary team evaluated two alternatives in detail in the EA. These alternatives are described fully in Chapter 2 (pp. 13-14) and the potential effects of each alternative are analyzed in Chapter 3 (pp. 17-29) of the EA. Here I summarize the alternatives I did not select and give my reasons for not choosing them.

*Alternative 2*

Alternative 2: Removal of Bridge with Replacement

Several factor went into me not selecting this decision. As explained earlier, I reviewed the Forest Service manuals and handbooks, re-read the Wilderness Act of 1964, and reviewed public comments. I took into account the year the bridge was constructed; prior to the passing of the Wilderness Act, prior to the Pemigewasset Wilderness being designated as a wilderness area, as well as the primary season of use. Both the WMNF Wilderness Management Plan and agency guidance provide direction to scrutinize the need for a structure at the crossing. This crossing is in the epicenter of Wilderness, and this is but one of many water crossings within the wilderness. A wilderness experience is supposed to be harder to get to, harder to hike through, it is supposed to be a different experience than our developed non-wilderness experiences found on WMNF. As I have gone into greater detail in my ‘reasons for decision’ section, I believe the removal without replacement will enhance the undeveloped quality that dominates the area, providing a true wilderness experience, which is limited in the Northeast.

Lastly, I considered the commitment of limited federal dollars, long term, to a moderate use trail within the middle of a wilderness area. The existing bridge location is within a floodplain, and due to damage of infrastructure that arise from being located within a floodplain, a new location would need to be identified. The financial commitment would include the purchase and installation of a new bridge, and at a minimum, the deferred maintenance costs for safety inspections by an engineer every four years, preventative maintenance (painting, wood treatment, etc.) every five years, and replacement of decking and
safety railings every 15-20 years. We must be strategic where we commit our limited funding, particularly when there are high-use recreation sites that demand our limited financial dollars and where the greater public benefits.

Not selecting this alternative leans towards Wilderness values, not just for today, but in an ever-developing world, for tomorrow – that generations after us might still experience something closer to that which is untrammeled by man -- that was the intent and spirt of the Act, and of designating and setting this particular place/trail as Wilderness here in New England.

**Alternatives Considered but Not Fully Evaluated**

Public and internal comments identified five other possible alternatives. The interdisciplinary team and I considered these possible alternatives, but did not evaluate them fully in the EA because they were infeasible, would be inconsistent with the Forest Plan, and/or would not meet the purpose and need identified in Chapter 1 of the EA. A more detailed rationale for not analyzing each of these possible alternatives is in Chapter 2 (pp. 15-16) of the EA.

- Bridge removal with replacement using non-motorized equipment and non-motorized transport
- Bridge removal without replacement using non-motorized equipment and non-motorized transport
- Bridge removal with installation of stepping stones
- Bridge removal with installation of a cable car or cables
- Bridge removal with construction of a new trail connecting Bondcliff and Thoreau Falls Trails fording the North Fork of the Pemigewasset River

**4. Public Involvement**

This project has been listed on the quarterly WMNF Schedule of Proposed Actions (SOPA) since July 2015, and it will remain on the SOPA until after a decision is made. Public Scoping began on August 4, 2015. The Forest issued a press release, there was a front-page article in the Concord Monitor, an article on WMUR’s website, and a story on NH National Public Radio. After public scoping, the Forest offered two field trips to the site and continued to accept comments. Over 140 individuals and organizations, including NH Fish and Game, the Appalachian Mountain Club, a State Legislator, and both US Senators
submitted comments during and after public scoping. Many commenters supported removal without replacement to adhere to the Wilderness Act and protect wilderness character. Concerns raised by advocates for replacement are presented in the issues section below.

The 30-day comment period and review of the Draft EA started on August 7, 2017 with a legal notice published in the New Hampshire Union Leader. Notice of the 30-day comment period was sent to all individuals and organizations that commented during public scoping or otherwise expressed interest in the project. A press release was issued on August 7th, 2017 to news outlets including NH National Public Radio, Concord Monitor, Salmon Press (includes several local newspapers), Conway Daily Sun, Berlin Daily Sun, Courier News and the Bethel Citizen. Several of these news organizations carried stories about the public comment period. 41 individuals and organizations commented during the 30-day period including numerous members of the hiking public. There was also one letter from Senator Jeb Bradley in addition to another from Senator Bradley serving as the Chair of the Commission to Study and Recommend Improvements to the NH Hiking Trails Network. These comments and the Forest Service’s responses are captured in the EA at Appendix A – Public Comments and Forest Service Responses.

The U.S. Fish and Wildlife Service and the NH State Historic Preservation Office were consulted for this project and their responses/concurrences are part of the project record.

**Issues**

Early public involvement and interdisciplinary team discussions were used to determine the significant issues that would be analyzed in depth and to identify the issues that are not significant or have been covered elsewhere (40 CFR 1501.7(a)). The following significant issues, which are described in more detail in Chapter 1 (pp. 10-12) of the EA, were used to develop Alternative 2: Removal of the bridge with replacement:

- **Public safety:** Some commenters expressed concern that visitor safety would be compromised as a result of people having to ford the river at this location to continue on the Thoreau Falls Trail, or making potentially long backtracks that they may not be prepared for if they were unable to ford the river due to stream flow conditions or experience levels.
• **Access:** Some commenters expressed concern that removing the bridge without replacement would affect access. Some hikers, backpackers, and Nordic skiers would choose to use other trails to avoid a bridgeless river crossing at this location on the Thoreau Falls Trail.

All other issues were addressed through minor modifications of the Proposed Action, the development of project design features (EA Chapter 2, p. 14), or are addressed by other Laws, Policies, Regulations, and/or the Forest Plan and its Final Environmental Impact Statement (FEIS).

### 5. Findings Required By Other Laws and Regulations

My decision will comply with all current, applicable laws and regulations. I have summarized some pertinent ones below.

**National Environmental Policy Act**

This Act requires public involvement, and consideration and disclosure of potential environmental effects. For this project, a strong effort was made to reach out to the public, identify interested parties, consult with them regarding the proposed action, identify public issues and concerns, and use that information to develop proposed alternatives, improve the effects analysis, and make a well-reasoned decision.

The environmental analysis for the Thoreau Falls Bridge Project was conducted following the procedures and requirements contained in this Act. An interdisciplinary team fully evaluated and disclosed the environmental effects of the proposed project based upon field study, resource inventory and survey, the best available science, and their professional expertise. The entirety of documentation for this decision demonstrates compliance with this Act.

**Forest Plan Consistency (National Forest Management Act)**

The National Forest Management Act (NFMA) requires that all site-specific project activities be consistent with direction in the applicable Forest Plan. This project implements the WMNF Forest Plan. As required by NFMA Section 1604(i), I find this project to be consistent with the WMNF Forest Plan including goals, objectives, desired future conditions, and Forest-wide and Management Area standards and guidelines.
The following standards and guidelines from the WMNF Forest Plan were followed in the course of analyzing this alternative:

- **MA 5.1- Wilderness, General S-6.** “The minimum tool concept must be used to guide management actions, including motorized administrative use in non-emergency situations.”

- **MA 5.1- Wilderness, General G-2.** “Permission should not be given for helicopter flights over Wilderness, except for emergency use or when demonstrated to be the minimum tool necessary to meet Wilderness goals and objectives.”

For each of these standards and guidelines the minimum tool concept was evaluated using the Minimum Requirements Decision Guide (project record), which evaluated various alternatives to determine the minimum necessary tool to implement the removal of the bridge.

Additionally, the following standards and guidelines are relevant to this decision:

- **MA 5.1- Wilderness, General G-3** “Wilderness management and recreation management should follow the White Mountain National Forest Wilderness Management Plan, including implementation of a zoned management strategy using Zones A-D (see Appendix E).”

- **MA 5.1- Wilderness, Recreation S-1,** “Management actions, such as dispersing use or increasing developments, must not result in a change along the Recreation Opportunity Spectrum or Wilderness Management zone scale from less- to more-developed. For example, management actions must not change a zone from A to B, B to C, or C to D.

As analyzed in Chapter 3 (pp. 24-27) of the EA, the change in zone designation for the most southern portion of the Thoreau Falls Trail from Zone C (as corrected in WMNF Administrative Correction 9 of the Forest Plan) to Zone B as a result of this decision is consistent the strategy for wilderness zoning and will result in a more consistent experience compatible with Zone B along this trail.

**Wilderness Act (16 U.S.C. 1131-1136)**

The Wilderness Act Section 4(c) Prohibition of Certain Uses states that “except … as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no … motorized equipment …, no
landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.” Through the analysis of this project, summarized in the Wilderness Section of the EA Chapter 3, supplemented by the Minimum Requirements Decision Guide (MRDG) prepared for this project, it was determined that the Thoreau Falls bridge was not required for the minimum requirements needed for the administration of the area and that the short term use of motorized equipment to accomplish the bridge’s removal was the least impactful action necessary to maintain the area’s wilderness character. The concerns raised during scoping and during the 30 day comment period concerning public safety with a bridgeless crossing were analyzed in Chapter 3 of the EA. Some commenters felt that the Wilderness Act makes an exception that allows bridges for public safety, which is incorrect. The Act instead allows for measures required in an emergency situation, such as the use of a motorized means of extraction, as an exception. The conditions surrounding whether or not a permanent man-made structure, such as a bridge are addressed more directly in Forest Service Manual 2320 (below).

This project’s decision meets the intention of the Wilderness Act and conforms to all relevant portions of the Act found in but not limited to the Act’s Wilderness System Established Statement of Policy, Definition of Wilderness, Use of Wilderness Areas, Prohibitions of Certain Uses and Special Uses, therefore, I find that this decision complies with the Wilderness Act.

**Forest Service Manual 2320 - Wilderness Management**

The Forest Service Manual on Wilderness Management provides agency policy guidance relevant to this decision. Specifically in section 2320.3 Policy, paragraph 4. “Cease uses and activities and remove existing structures not essential to the administration, protection, or management of wilderness for wilderness purposes or not provided for in the establishing legislation.”

Specific guidance in regards to bridges in wilderness is found at 2323.13f – Transportation System, paragraph 2:

“**Bridges.** Design bridges to minimize the impact on the wilderness. Select locations that minimize the size and complexity of the structure. Provide or replace bridges only:

a. When no other route or crossing is reasonably available.

b. Where the crossing, during the primary season of public use, cannot be negotiated afoot safely, or cannot be forded by horses safely.
c. Where unacceptable bank damage will occur from visitors seeking a crossing.

d. Where flood waters frequently destroy or damage less sturdy structures.”

The analysis prepared for this project concluded that the Thoreau Falls Bridge was not essential for the administration of the Pemigewasset Wilderness and that access by fording this crossing during the primary season of public use is reasonable.

**New Hampshire Wilderness Act of 1984 (Public Law 98-323)**

This Act established the Pemigewasset Wilderness Area and did not identify any special provisions pertaining to this bridge or the management of the trails that would affect this decision. Therefore, I find that this decision complies with the New Hampshire Wilderness Act.

**Endangered Species Act**

The Endangered Species Act requires that federal activities not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species’ designated critical habitat. As required by this Act, potential effects of this decision on listed species have been analyzed and documented in a Biological Evaluation (see Woods and Sperduto 2016 in the project record for additional information).

The Biological Evaluation of the effects of the project on Federally Endangered, Threatened, and Proposed species determined that there would be “no effect” on Canada lynx or small-whorled pogonia. The Biological Evaluation determined that the project “may effect, but was not likely to adversely affect” northern long-eared bat. On March 15, 2016, the U.S. Fish and Wildlife Service concurred with this determination. Therefore, I find that this decision complies with the Endangered Species Act.

**National Historic Preservation Act and Archaeological Resources Protection Act**

Surveys were conducted for archaeological sites and historic properties or areas that might be affected by this decision. A Cultural Resources Reconnaissance Report (CRRR No. 2015-04-09/ R2015092204009) with a determination of “No Historic Properties Affected” was submitted to the New Hampshire State Historic Preservation Office, which concurred with the determination on August 14, 2015. (See Ruhan 2016 and signed New Hampshire Division of Historical
Resources letter in the project record for more information.) Therefore, I find that this decision complies with the National Historic Preservation Act and the Archaeological Resources Protection Act.

**Wild and Scenic Rivers Act**

The only river on the White Mountain National Forest that is designated under the Wild and Scenic Rivers Act is the Wildcat Brook, which is 16 miles from the project area. This decision, with impacts limited to the area of activity, will not affect the Wildcat Brook.

The East Branch of the Pemigewasset River was determined to be eligible for listing under the Wild and Scenic River Act during the 2005 Forest Plan revision process. This segment was classified as “Wild” (Forest Plan Appendix C). The predicted effects of Alternative 1 on the free-flowing condition of this river, its possible “wild” classification, and the potential outstandingly remarkable values are summarized in Chapter 3 (p. 18) of the EA. Based on that analysis, I am certain that this decision will not adversely affect the eligibility of this stream.

**6. Finding of No Significant Impact**

**Findings**

Based on my review of the Thoreau Falls Bridge Project EA and documentation, I have determined that the activities included in Alternative 1 will not individually or cumulatively have a significant effect on the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) is not required. This finding is based on the context and intensity of the actions (40 C.F.R. § 1508.27) as explained below.

**Context**

The significance of an action must be analyzed in several contexts and varies with the setting. In the case of a site-specific action, significance usually depends on the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27).

This decision and the project EA are tiered to the Forest Plan Record of Decision and incorporate by reference the Forest Plan FEIS, which analyzed and disclosed effects of potential Forest management at a larger scale. The activities planned in
the Thoreau Fall Bridge Project are similar to others completed on the WMNF and are within the range of effects anticipated in the Forest Plan FEIS.

The environmental effects of this project are analyzed at varying scales (e.g. project area, watershed), as described for each resource in Chapter 3 of the EA. I have reviewed the cumulative effects of past management, combined with this project and reasonably foreseeable future actions as they are analyzed in Chapter 3 of the EA, and feel that the context of this decision is limited to the land in and adjacent to the project area. The project’s relatively small scale limits its effects.

The analysis in Chapter 3 indicates that project design and application of Forest Plan standards and guidelines and best management practices will minimize negative impacts to all resources. Given the short-term and localized nature of impacts described in the EA, the Thoreau Falls Bridge Project will have no measurable effects at the regional or national levels and consideration of significance will focus on the local setting.

This decision, and the environmental assessment and effects analysis on which it is based, applies only to this local area. After a thorough review of the effects analysis contained in the EA, I find that this project does not establish a local, regional, or national precedent, nor does it have any substantial applicability beyond the bounds of the WMNF.

**Intensity**

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from Chapter 3 of the EA and the project record. I have determined that the interdisciplinary team considered the effects of this project appropriately and thoroughly with an analysis that is responsive to concerns and issues raised by the public. They took a hard look at the environmental effects using relevant scientific information and their knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the intensity of effects using the ten factors identified in 40 CFR 1508.27b.

1. **Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.**

As described in Chapter 3 of the EA, there are likely to be both beneficial and adverse effects to certain resources from taking the actions proposed in Alternative 1. In reaching my finding of no significant impact, I did not ignore or
trivialize negative effects by “offsetting” them with beneficial effects. The EA demonstrates that, due to careful project design that incorporates protective measures (Forest Plan standards and guidelines, best management practices, and site-specific design features and monitoring), the possible negative effects are relatively minor and of short duration, and are not directly, indirectly, or cumulatively significant.

2. **The degree to which the proposed action affects public health or safety.**

   Alternative 1 would not have a significant effect to public health and safety. This project addresses the safety concerns posed by the condition of the existing bridge. While the removal of the bridge is necessary due to its unsafe condition, the decision not to replace it will add a level of risk which is examined in the EA in Chapter 3: Environmental Effects, Wilderness and determined to be in keeping with an appropriate level of risk during the primary season of use for a wilderness area in accordance with legal and regulatory requirements of the Wilderness Act of 1964 and Forest Service Manual 2320 – Wilderness Management. Through an appropriate level of risk assessment, sound decision making and preparedness, there will not be a significant affect to public health or safety as a result of Alternative 1.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

   There are no park lands, prime farmlands, wetlands, wild and scenic rivers, research natural areas, or ecologically critical areas in or near the project area, and therefore none of these unique characteristics would be adversely affected by this project. For the reasons explained in Chapter 3 of the EA and Section 5 of this Decision Notice, no cultural or historic resources or eligible wild and scenic rivers would be adversely affect (see also project record).

   As discussed in Section 5 of this document and in Chapter 3 (pp. 26-29) of the EA, Alternative 1 would have a positive effect on the Pemigewasset Wilderness. The interdisciplinary team spent many days in the project area and identified areas and special features to be protected. Riparian areas will be protected by the application of Forest Plan standards and guidelines, best management practices, and project design features and monitoring.
The selected alternative will not violate standards set for Outstanding Resource Waters for New Hampshire (EA Chapter 3).

As a result, the EA clearly demonstrates there will be no significant effects to any of these resources (EA Chapter 3, see also project record).

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.**

In the context of the National Environmental Policy Act, controversy refers to a substantial dispute in the scientific community regarding the effects of an action, not social opposition. Our contacts with the U.S. Fish and Wildlife Service and State Historic Preservation Office did not identify any scientific controversy regarding the direct, indirect, or cumulative effects of this project (see project record). The interdisciplinary team for this project considered scientific research (see project record), including any submitted by the public, to determine its applicability to the project and found no controversy related to the predicted effects. Based on these factors, and the analysis provided in the EA and project record, I have concluded that the effects of Alternative 1 on the quality of the human environment are not controversial.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

The White Mountain National Forest has considerable on-the-ground experience with the types of activities to be implemented in this project, under similar conditions. The range of site characteristics are similar to those taken into consideration and disclosed in the Forest Plan FEIS, Chapter 3, and the effects of this project are within the range anticipated in that FEIS and the Forest Plan Record of Decision. The effects analysis (EA Chapter 3) demonstrates that the effects of these activities are not uncertain or significant and do not involve unique or unknown risks. The body of knowledge gained through years of project-level and programmatic monitoring, wildlife surveys, and applied research (see project record) provides a basis for the effects analysis in the EA and supports my determination that there will be no highly uncertain effects or unique or unknown risks associated with this project.
6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

This is not a precedent-setting decision. Similar actions have occurred for decades in the local area and across Management Area 5.1 on the Forest. The effects of implementing Alternative 1 disclosed in Chapter 3 of the EA are within the range of effects of these similar actions. They also are within the range of effects disclosed in the Forest Plan FEIS, which analyzed the effects of the types of activities that will be implemented under Alternative 1 at a larger scale. The implementation of Alternative 1 does not make a commitment to do anything in other areas on the White Mountain National Forest or any other national forest. It will not set a regional or national precedent. For these reasons, I have determined this action does not establish a precedent for future actions with significant impacts. All actions are wholly consistent with the Forest Plan; therefore this is not a decision in principal.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

Chapter 3 of the EA discloses the combined effects of this project with other past, present, and reasonably foreseeable future actions. None of the actions included in Alternative 1 would create significant impacts alone or when considered with other actions. The interdisciplinary team carefully chose cumulative effects analysis areas and timeframes that would most thoroughly examine and predict effects to the resources (see Chapter 3 of the EA). Based on the analysis in the EA and incorporating by reference the range of effects predicted in the Forest Plan FEIS, I have determined that implementing Alternative 1 will not result in significant cumulative effects.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

For the reasons explained in Chapter 3 of the EA (pp. 17-18) and Section 5 of the Decision Notice, above, I find that this decision will not adversely affect any
cultural or historical resources. No significant scientific resources have been identified in the project area.

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.**

Compliance with the Endangered Species Act and protection of species and their habitat and the effects of this project are described in the Biological Evaluation (see project record) and summarized in the Chapter 3 of the EA and Section 5 of this Decision Notice. Based on this information, Alternative 1 will not have a significant adverse effect on any listed species.

10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.**

All applicable laws for the protection of the environment are incorporated into the standards and guidelines in the WMNF Forest Plan. Alternative 1 complies with the Forest Plan. A further description of the project’s compliance with applicable laws occurs in Section 5 of the Decision Notice. I find that none of the actions in this decision threatens to violate applicable Federal, State, or local laws or other requirements to protect the environment.

7. **Pre-Decisional Objection Opportunities**

This draft decision is subject to the objection process pursuant to 36 CFR Part 218, Subparts A and B. Individuals or non-federal organizations who submitted timely, specific written comments during scoping or any designated opportunity for public comment have standing to file an objection prior to the deciding official making a decision on this project. Issues raised in objections must be based on previously submitted timely, specific written comments regarding the project unless based on new information arising after the designated comment opportunities. A notice of objection must be filed in writing and meet objection content requirements at 36 CFR 218.8(d). Incorporation of documents by reference is permitted only as provided for at 36 CFR 218.8(b).
Objections must be sent to:

Diane Taliaferro, Reviewing Officer  
Attn: PALS-LSC Objections, Suite 700  
USDA Forest Service, Eastern Region  
626 East Wisconsin Avenue  
Milwaukee, WI 53202  
414-944-3963 (FAX)  
<objections-eastern-region@fs.fed.us> (email)

The office hours for those submitting hand-delivered appeals are 7:30 AM to 4:00 PM (Central Time), Monday through Friday, excluding holidays. Objections must be postmarked or received within 45 days of the publication of a legal notice in the New Hampshire Union Leader, Manchester, New Hampshire announcing the availability of this document. The publication date in the Union Leader is the exclusive means for calculating the time to file an objection. It is the objector’s responsibility to ensure their objection is received in a timely manner (36 CFR 218.9). The 45-day time period is computed using calendar days, including Saturdays, Sundays, and federal holidays. When the time period runs out on a Saturday, Sunday, or federal holiday, the time is extended to the end of the next federal working day. See the legal notice for more information on filing objections.

8. Implementation Date and Contact

Pursuant to regulations found at 36 CFR 218.12, the Deciding Official may not sign the decision notice until the Reviewing Officer has responded in writing to all pending objections. If no objections are received, the Deciding Official may sign the decision notice five (5) business days after expiration of the opportunity to object. Implementation may begin immediately after the decision notice is signed.

For additional information concerning this draft decision or the Forest Service objection process, contact: Tom Giles at email: tijgiles@fs.fed.us, or by phone at (603-536-6102), or by FAX (603-536-3685). Additional information about this draft decision also can be found on the White Mountain National Forest web page at:  
https://www.fs.usda.gov/projects/whitemountain/landmanagement/projects