

**Decision Notice and  
Finding of No Significant Impact  
Chandler Round Mountain  
Vegetation Management Project**

**1.0 Background**

Chandler Round Vegetation Management Project is located within the Towns of Chatham and 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) 505, an area of approximately 8,375 acres. Activities are proposed in Management Areas (MA) 3.1 lands, within the Slippery Brook watershed.

**2.0 Purpose and Need**

**2.1 Purpose of the Action**

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

The Forest Plan establishes the goals listed below for Management Area 3.1 within HMU 505. This proposal does not propose any harvest activities within MAs 6.1 and 6.2.

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

- Provide large volumes of 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 analysis area is determined by comparing the existing condition of a particular forested area with “desired condition”, as described in the Forest Plan. For MA 3.1 lands within HMU 505, the Interdisciplinary Team identified the existing conditions, and then compared them to the desired future condition (DFC) to determine where change was needed. The following table summarizes the vegetation-related differences.

**Table 1. Need For Change, by Acres of Community Type in MA 3.1 for HMU 505**

<b>Community Type</b>	<b>Existing</b>	<b>Desired Future Condition</b>	<b>Need</b>
Early-successional hardwood	72	422	350
Spruce/Fir	366	961	595
Permanent Wildlife Openings	2	82	80

Table 1 shows that, in order to meet the habitat and stand structure objectives of the Forest Plan for HMU 505, there is a need to establish regenerating stands of aspen, paper birch and northern hardwoods; and to release spruce-fir from the understory of other stands. Commercial timber harvest can be used to achieve these objectives. Even-aged 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 the overstory trees where spruce-fir is in the understory. Salvage harvest in stands heavily affected by the 1998 ice storm can be used in the Chandler Round area to accomplish these needs. Maintained permanent openings can be established by mechanical methods and maintained as a permanent source of herbaceous browse and cover.

The Forest Plan endorses the use of these tools 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 are all goals for MA 3.1.

### **3.0 Decision**

#### **3.1 Decision Framework**

The Environmental Assessment examines four alternative ways of addressing the Purpose and Need for Action in the Chandler Round project area. The decisions to be made are:

1. Which alternative will best improve the forest condition in HMU 505 to more closely resemble the Desired Condition described in the Forest Plan.
2. Which alternative will best meet the Purpose and Need for action?
3. Which of the alternatives best addresses relevant issues raised by the public and the interdisciplinary team?
4. Would the proposed action and its alternatives pose any significant environmental impact to warrant the need for an environmental impact statement?
5. Is the information presented in this analysis sufficient to provide a basis for implementing those planned actions?
6. Do the mitigation measures for the proposed action and its alternatives meet the Forest Plan Standards and Guidelines?

### 3.2 Decision

In answer to the above questions, 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 has been sought and properly addressed.

I have decided to implement **Alternative 2**, the original Proposed Action, as described in the Environmental Assessment (EA), Chapter 2.B, with one minor modification: Unit 9, which is proposed as a 21-acre clearcut in the EA will instead be a 21-acre thinning. Figure 1 is a map of the selected alternative, Table 2 summarizes the proposed activities, and Table 3 contains a description of the stands, forest types, acreages, treatment objectives, harvest methods, and seasons of operation (harvest operations will occur in the summer, fall, and winter seasons).

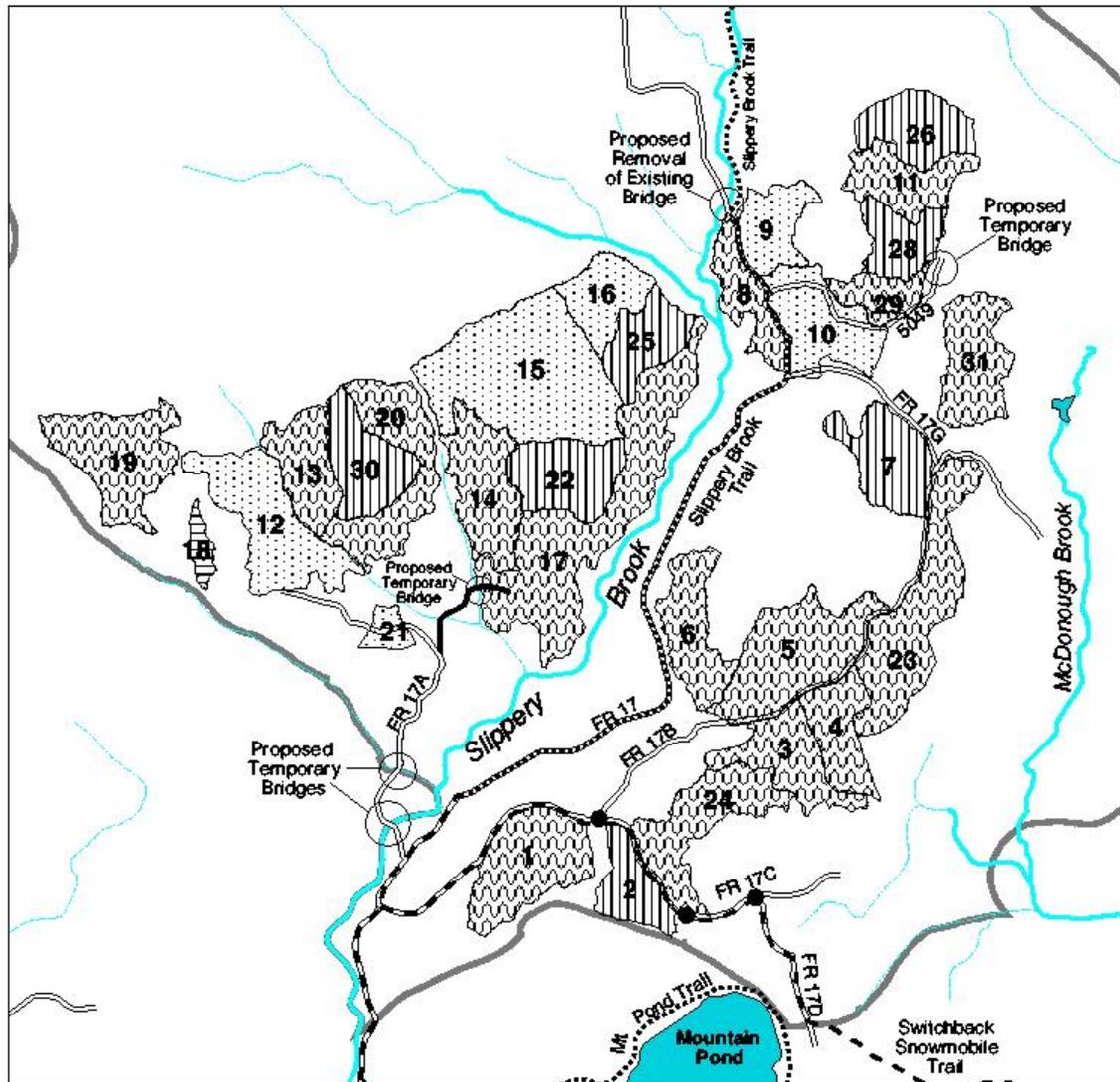
Mitigation measures provided in Appendix D of the EA are also incorporated and hereby made part of this decision. These measures will aid in providing additional safeguards for visual quality, recreation, archeological sites, water quality, soils, streams, wildlife, sensitive plants, and botanical sites.

One additional mitigation measure is added: To improve public safety and provide for limited snowmobile travel during the project, timber hauling will be contractually limited to weekdays. No hauling will be permitted on weekends and holidays unless specifically approved by the Forest Service, and snowmobile travel will be permitted on those plowed roads that are designated snowmobile trails on weekends and holidays.

**Table 2: Summary of Proposed Activities for Alternative 2**

<b>Activity</b>	<b>Amount</b>
<b>Timber Harvesting (acres)</b>	<b>Total - 976</b>
<b>Even-aged Management</b>	
• Regeneration Cut (Clearcut)	179
• Thinning	218
<b>Uneven-aged Management (acres)</b>	
• Individual Tree and Group Selection	573
• Single Tree Selection	6
<b>Transportation (miles)</b>	
• Pre-haul Maintenance of Existing Forest System Rd.	8.2
• Road Construction	0.3
• Temporary Bridges (#)	4
<b>Connected Actions (acres)</b>	
• Wildlife opening maintenance	10
• Timber stand improvement (regeneration release)	200

Timber harvest is proposed on 11.6% of the lands within HMU 505. An estimated 6.0 million board feet of timber will be removed from 30 treatment units. The connected regeneration release, would thin new regeneration within harvest units as needed. This treatment may occur up until five years following the harvest action.



- Clear Cut
- Commercial Thin
- Group Selection with STS
- Single Tree Selection
- Perennial Streams
- Intermittent Streams
- Ponds
- HMU 505
- Existing Roads
- Trails
- Snowmobile Trails
- Proposed Road Construction
- Proposed Permanent Wildlife Opening

**Figure 1 :  
Selected Alternative Map**

**Table 3. Selected Alternative Treatment List**

Unit	Forest Type	Acre	Treatment Objective	Harvest Method	Operating Season
1	Mixedwood	40	Hardwood regeneration	Group Selection / STS	Summer/Fall/Winter
2	Hardwood	22	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
3	Mixedwood	28	Softwood development	Group Selection / STS	Winter
4	Hardwood	24	Hardwood regeneration	Group Selection / STS	Fall/Winter
5	Hardwood	50	Hardwood regeneration	Group Selection / STS *	Fall/Winter
6	Mixedwood	28	Softwood development	Group Selection / STS*	Fall/Winter
7	Hardwood	30	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
8	Mixedwood	21	Softwood development	Group Selection / STS*	Winter
9	Hardwood	21	Quality Hardwood	Thin	Fall/Winter
10	Mixedwood	35	Softwood development	Thin	Fall/Winter
11	Hardwood	24	Hardwood regeneration	Group Selection / STS	Summer/Fall/Winter
12	Hardwood	46	Quality hardwood	Thin	Fall/Winter
13	Hardwood	25	Hardwood regeneration	Group Selection / STS	Fall/Winter
14	Softwood	32	Softwood development	Group Selection / STS*	Fall/Winter
15	Hardwood	86	Quality hardwood	Thin	Winter
16	Hardwood	22	Quality hardwood	Thin	Fall/Winter
17	Mixedwood	85	Softwood development	Group Selection / STS*	Winter
18	Mixedwood	6	Softwood development	STS	Fall/Winter
19	Hardwood	40	Hardwood regeneration	Group Selection / STS	Fall/Winter
20	Hardwood	39	Hardwood regeneration	Group Selection / STS	Fall/Winter
21	Hardwood	8	Quality hardwood	Thin	Fall/Winter
22	Hardwood	30	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
23	Hardwood	54	Hardwood regeneration	Group Selection / STS	Fall/Winter
24	Hardwood	38	Hardwood regeneration	Group Selection / STS	Winter
25	Hardwood	22	Hardwood regeneration	Clear Cut	Fall / Winter
26	Hardwood	26	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
28	Hardwood	20	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
29	Hardwood	14	Hardwood regeneration	Group Selection / STS *	Fall/Winter
30	Hardwood	29	Hardwood regeneration	Clear Cut	Summer/Fall/Winter
31	Hardwood	31	Hardwood regeneration	Group Selection / STS *	Fall/Winter
Sum		976			

\* implies small groups averaging 1/4<sup>th</sup> 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.

### 3.3 Reasons for Decision

I base my decision on the EA, the direction provided in the Forest Plan (and the associated Final Environmental Impact Statement), the Finding of No Significant Impact (FONSI, see Section 5.0 of this document), input from a wide range of specialists on the ID team, and on input provided through the Public Involvement process. I believe this alternative is responsive to the issues raised during the public scoping process, and meets the Purpose and Need for Change with a balanced approach to resolving these issues and meeting the resource management objectives for HMU 505. I have read the comments submitted during the 30-day Comment Period, and I appreciate the quality of public input to this project. I considered this input carefully in making this decision.

Alternative 2 will contribute toward achieving desired wildlife habitat conditions within Habitat Management Unit (HMU) 505, and provide high quality hardwood sawtimber and other timber products on a sustained yield basis. The project will establish 179 acres of early-successional habitat and 10 acres of permanent wildlife openings while harvesting approximately 6.0 million board feet of timber utilizing both uneven-aged and even-aged management techniques on approximately 976 acres of National Forest land. To facilitate the timber harvest the project will include construction of 0.3 miles of new level 4 road; placement of 4 temporary bridges including one across Slippery Brook; use of up to 11 log landings; and restoration maintenance of approximately 8.2 miles of existing road;.

I have selected Alternative 2 because

- it distributes a balanced mixture of even-aged and uneven-aged forest treatments across the landscape,
- it takes advantage of opportunities to generate early-successional habitat in an area where little of it currently exists (EA Chapter 3.7),
- it utilizes uneven-aged management and no-cut prescriptions to retain mature and overmature habitats for species that use them (EA Chapter 3.7)
- it locates four clearcut units adjacent to softwood habitat, providing forage for species that require softwood cover such as deer and snowshoe hare (EA Chapter 3.7.3.2),
- it “would provide improved diversity of habitat for Management Indicator Species” (EA Chapter 3.8.1) and benefits the most MIS species of the 4 alternatives (EA Table 23),
- it does not lead to any change in forest productivity,
- 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 forest health is expected,
- it “best achieves the desired future habitat condition for this Habitat Management Unit” (EA Chapter 3.7.3.2),
- it addresses the reasonable concerns of people who took time to provide comments (Appendix G),
- it best meets the need for change and desired future condition described in Table 1 above,
- it provides wood products for the greatest return to the local economy and the Treasury (EA Chapter 3.6), and
- it comes closest of all four alternatives to achieving the goals and desired future condition described in the White Mountain National Forest Plan.

A point of concern on the part of several respondents was that the proposed action might compromise the roadless character of the area, and destroy the qualities that make it a potential candidate for recommendation as Wilderness in the upcoming revision of the Forest Plan. The recently completed Plan Revision Roadless Area Inventory identifies the boundaries of the Wild River Roadless Area. The selected alternative includes portions of 5 treatment units, totaling 85 acres (46 clearcut acres and 39 thinning acres) within the Wild River Roadless Area. Specifically, these are units 11, 26, 28, and portions of units 9 and 29. Existing classified roads will be used to access these units. The 0.3 mile of new road construction included in this project is not within the boundaries of the Wild River Roadless Area. As described in the EA, Chapter 3.1, even-aged harvest of 46 acres is less than 0.1% of the amount allowed to retain the roadless character of the Wild River Roadless Area.

The Forest Plan Revision process will determine the availability of the Wild River Roadless Area for consideration as a potential Wilderness. The Chandler Round project does not affect the roadless character of the Wild River Roadless Area, and it does not propose any activities that would make the Wild River Roadless Area unavailable for consideration as potential Wilderness in the Forest Plan Revision.

I am also convinced that, through the proper and thoughtful placement of ¼-acre to ½-acre clusters in clearcuts required by the Forest Plan, and the feathering of the perimeter on clearcut units, plus the protection of snags and den trees, plus the retention of additional trees required for Indiana bat, the visual effect of “clearcuts” is likely to be softened to the point that they appear much more natural on the landscape.

The change from clearcut to thinning on the 21-acre Unit 9 is a response to concerns expressed during public involvement regarding visual quality along Slippery Brook Trail. (As noted above, it also reduced to 46 the acres of clearcut within the Wild River Roadless Area.) I am convinced that this modification will result in a very minor and insignificant change in the expected effects as described in Chapter 3 of the EA. The proposed modification affects 2% of the total project, and 0.25% of HMU 505. I have determined that the effects of thinning Unit 9 were adequately analyzed in the EA. It will result in beneficial effects on scenic quality and recreation along Slippery Brook Trail, and a slightly reduced beneficial effect on wildlife habitat than that shown in Chapter 3.7.3.2 of the EA. None of these changes are significant enough to warrant a revision to the EA.

### **3.4 Other Alternatives Considered but not Selected**

In addition to the selected alternative, I considered three additional alternatives that addressed the Purpose and Need for this project, as well as issues raised during the scoping process. For an itemized comparison, see Table 4 – Summary of Effects in the Environmental Assessment (Chapter 2.D, page.43).

#### **Alternative 1: No Action**

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

I did not select this alternative because it does not meet the Purpose and Need for Change, nor does it help achieve Forest Plan goals and objectives for MA 3.1 lands in HMU 505. While taking no action may best address the issues of roadless character and scenic quality, it does so at the expense of implementing the Forest Plan in this area. Stand conditions would remain unchanged, except as determined by natural processes and disturbance; and no new early-successional habitat would be generated through timber harvest. No sawtimber or other timber products would be generated by timber harvest in the Project Area at this time. 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 3**

Alternative 3 was created to respond to concerns about water quality effects of road and bridge construction, and possible impacts to roadless character north of Slippery Brook. It did so by eliminating all harvest and road use in that area.

I did not select this alternative because: (1) it falls far short of meeting our habitat objectives in this HMU (EA Chapter 3.7.3.3, page 103) and (2) it meets the “purpose and need for action” to a much lesser extent than Alternatives 2 and 4. Based on the hydrologist report (EA Chapter 3.3.3, pages 65-68), the use of buffer strips in project design, seasonal restrictions to dry or frozen ground, good sale administration, and mitigation measures (EA Appendix D) will suffice to protect water quality. She observed that “it is not likely that increases resulting from this project would affect aquatic life, stream morphologies, or overall water quality in the effected watershed.” As described in the EA, page 103, Alternative 3 falls short on promoting desirable early-successional habitat, which is lacking in this HMU. Finally, as described in the EA, Chapter 3.1 on pages 44-49, based on the 2004 Plan Revision Roadless Area Inventory, the elimination of all activity north of Slippery Brook is not necessary to preserve the roadless or Wilderness character of the Wild River Roadless Area.

### **Alternative 4**

Alternative 4 was designed to address issues of clearcut effects on scenery and, to a lesser extent roadless character. It gave us the opportunity to consider the effects of reducing clearcut acres to a level approximately 1/3 below that of the original Proposed Action. This alternative would move the HMU toward attaining most wildlife habitat diversity objectives and other Forest Plan goals. These goals include creating early successional habitat, increasing softwood development, and providing for sustained timber production.

This alternative achieves the Purpose and Need at a higher level than Alternatives 1 and 3, but at a level lower than Alternative 2. And while it may soften somewhat the visual effects of clearcutting, that comes at the expense of early successional habitat, which is lacking in HMU 505. Ultimately, I did not select this alternative because it still falls short of moving toward the Desired Future Condition at the same level as Alternative 2.

## 4.0 Public Involvement

A scoping letter soliciting comments on the Chandler Round Vegetation Management proposal was sent on December 1, 2003 to over a hundred individuals, organizations, and government agencies. An announcement of the Proposed Action was published in the *Conway Daily Sun*, the *Mountain Ear*, and the legal notices section of the **Manchester Union Leader** on December 1, 2003. The scoping letter was also posted on our White Mountain National Forest web page ([www.fs.fed.us/r9/white](http://www.fs.fed.us/r9/white)), and was listed in 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.

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

The 30-day Comment Period for the Chandler Round Environmental Assessment was initiated with a legal announcement in the *Manchester Union Leader* on March 24, 2004. The EA was mailed to twenty individuals who had requested it, and notice of the availability of the EA was posted on the White Mountain National Forest web page ([www.fs.fed.us/r9/white](http://www.fs.fed.us/r9/white)). During this period, we received thirteen responses. I have considered the substantive comments in these responses in making my decision, and have included my response to all comments in Appendix G of this document.

### 4.1 Issues Used to Formulate Alternatives

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 proposed harvesting and access for units on the west side of Slippery Brook and near Eastman Mountain might have on the suitability of this area for inclusion in a proposed Roadless Area*** (Public Issue):

This issue arises from concerns that harvesting, particularly clearcutting, and the proposed road activities might affect the character or size of the Wild River Roadless Area (WRR) and its consideration as potential Wilderness in Forest Plan Revision. Alternative 3 was developed to address public issues about logging and road restoration west of Slippery Brook and near Eastman Mountain by excluding treatment in these areas. However, the effects analysis in the EA indicates that Alternatives 2 and 4 would have no effect on the roadless character of the Wild River Roadless Area, and would not preclude its consideration as potential Wilderness in Forest Plan Revision.

**Issue 2: *Effect of clearcutting on scenery* (Public Issue);**

Evidence of openings created during harvest activities may be apparent to individuals viewing the project area from South Baldface, Doublehead, Eastman, and Kearsarge Mountains, or from Mountain Pond or the Slippery Brook Trail. The effects of the alternatives on scenic quality are displayed in section 3.2 of the EA.

## **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 2 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 2 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 3.5 Recreation, and Appendix B, 'roads'). 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 to alert the public about the logging activity and requiring loggers to drive carefully. Limiting timber haul to weekdays and non-holidays to avoid a conflict on Slippery Brook road between timber hauling and snowmobile use will further insure public safety.

### **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 the Wild River Roadless Area, nor will any of the proposed activities affect the availability of the Wild River Roadless Area for consideration as potential Wilderness in Forest Plan Revision. There are no significant effects to the nearby Mountain Pond Candidate Research Natural Area.

The selected alternative does not violate standards set for Outstanding Resource Waters set 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, New Hampshire Natural Heritage Bureau, 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 scoping and 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 Appendix D). Alternative 2 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. See also Appendix G, Comments and Forest Service Responses.

## **Highly Uncertain, Unique or Unknown Risks**

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

## **Precedent for Future Actions**

The action 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. 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, visuals, wildlife (Management Indicator Species, threatened, endangered, and sensitive species), heritage resources, roadless areas and socio-economics. EA Chapter 3.8.1 describes that alternative 2 would “provide improved diversity of habitat for Management Indicator Species” and would benefit the most MIS species”. In addition, the selected alternative 2 does not lead to any change in forest productivity and adequate re-stocking of clearcut stands is anticipated. No change in 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 2 was received on May 19, 2004. 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 or cumulative effects of the alternatives are significant.

### **Effects to Significant Scientific, Cultural or Historical Resources**

A Cultural Resource Reconnaissance 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 27, 2003.

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

Alternative 2 will not adversely affect any threatened or endangered species or habitat that has been determined to be critical under the Endangered Species Act of 1973.

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

Several Region 9 Sensitive or State-listed species potentially exist in the Project Area. Forest Plan Standards & Guidelines, and site-specific mitigation measures (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 Evaluations, Project File).

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

The design of 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 2 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 3.1 which is suitable for timber harvesting practices in accordance with the National Forest Management Act and its implementing regulations, 36 CFR 219.27(b)(1) and was confirmed by field examination.

The proposed even-aged prescriptions are appropriate methods to create early-successional wildlife habitat in the northern hardwood and paper birch community types (see Forest Plan, Appendix M). 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 in National Forest Management (see Forest Plan, Appendix M, p.VII-M-9). My decision is consistent with the guidelines for management prescriptions that involve vegetative manipulation of tree cover [36 CFR 219.27(b)] as follows:

1. *The prescription should be best suited to the multiple-use goals established for the area with potential environmental, biological, cultural resource, aesthetic, engineering, and economic impacts, as stated in the regional guides and Forest Plans [36 CFR 219.27(b)(1)].* The use of an even-aged management prescription is optimal because it regenerates stands that are mature, supplies wood products predicted in the Forest Plan (Forest Plan, Appendix M), and protects other resource values and mitigates effects as needed (see Chandler Round EA: Section 3.12 - Vegetation; Appendix D – Mitigation Measures).
2. *The prescription should assure that lands can be adequately restocked except where permanent openings are created for wildlife habitat improvement, vistas, recreation uses and similar practices [36 CFR 219.27(b)(2)].* The practices prescribed for the Chandler Round 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. *The prescription should not be chosen primarily because it would give the greatest dollar return or the greatest output of timber, although these factors shall be*

*considered [36 CFR 219.27(b)(3)].* Alternative 2 has a higher dollar return than Alternative 3 or 4. However, Alternative 2 was not chosen for this reason. Alternative 2 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 [36 CFR 219.27(b)(4)].* Negative effects to residual trees or adjacent stands are not anticipated (Chandler Round EA: Section 3.12 - Vegetation).
5. *The prescription should avoid permanent impairment of site productivity and ensure conservation of soil and water resources [36 CFR 219.27(b)(5)].* The prescriptions include Forest Plan Standards and Guidelines, Best Management Practices, and Mitigations Measures designed to prevent the permanent impairment of site productivity and conservation of water resources (Chandler Round EA: Section 3.12 – Vegetation, Section 3.4 – Soils; Section 3.3 – Water; Appendix D – Mitigation Measures). Forest site productivity will remain consistent with historical patterns of forest growth since the early 1900's. 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 forest health is expected. (See Chandler Round EA: Section 3.4, Soils).
6. *The prescription should provide the desired effects on water quantity and quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, aesthetic values, and other resource yields [36 CFR 219.27(b)(6)].* The prescriptions meet Forest Plan Standards & Guidelines, which describe the Desired Future Condition (Chandler Round EA: Chapter 3 – Affected Environment and Environmental Consequences; Appendix D – Mitigation Measures).
7. *The prescription should be practical in terms of transportation and harvesting requirements and total costs of preparation, logging, and administration [36 CFR 219.27(b)(7)].* Alternative 2 uses existing roads that need only restoration maintenance for use, except for one 0.3 mile section of new construction. Temporary brook crossing structures are planned. Harvesting restrictions, protection of other resources, and mitigations are practical, and designed to best meet resource management and protection objectives and human needs. Costs of preparation, road work, logging and administration are representative of a typical sale in this area. (Chandler Round EA: Section 2.1 – Alternatives; Chapter 3 – Affected Environment and Environmental Consequences; Appendix D – Mitigation Measures).

### **NEPA (National Environmental Policy Act)**

This act requires public involvement and consideration of potential environmental effects for proposed actions. The public involvement process for this proposed action and the EA comply with NEPA.

### **National Historic Preservation Act**

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

### **MBTA (Migratory Bird Treaty Act)**

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

### **Endangered Species Act**

The White Mountain National Forest completed a site-specific Biological Evaluation (BE) of the potential effects to Threatened, Endangered, Proposed and Sensitive Species (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, Chandler Round Project  
626 East Wisconsin Avenue  
Milwaukee, WI 53202

The office business hours for those submitting hand-delivered appeals are: 8am-4:30pm (Central Time), Monday through Friday, excluding holidays. The Notice of Appeal may also be faxed to 414-944-3963, Attn: Appeals Deciding Officer, USDA Forest Service, Eastern Regional Office; or it may be electronically mailed to [www.appeals-eastern-white-mountain@fs.fed.us](mailto: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 is posted on the White Mountain National Forest web page ([www.fs.fed.us/r9/white](http://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 Chandler Round 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).

*/s/ Terry Miller*

05/26/2004

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TERRY MILLER  
District Ranger

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Date