

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

STANDING TREES, INC.,

Plaintiff,

v.

UNITED STATES FOREST SERVICE, *et al.*,

Defendants.

Case No.: 1:24-cv-00138-JL-TSM

**AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS**

The Amici, *see* contemporaneously filed Motion for Leave to File Amicus Brief by Amici, incorporated and referenced herein, filing as *amicus curiae*, support Defendants’ claims and urge this Court to grant Defendants’ Cross-Motion for Summary Judgment.

**THE INTERESTS OF THE *AMICUS CURIAE***

Although each of the Amici is a distinct entity with its own mission and/or vision, they all share the objective of responsible, science-based stewardship of the White Mountain National Forest (“WMNF”) and the integrity of the forest management planning process.

The Tarleton Integrated Resource Project (“Tarleton”) and Peabody West Integrated Resource Project (“Peabody”) (collectively, the “Projects”) are consistent with the Amici’s shared values. They promote the responsible stewardship of the WMNF through compliance with the 2005 White Mountain National Forest Land and Resource Management Plan (the “Forest Plan”) in accordance with the National Forest Management Act of 1976 (“NFMA”) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (“RPA”). These laws direct the U.S. Secretary of Agriculture to develop plans for units of the National Forest System. Among other things, these plans must: “provide for multiple use and sustained yield of the

products and services obtained therefrom . . . and, in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness” and “determine forest management systems, harvesting levels, and procedures in the light of all of the uses[,] . . . the definition of the terms ‘multiple use’ and ‘sustained yield[,]’ . . . and the availability of lands and their suitability for resource management.” 16 U.S.C. § 1604(e). The Forest Plan meets these conditions. It was adopted after extensive public participation resulted in a broad consensus amongst interested parties. The Forest Plan was never appealed or otherwise litigated.

The Amici all support the “multiple use” approach to managing National Forest lands. In fact, several of the Amici collectively own and sustainably manage hundreds of thousands of acres of forested land. For some Amici, this has been the case for over a century. Like the WMNF, Amici follow science-based silviculture for multiple uses, including habitat diversity, recreation, and sustainable timber resources. Thus, the Amici are uniquely positioned to speak on the Projects and their consistency with the Forest Plan.

### **ARGUMENT**

The Defendants gave careful, thoughtful consideration in approving the Projects, emphasizing the role of public participation and the benefits the Projects would bring to the WMNF by furthering the goals and objectives of the Forest Plan. Contrary to the Plaintiff’s assertion that the Defendants neglected their duties, the Defendants subjected each Project to a years-long review process that culminated in proposals designed to best advance the interests of the WMNF. As explained in greater detail below: (1) the Projects benefit the WMNF by furthering the goals and objectives of the Forest Plan; (2) the Defendants conducted appropriate due diligence in considering possible alternatives; (3) the Plaintiff’s pleadings contain

inaccuracies and mischaracterizations; and (4) the Defendants provided ample opportunity for public participation that had direct impacts on the Projects.

**I. The Projects are necessary to advance the goals and objectives of the Forest Plan and will provide numerous benefits to the WMNF.**

The Forest Plan sets forth numerous goals and objectives for the WMNF. The Forest Service’s overall objective for the WMNF is to “provide recreation and other opportunities, experiences, and benefits, some of which are not readily available elsewhere.” Forest Plan at 1–3. The Forest Plan also provides goals and objectives tailored to specific concerns. Contrary to the Plaintiff’s claim that the Projects do not comply with the Forest Plan (Compl. ¶¶ 11, 223), the Projects are *needed* to achieve the Forest Plan’s goals and objectives, as set forth in the Peabody Decision Notice (the “Peabody NOD”) and the Tarleton Decision Notice (the “Tarleton NOD”), with the Projects’ proposed actions directly correlating to goals and objectives of the Forest Plan.

***A. Projects’ Similar Contributions to Forest Plan’s Goals and Objectives***

Both Projects propose silvicultural treatment, which furthers Forest Plan goals to “manage vegetation using an ecological approach to provide both healthy ecosystems and a sustainable yield of high quality forest products” and to “use timber harvesting as a tool to attain wildlife habitat and other resource objectives.” Peabody NOD at 1; Tarleton NOD at 1; Forest Plan at 1-17. They also call for expanding/reconfiguring permanent wildlife openings, invoking goals that the WMNF “will use sustainable ecosystem management practices to provide a diversity of habitats across the Forest” and “[r]ecreation sites will be managed to allow for wildlife viewing, where appropriate, while minimizing the potential for human-wildlife conflicts.” Peabody NOD at 1; Tarleton NOD at 1; Forest Plan at 1-20, 1-22. The Projects also suggest construction of new roads and reconstruction of existing roads. Peabody NOD at 1; Tarleton NOD at 1. This is consistent with the Forest Plan’s goal to “provide a safe, efficient,

and seamless transportation and parking network that allows for current, continued, and projected management, use, and enjoyment of the Forest.” Forest Plan at 1-16–1-17.

***B. Project-Specific Contributions to Forest Plan’s Goals and Objectives***

Peabody seeks to designate approximately 300 acres of backcountry ski zone with up to five skiable downhill routes, speaking to the Forest Plan’s skiing goals and objectives like “maintain[ing] and provid[ing] quality alpine skiing and related opportunities on the Forest.” Peabody NOD at 1; Forest Plan at 1–4. Peabody also calls for the designation of approximately six miles of mountain biking trail, which connects to the Forest Plan’s goal to “provide a range of quality recreation activities and opportunities,” as well as the WMNF’s overarching goal. Peabody NOD at 1; Forest Plan at 1-3, 1-10.

For Tarleton, one proposed action is to adopt and redesign the Lake Katherine Boat Launch for hand-launched watercraft, which connects to the Forest Plan’s goals to provide diverse, quality recreation opportunities. Tarleton NOD at 1; Forest Plan at 1-3, 1-10. The Lake Katherine proposal also envisions stabilizing the shoreline with rock to control erosion and installing drainage features to manage site run-off. Tarleton NOD at 2. These improvements correspond to the goal to “[p]rotect, restore, or improve riparian area conditions to benefit riparian dependent resources and values” and the objective to “[i]mprove watershed and soil condition on at least 25 acres per year.” Forest Plan at 1-15, 1-18. As a final example from the Lake Katherine project, two picnic tables are proposed. Tarleton NOD at 2. Installation of picnic tables links with the goal that “[d]eveloped recreation will provide a variety of quality . . . day use, and other roadside recreation opportunities where the natural forest setting is an important part of the visitor’s experience.” Forest Plan at 1-13 (emphasis added).

The Forest Plan is replete with such examples. These few are offered to provide some limited specificity, within the confines of this brief. They show a clear throughline connecting the Forest Plan's goals and objectives and the actions proposed as part of the Project.

## **II. The Defendants adequately considered and addressed alternatives to the Projects.**

The Plaintiff argues that the Defendants did not adequately consider alternatives, particularly a no-action alternative, before approving the Projects. Compl. ¶¶ 3, 56–57, 60, 118–19, 179. In fact, the Decision Notices for the Projects reveal that the Defendants *did* adequately consider alternatives, including comparing the effects of the proposed actions with a no-action comparative baseline.

In the Tarleton NOD, District Ranger Brooke Brown, on behalf of the Forest Service, explained that “[n]o substantive alternatives were brought forward by the public *that met the purpose and need.*” Tarleton NOD at 3 (emphasis added). The Forest Service also weighed the effects of the Tarleton project against a no-action baseline, concluding that “[w]hile taking no action would allow the natural successional processes to continue, it would *not advance the goals and objectives of the forest plan.*” *Id.* (emphasis added). As a result, the Forest Service determined that taking no action was not viable. *Id.* Simultaneously, it concluded that the Tarleton project as proposed would benefit multiple resources (i.e., advance the goals and objectives of the Forest Plan), while having minimal impact on the environment. *Id.*

Likewise, in the Peabody NOD, District Ranger Joshua Sjostrom, on behalf of the Forest Service, “weighed the effects of the proposed action against taking no action” and determined that “[w]hile taking no action would allow natural successional processes to continue, it would *not advance the goals and objectives of the Forest Plan.*” Peabody NOD at 2 (emphasis added). Therefore, the Forest Service concluded that taking no action would not be sufficient. *Id.*

Conversely, allowing the Peabody project to proceed would benefit multiple resources while having minimal impact on the environment. *Id.*

As these examples from the record show, the Defendants thoroughly considered alternatives, namely the consequences of taking no action. In fact, the Defendants acknowledged that the Projects evolved based on comments received from the public. The Defendants had an obligation to *consider* comments that were timely submitted, and the record reveals they did so. The fact that the Defendants did not adopt the no-action alternative does not mean it was not adequately considered.

The Forest Plan contains a plethora of goals and objectives that the Defendants are charged with implementing. Taking no action would mean the benefits outlined in the Projects would not be realized and the corresponding goals and objectives of the Forest Plan would not be advanced. Even a “less action” alternative may mean a commensurate reduction in the Projects’ benefits, which could mean a reciprocal reduction in the advancement of the Forest Plan’s goals and objectives. This is spelled out very clearly in the Decision Notices for the Projects. While the Plaintiff claims the Defendants have contravened their duties by approving the Projects, the alternative proposed by the Plaintiff would not achieve the multiple goals and objectives set out in the Forest Plan and would not be consistent with the Defendants’ obligations under NMFA and RPA.

### **III. The Complaint contains several inaccuracies and mischaracterizations about the Projects, the Forest Plan, and the WMNF generally.**

While the Amici could spend much of this brief underscoring the inaccuracies contained in the Plaintiff’s pleadings, Amici highlight only a few notable examples here. For one, the Plaintiff assert in error that “[t]he forests surrounding Lake Tarleton were added to the [WMNF] by citizen initiative in the late 1990s and the addition was for the purpose of stopping the threat

of future logging and development.” Compl. ¶ 2. That is not true, as evinced by numerous contemporaneous documents. For example, in a letter dated February 19, 1998 from Robb R. Thomson, then Commissioner of the N.H. Dept. of Resources and Economic Development, to Donna L. Hepp, then Forest Supervisor of the WMNF, Commissioner Thomson describes how he looked forward to “developing a land use and management plan that will provide public recreation to these lands and water bodies [including Tarleton] and *appropriate wildlife and timber management opportunities*.” See Declaration of Leahy, **Exhibit 1** (emphasis added) (hereinafter all references to exhibits attached to authenticating Declaration of Leahy will be to “Exhibit \_\_\_\_”). A Tarleton FAQ sheet, attached as **Exhibit 2**, includes a question about how Tarleton would be managed, with the response being that “[t]he Forest Service manages their properties for many uses, as specified under the [Forest Plan]. . . . In managing [Tarleton], the Forest Service will work to protect wildlife, recreation, timber, and watershed resources.” Tarleton was added to the WMNF *prior to* the adoption of the 2005 Forest Plan, so it has been clear that Tarleton was meant to be governed by the Forest Plan and its multiple goals and objectives.

It is also important to contextualize the Plaintiff’s emphasis on the Projects’ nearly 3,000 acres of commercial logging. See *e.g.*, Compl. ¶¶ 1, 5. The WMNF contains approximately 800,000 acres, so 3,000 acres represents only about 0.375 percent of the total WMNF. According to the [U.S. Forest Service](#), New Hampshire has an estimated 4,726,871 acres of forest land. Based on this figure, the Projects’ 3,000 acres of logging constitutes only about 0.063% of New Hampshire’s total forest land. Therefore, while 3,000 acres is certainly a sizable amount of land, it is a fraction of a percentage of the WMNF and New Hampshire’s overall forest land.

The Plaintiff's discussion of climate change and carbon storage also misses the mark. *See generally*, Compl. ¶¶ 64–70, 124–130. Climate change/carbon storage is one of multiple components of forest management, but it cannot be the *only* consideration because forest management is a culmination of multiple goals and objectives (*see* Section I, *supra*). While important, climate change/carbon storage cannot come at the expense of all other goals and objectives in a multi-use forest such as the WMNF.<sup>1</sup>

It is also a gross oversimplification to say that logging is detrimental to the climate. Sustainably harvested forests—such as the Projects—continue to sequester carbon. Further, timber resources often have a lower carbon footprint than alternative products like concrete. Ultimately, while carbon storage from northern New England forests like the WMNF is helpful in combating climate change, solely focusing on carbon storage will not mitigate or reverse the effects from climate change and does not by itself lead to healthier forests. Further, all the WMNF's other goals and objectives cannot be sacrificed to favor only carbon storage, especially when the WMNF will *still* act as an important carbon sink with the Projects in place. By the Plaintiff's logic, no logging should even occur in our National Forests. Setting aside that this is a dubious scientific proposition, our National Forests are public lands expressly designated for a multiplicity of uses, including timber management. 16 U.S.C. 1604(e).

#### **IV. The Defendants met and exceeded public participation requirements, as evinced by the participation of several of the Amici.**

The Forest Service conducted extensive public participation processes for each Project, with the Defendants exceeding requirements and taking extra steps to ensure public participation

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<sup>1</sup> Executive Order 14072 cited by the Plaintiff does call for retaining and enhancing carbon storage, but it also mandates that federal forests be managed to (among other things) “provide outdoor recreational opportunities” and “promote sustainable local economic development.” Exec. Order No. 14072, 87 Fed. Reg. 24,851, 24,852 (Apr. 27, 2022). To be sure, the Executive Order in no way directs that climate resiliency/carbon storage come at the expense of a forest's other goals and objectives, as set forth in a forest management plan.



in the wake of the COVID-19 pandemic and associated restrictions. The Defendants did not arrive at the final version of the Projects on their own; the Projects morphed based on feedback from the public, including comments submitted by Amici and the Plaintiff.

According to the Tarleton NOD, public feedback began as early as October of 2019. Tarleton NOD at 3. It continued into 2020, with a scoping comment period commencing in January that led to modification of Tarleton's scope. *Id.* at 4. The formal 30-day comment period began in July of 2021, with notice sent to over 650 parties. *Id.* After further information sessions and field visits, Defendants initiated a second—not legally required—formal 30-day comment period. *Id.* Further meetings and information sessions were held throughout 2022. *Id.* The 600 comment letters received were reviewed and saved in the record. *Id.* Many adjustments were made to Tarleton based on public feedback, such as retention of white pine for bald eagle habitat, adding additional detail to the project's scenery effects analysis, adding a consequence of no action section, and reducing forestry activities by 21.5%. *Id.* at 4–5.

Public participation was similarly extensive for Peabody. Peabody was first introduced to the public in March of 2019. Peabody NOD at 2. A scoping comment period was initiated in December of 2019, with notice sent to over 450 parties. *Id.* The scope of the project, namely the recreation components, was modified based on this initial comment period. *Id.* Another scoping comment period was held in March of 2021 based on the updated proposal, with notice sent to over 650 parties. *Id.* The formal 30-day comment period commenced in August of 2022, with notice sent to over 560 parties. *Id.* The 68 comment letters submitted were each reviewed and added to the record. *Id.* Public comments were used to refine and modify the Peabody project. *Id.*

Several of the Amici submitted comments. On May 6, 2022, the Forest Society submitted Tarleton comments, attached as **Exhibit 3**. The Forest Society also toured Tarleton in May of

2022 and on July 23, 2024 and Peabody on July 25, 2024, with the Defendants. NHTOA lodged two sets of Tarleton comments, the first on November 1, 2021 and the second on May 11, 2022, as well as a set of Peabody comments (undated but believed to be Aug. 25, 2022), attached as **Exhibits 4–6**, respectively. RGS & AWS submitted Peabody comments on August 25, 2022, attached as **Exhibit 7**. AMC submitted Peabody comments on January 10, 2020 and September 2, 2022, attached as **Exhibits 8–9**, respectively. The Plaintiff also acknowledges participating in the public processes afforded for both Projects. Compl. ¶¶ 17, 53, 116.

The comprehensive attention the Defendants gave to the public participation processes for the Projects demonstrates the care with which the Projects were handled. Far from abandoning their legal duties, the Defendants gave the Projects careful consideration, invited feedback from interested shareholders, and updated the Projects based on public comments and additional analysis. The Plaintiff's dissatisfaction with the results does not mean that the process was faulty, inadequate, arbitrary or capricious.

### **CONCLUSION**

If the Court were to vacate the authorizations for the Projects, as the Plaintiff requests, the Forest Plan would not be implemented and the WMNF would suffer, contrary to the Forest Service's mandate and the Amici's collective goals of responsible stewardship and sound planning of the WMNF. Therefore, this Court should deny the Plaintiff's Cross-Motion for Summary Judgment and grant the Defendants' Cross-Motion for Summary Judgment.

Respectfully Submitted,

**THE SOCIETY FOR THE PROTECTION OF NEW  
HAMPSHIRE FORESTS**

By its Attorneys,

ORR & RENO, P.A.

November 14, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served, this day, electronically through ECF upon all parties of record.

/s/ Jeremy D. Eggleton

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

STANDING TREES, INC.,

Plaintiff,

v.

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Case No.: 1:24-cv-00138-JL-TSM

**DECLARATION OF MATTHEW LEAHY IN SUPPORT OF**  
**AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS**

I, Matthew Leahy, declare under the pains and penalties of perjury that:

1. I am the Public Policy Director of the Society for the Protection of New Hampshire Forests (“Forest Society”), an *amicus curiae* in this matter.
2. Exhibit 1 to the Amicus Curiae Brief filed by the Forest Society and others is a February 19, 1998 letter from Robb Thomson, N.H. Commissioner of the Department of Resources and Economic Development to Donna Hepp, Forest Supervisor of the White Mountain National Forest (“WMNF”) concerning the expansion of the WMNF to encompass 2,242 acres around Lake Tarleton. This letter is a matter of public record and part of the Forest Society’s archives.
3. Exhibit 2 to the Amicus Curiae Brief is a public fact sheet published by the Trust for Public Lands, which assisted in negotiating the acquisition of the Lake Tarleton property by the WMNF. This fact sheet is a matter of public record and part of the Forest Society’s archives.
4. Exhibits 3-9 to the Amicus Curiae Brief are public comments submitted to the WMNF as part of the public comment in both the Peabody West and Tarleton Projects. They are:

5. Exhibit 3: Comment of the Forest Society, Tarleton (May 6, 2022)
6. Exhibit 4: Comment of the N.H. Timberland Owner's Association, Tarleton (November 1, 2021).
7. Exhibit 5: Comment of the N.H. Timberland Owner's Association, Tarleton (May 11, 2022).
8. Exhibit 6: Comment of the N.H. Timberland Owner's Association, Peabody (based on meta data, August 25 or September 2, 2022).
9. Exhibit 7: Comment of the Ruffed Grouse and American Woodcock Society, Peabody (August 25, 2022).
10. Exhibit 8: Comment of the Appalachian Mountain Club, Peabody (January 10, 2020).
11. Exhibit 9: Comment of the Appalachian Mountain Club, Peabody (September 2, 2022).

I, Matthew Leahy, affirm that the foregoing statements are true and correct to the best of my knowledge and belief, under the pains of perjury. 28 U.S.C. §1746.

Date: November 14, 2024

/s/ Matthew Leahy

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served, this day, electronically through ECF upon all parties of record.

/s/ Jeremy D. Eggleton

# **LEAHY DECLARATION - EXHIBIT 1**





ROBB R. THOMSON  
Commissioner

PHILIP A. BRYCE  
Director

STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
DIVISION of FORESTS and LANDS

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2211

FAX 603-271-2629

February 19, 1998

Donna L. Hepp, Forest Supervisor  
White Mountain National Forest  
719 Main Street  
Laconia, NH 03246

Dear Donna:

The New Hampshire Governor and Executive Council approved expansion of the Proclamation Boundary of the White Mountain National Forest to include an estimated 2,242 acres around Lakes Tarleton, Armington, Katherine and Constance in Piermont, at their meeting on February 18, 1998. A copy of the request letter, plan and meeting agenda are enclosed for your records.

I look forward to working with you and your staff, the Trust for Public Land and other public and private conservation organizations to complete this federal/state/private land protection project and in developing a land use and management plan that will provide public recreation access to these lands and water bodies and appropriate wildlife and timber management opportunities.

Sincerely,

Robb R. Thomson  
Commissioner

RRT/JFC/lfs

cc: Charles Levesque  
David Houghton

WA

Forest Protection (603) 271-2217  
Forest Management (603) 271-3456



Land Management (603) 271-3456  
Information & Planning (603) 271-3457

Natural Heritage Inventory (603) 271-3623

100 ACCESS RELAY NH 1-800-735-2964 recycled paper

DIVISION OF FORESTS AND LANDS 603-271-2211

## LEAHY DECLARATION - EXHIBIT 2

## Protecting Lake Tarleton

**If the National Forest buys this land will I be able to use and enjoy it?**

Yes! National Forest Land is open for everyone to use. The purchase of the Lake Tarleton Lands by the Forest Service would provide the town with public access to the lake for swimming, boating and fishing. The land will also be available for people to hike, cross-country ski, nature watch, hunt and fish. Once the property is under Forest ownership the possibility of future "No Trespassing" signs is gone. Forest ownership will permanently guarantee you, your children and grand children will have access to the property forever.

**If the Forest acquires the Lake Tarleton property, how will they manage it?**

The Forest Service manages their properties for many uses, as specified under the White Mountain National Forest Plan. The management prescriptions are in place to assure the protection of the Forest's natural and recreational resources. In managing the Lake Tarleton property, the Forest Service will work to protect wildlife, recreational, timber, and watershed resources. The specific management prescription for a given parcel is a public process which the Forest encourages people to get involved with. It is important to know that you can help shape the management of this important property by attending public meetings and voicing your opinion to ensure the responsible management of and public access to Lake Tarleton.

**What happens if the town does not allow the Forest to purchase the 200 acres outside the boundary?**

The Forest Service is not required to seek town approval on property within the Forest purchase boundary. Therefore, the Forest is free to acquire 1,000 acres of the 1,200 acre Lake Tarleton property. The owners of the property have also made it known that their intention is to conserve their property. As a result if they are unable to sell to the Forest they will most likely sell a conservation easement over the property. This easement may or may not guarantee public access to the lake.

**Who is the Trust for Public Land and what is their role?**

The Trust for Public Land (TPL) is a national nonprofit land conservation organization dedicated to conserving land for people. Acting as problem-solver and a risk taker, TPL helps communities and public agencies to acquire and protect valuable open space.

The New England office of TPL has worked with the White Mountain National Forest since 1987 and has assisted the Forest Service with four major acquisitions: Mirror Lake, Bald Mountain, Glen House, and Breezy Point. TPL works ahead of the Forest securing agreements with landowners to provide immediate protection for potential conservation lands. TPL is currently negotiating with the owners of Lake Tarleton to secure the property for the National Forest.

**For more information, contact:**

**David Houghton**  
(617)737-0261

TPL

\* full document in proj record

## LEAHY DECLARATION - EXHIBIT 3





May 6, 2022

54 Portsmouth Street  
Concord, NH 03301  
Tel. 603.224.9945  
Fax 603.228.0423  
info@forestsociety.org  
www.forestsociety.org

Brooke M. Brown, Pemigewasset District Ranger  
White Mountain National Forest  
Pemigewasset Ranger District  
71 White Mountain Drive  
Campton, NH 03223

Dear Ms. Brown:

Thank you for accepting these comments regarding the White Mountain National Forest's proposed Tarleton Integrated Resource Project.

As you know, the Society for the Protection of New Hampshire Forests is a 121 year-old land trust and forestry organization whose mission is to perpetuate the forests of New Hampshire through their wise use and their complete reservation in places of special scenic beauty. We were formed by a group of citizens concerned with the rapid and poorly planned timber harvesting occurring in the White Mountains in the late 19th Century and early 20th Century.

Since the establishment of the White Mountain National Forest, we have considered the U.S. Forest Service to be a key partner in the protection and management of the forest resources in this state. As such, we have engaged with the agency in the development of past forest plans dating back to original passage of the National Forest Management Act in 1976, including the current WMNF Land and Resource Management Plan (WMNF Plan).

The Forest Service's responsibility to steward the White Mountain National Forest for multiple purposes and uses is similar to that of the Forest Society as we manage our reservations. Forest products, outdoor recreation, opportunities for public education and the protection of water and soil resources are some of the many benefits all of us receive from the forests in New Hampshire including those in the White Mountains. The current WMNF Plan details these multiple goals and objectives the Forest Service must balance. The 2005 Forest Plan was the product of several years of public engagement, ultimately resulting in a consensus plan that balanced many interests and perspectives, and was implemented without legal challenge. As the Lake Tarleton addition to the WMNF was acquired in 2000, this plan fully incorporated and considered the future management of these lands that comprise the Lake Tarleton integrated resource project area.

When reviewing or considering timber management activities, it is important to be mindful of the Intergovernmental Panel on Climate Change Special Report on Climate Change which states: "Sustainable forest management can prevent deforestation, maintain and enhance carbon sinks and can contribute towards GHG emissions-reduction goals. Sustainable forest management

generates socio-economic benefits, and provides fibre, timber and biomass to meet society's growing needs."

The Society for the Protection of New Hampshire Forests concurs with the IPCC statement and believes sustainable forest management can help all landowners, both public and private, reach the long-term outcomes the IPCC describes. In addition, this approach will also help create diverse wildlife habitats, maintain plant biodiversity and promote recreational opportunities.

As stated in the WMNF Plan, the purpose of the Management Area where the proposed activities will occur is "to provide a sustained yield of high-quality of timber products, provide a balanced mix of habitats for wildlife, provide a variety of recreation opportunities, and manage high-use or highly developed recreation areas to acceptable social and ecological standards."

We recognize executing that purpose and achieving the goal of a diverse, resilient forest that provides those benefits requires a careful planning process. After reviewing the US Forest Service's Draft Environmental Assessment (EA) and related documents, we believe the agency has engaged in a thorough process. Therefore, we conclude the proposed Tarleton Integrated Resource Project will result in benefits to the natural resources found within the Tarleton Habitat Management Unit.

We would like to highlight several important points in the EA and supporting documents. First, given the relationship between forests and climate change, the planning for a harvest should acknowledge the effects it may have on carbon sequestration and storage. The Forest Carbon Assessment for the White Mountain National Forest does that. It notes that the forestry sector's contribution to GHG emissions has declined over the last decade (page 1 of the Forest Carbon Assessment).

Second, it also stresses (page 1) that the largest source of global GHG emissions in the forestry sector is deforestation, which is defined as the removal of all trees to convert forested land to other land uses that either do not support trees or allow trees to regrow for an indefinite period. The Tarleton project does not fall under that definition.

Third, the Forest Carbon Assessment states that "national forests tend to experience low rates of land-use change, and thus, forest land area is not expected to change substantially within the WMNF in the future. Therefore, on national forest lands, the projected carbon trends may closely resemble the "net sequestration" trend in Fig. 11, page 18 of the Forest Carbon Assessment.

Fourth, the WMNF's goals for age class and trees species diversity are what drives wildlife diversity. This approach is critically important in providing habitat for all species and in providing critical places for those rare and declining species.

Finally, the WMNF is of course one of the most important public recreation destinations in the Northeastern United States. The proposed boat launch and access site upgrades on Lake Katherine will improve the visitor experience there. Moreover, the 500 foot buffer between the Appalachian Trail and the harvest area coupled with the conducting the harvest in the winter will reduce the noise impacts to A.T. users.

In order to strengthen the plan, we would suggest the USFS include the following additional steps. First, buffer the identified vernal pools as you lay out the harvests. Second, to facilitate improved transparency and communication, post silvicultural interpretive signs at the points where recreation activities and harvesting may intersect.

In closing, the Forest Society recognizes a timber harvest often creates a quick, drastic change to the landscape that can seem arbitrary or thoughtless to some. We appreciate the Forest Service's decision to re-open the comment period and its responsiveness to earlier concerns about the project. The changes the agency has made in the second EA, such as the 100-foot no-cut buffer to Lake Tarleton and the 100-foot protection buffer for white pine along Lake Katherine to preserve potential bald eagle nesting habitat, are improvements to the plan. We understand the Forest Service must manage National Forests for multiple purposes and stakeholders and so we appreciate the agency's willingness to consider the comments you have received from all these stakeholders.

The Forest Society advocated for the Forest Service's acquisition in 2000 of the Lake Tarleton property with the understanding that a portion of these lands would be actively managed, as is now being proposed. We believe the Tarleton Integrated Resource Project appropriately balances the many uses that define a National Forest, adheres to the WMNF Plan and in the long-term will result in a more resilient, diverse forest.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Leahy', with a large, stylized loop at the end.

Matt Leahy, Public Policy Director  
Society for the Protection of New Hampshire Forests  
[mleahy@forestsociety.org](mailto:mleahy@forestsociety.org)





## LEAHY DECLARATION - EXHIBIT 4



# NHTOA

NH TIMBERLAND OWNERS ASSOCIATION

November 1, 2021

Brooke M. Brown, District Ranger  
U.S. Forest Service  
White Mountain National Forest, Pemigewasset Ranger District  
71 White Mountain Drive  
Campton, NH 03222

RE: Tarleton Integrated Resource Project

Dear Brooke,

Founded in 1911, the New Hampshire Timberland Owners Association (NHTOA) represents forest landowners and the forest products industry in New Hampshire. This sector of New Hampshire's economy is the third-largest manufacturing sector in the Granite State employing over 9,500 people directly with annual payroll of over \$320 million. High quality timber offered from the White Mountain National Forest (WMNF) is an important part of the raw material source for this industry and the management projects producing this timber also provide healthier forests, diverse wildlife habitat, and many other benefits for New Hampshire's citizens.

I had the opportunity to review the Tarleton Integrated Resource Project and we believe this project is compatible with the WMNF's goals prescribed in the 2005 Land and Resources Management Plan. The social and environmental benefits of this project extend far beyond the production of forest products. This project will help the WMNF achieve its wildlife habitat and vegetation goals, remove non-native species, and protect/improve water quality.

The water quality benefits from this project are two-fold. First, they come from the proposed improvements to the boat launch. The boat launch improvements directly benefit water quality by controlling soil erosion on the lake -- soil erosion is evident in the site photos and documents in the scoping documents. Second, water quality will benefit indirectly from improved forest health. This project accomplishes this by removing non-native species (Scots Pine and Norway Spruce), converting forest types to be consistent with land capability, and increasing age-class diversity while fostering forest regeneration. Also, because all timber harvesting will be done in compliance with applicable state and federal laws governing erosion control and riparian area protection surface and ground water (including the lake) quality will not suffer during the forest management work. The body of research showing the efficacy of New Hampshire's Best Management Practices for erosion control and riparian area protection is impressive.

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I appreciate the opportunity to provide these comments and hope you will add the NHTOA's support for this project to the record.

Thank you,



Jasen A. Stock  
Executive Director

CC: Derek Ibarguen, Forest Supervisor

## LEAHY DECLARATION - EXHIBIT 5



May 11, 2022

Brook Brown, District Ranger  
White Mountain National Forest, Pemigewasset Ranger District  
71 White Mountain Drive  
Campton, NH 03223

Re: Tarleton Integrated Resource Project

District Ranger Brown,

Thank you for the opportunity to comment on the proposed Tarleton Integrated Resource Project. Founded in 1911, the New Hampshire Timberland Owners Association (NHTOA) represents forest landowners and the forest products industry in New Hampshire. The NHTOA's mission is to promote working forests, support responsible forest management, and ensure a strong forest industry. The Tarleton Integrated Resource Project is aligned with this mission. This project's enhancement of wildlife habitat, forest health, protection of water resources, and production of forest products while considering outdoor recreational interest is a great example of multiple-use management.

The NHTOA is especially pleased to support the forest health and wildlife habitat goals of this project,

- Increasing Spruce-Fir habitat,
- Increasing timber stand age-class diversity while fostering regeneration,
- Maintaining/increasing Aspen-Birch habitat,
- Redesigning and maintenance of permanent wildlife openings,
- Converting stands of non-native species to native species that are consistent with the land's growing capability,
- Expanding an existing apple orchard and early successional habitat in the Charleston Road area, and
- Adding a 100-foot protection buffer design feature for White Pine adjacent to Lake Katherine to preserve potential bald eagle nesting habitat,

Given the sensitivity of recreational interests in the project area, the NHTOA acknowledges the Forest Service's desire to exceed state law and typical forest management practices for this project. Although the NHTOA recognizes the balancing act the Forest Service is undertaking, we believe it is important to recognize other resource values may be lost by these decisions. Specifically, maintaining a 100-foot no-cut buffer adjacent to Lake Tarleton and a 500-foot buffer around the Appalachian Trail will exclude or limit silvicultural treatment of productive

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timberland within these areas. These buffers exceed state law and the recommended Best Management Practices (BMPs) prescribed in *Good Forestry in the Granite State*.

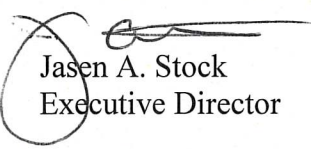
Lastly, the NHTOA wants to stress the economic contribution this project will make. This project will be contributing high quality sawlogs to New Hampshire's forest products industry. This sector of the economy represents the third-largest sector of manufacturing in the state. Based on a May 2020 report from UNH Cooperative Extension entitled *Forest Products Industries' Economic Contributions: New Hampshire*, the state's forest industry provides over 12,800 jobs and annually contributes \$2.5 billion in economic output to the economy.

An example of this project's economic contribution can be calculated using the Forst Service's timber harvest estimate of 5.6 million board feet (4,600 tons) of forest products (hardwood and softwood) and the economic contribution estimates from Plymouth State University's report entitled, *Economic Contribution of the Logging Industry in New Hampshire, Calendar Year 2012*.

The Plymouth State University report estimates every 1,000 tons of timber harvested generates \$51,316 in total economic output. With this estimate and the 4,600 tons of forest products being harvested, this single project will provide \$236,053 in total economic output to the local economy through the logging company implementing the silvicultural treatments. This does not include the additional economic contribution this project will make through the foresters and biologists studying, prescribing, and laying out the harvest or the contributions from the sawmill and lumber companies that will process the logs this project produces. For the rural communities where this project is located, this economic contribution is significant.

Again, the NHTOA appreciates the opportunity to provide comment in support of the Tarleton Integrated Resource Project and we welcome the opportunity to discuss this with you in more details.

Sincerely,



Jasen A. Stock  
Executive Director

## LEAHY DECLARATION - EXHIBIT 6



## **WMNF Peabody West timber sales -- NHTOA Comments**

Thank you for the opportunity to comment on the proposed Peabody West Integrated Resource Project. Founded in 1911, the New Hampshire Timberland Owners Association (NHTOA) represents forest landowners and the forest products industry in New Hampshire.

The NHTOA's mission is to promote working forests, support responsible forest management, and ensure a strong forest industry. The Peabody West Integrated Resource Project aligns with this mission. This project's production of high-quality timber products and improvement of wildlife habitat diversity while considering outdoor recreational activities is a great example of multiple-use management.

Having said this, the NHTOA does have a concern over forest/habitat health and timber product production. The project area analysis currently shows no regeneration-age forest habitat. We believe the proposed project does not go far enough to correct this problem. The proposed treatment area's silvicultural treatment has 89 percent of the prescription area undergoing uneven-aged regeneration harvests (i.e. single tree selection, group selection) and 10.5 percent (240 acres) will be regeneration harvest. Putting this in the context of the entire Peabody West HMU, only 8 percent of the prescriptions directly address this issue.

The Peabody West project reflects a forest-wide concern regarding diminishing age class diversity and timber product production. In the WMNF 2020 Monitoring Report, the Forest Service recognizes its failure to meet its harvest and age class objectives. The report states, "There are a number of reasons contributing to the Forest's shortfall in meeting Forest Plan harvest and age class objectives, including budget and staffing issues." Although we appreciate the budget and staffing issues every public, government, and private organization faces, it is unclear why such a large percentage of the acres of this project (acres where the Forest Service has already invested staff time and analysis resources) are not be managed to correct these shortfalls.

Moreover, we appreciate the work the Forest Service does managing and creating recreational opportunities but, this work should not come at the expense of forest/habitat health and timber products production. According to the Monitoring Report staff and budget resources are already stretched. Therefore, creating new recreational opportunities (back country skiing, mountain biking) when resources are already stretched will further pull Forest Service resources and energy away from the fundamental task of managing the forest in accordance with the Plan's forest/habitat health and diversity goals and production of timber products.

We are recommending the Forest Service re-evaluate their prescriptions on this project and seek to create a more diverse age class in this project and produce more timber products.

Thank you,  
  
Jasen Stock



## LEAHY DECLARATION - EXHIBIT 7



Todd Waldron  
Ruffed Grouse Society & American Woodcock Society  
Northeast Forest Conservation Director

August 25, 2022

Johnida S. Dockens  
NEPA Planner  
White Mountain National Forest – Androscoggin Ranger District  
300 Glen Road  
Gorham, NH 03581-1399

**Re: White Mountain National Forest Androscoggin Ranger District Peabody West Integrated Resource Project**

**Atten: Johnida Dockens**

Thank you for allowing us to submit comments on the draft Environmental Assessment (EA) and Preliminary Finding of No Significant Impact for the Peabody West Integrated Resource Project.

RGS & AWS unites conservationists to improve wildlife habitat and forest health for ruffed grouse, American woodcock, and all forest wildlife. We promote forest stewardship for our forests, our wildlife, and our future. We envision landscapes of diverse, functioning forest ecosystems that provide homes for wildlife and opportunities for people to experience them. Ruffed grouse and American woodcock are bellwethers of forest condition; they can only persist in healthy, diverse forests. These same forests clean the air, filter water, and support local communities. Together with the American Woodcock Society (established in 2014), we work with landowners and government agencies to develop critical wildlife habitat utilizing scientific management practices.

Overall, RGS & AWS applauds the White Mountain National Forest's Androscoggin District team for your efforts to promote forest resiliency and improve habitat diversity and other co-benefits associated with healthy, diverse forest landscapes. We strongly support science-based vegetative management activities like those incorporated in the Peabody West Integrated Resource Project proposal and RGS & AWS is available as a conservation partner to help the Forest Service move these projects forward.

Numerous bird and wildlife species require forest habitat diversity and are declining. These species that are identified in New Hampshire's Wildlife Action Plan as Species of Greatest Conservation Need include Ruffed grouse, American woodcock, Golden-winged warbler, Spruce grouse and New England cottontail. New Hampshire's State Wildlife Action Plan's *Chapter 5 Conservation Actions* section identifies habitat management as one of several important tools to address this challenge. Recommended actions include incorporating young forest habitat conditions across landscapes (Section 1402) and promoting sustainable forestry (Section 1410) which when coupled with other outlined strategies promote resilient forest landscape conditions with a spectrum of forest ages and robust species composition diversity.



Our technical comments regarding the proposed vegetative management activities follow below:

The Peabody West Integrated Resource Plan's is aligned with the White Mountain National Forest Land and Resource Management Plan's (LRMP) Chapter 1, page 20, Objective 4, which is to "provide regeneration age forest and open habitats to sustain biological diversity and support species that prefer those habitats". These activities also are consistent with the allowable forest management activities within MA 2.1 lands which work toward multiple use management and diverse co-benefits, including wildlife habitat and sustainable forest products.

White Mountain National Forest's LRMP *Chapter 2 Table 1-04: Age Class Objectives* establishes MA 2.1 guidelines for age class diversity by forest type, which targets 3-4% of the WMNF in young forest age groups for Northern Hardwoods and 12-15% in young forest conditions for Aspen-Birch types. The Draft Environmental Assessment (EA) report's Page 1 Para 4 notes that *"An analysis of the current habitat conditions indicates that the Peabody West HMU is not meeting MA 2.1 habitat composition and age class objectives (forest plan, pp. 1-20 to 1-21; U.S. Department of Agriculture, Forest Service 2022). Most of the habitats in the project area are mature, with some younger stands interspersed. The general lack of open forest conditions tends to promote the development of shade-tolerant species and limit birch and aspen, which need abundant sunlight"*.

Page 2 Para 1 continues and states *"No regeneration-age (0-9 years old) forest habitat occurs in the Peabody HMU except for three permanent wildlife openings which are managed to maintain valuable grassy and shrubby habitat. These existing conditions create a need for management action to move the landscape toward the desired future conditions consistent with forest plan direction. Wildlife habitat objectives for the Peabody West HMU include the following: • Increase spruce-fir habitat over the long-term • Increase age-class diversity and foster the regeneration of stands"*

Page 4 Para 6 notes that *"A range of silvicultural treatments would be used to provide commercial wood products; create small and large openings in the forest to allow regeneration of trees and other vegetation and increase wildlife habitat diversity; provide additional growing space to enhance crown and bole development; and encourage the establishment of shade-intolerant species in the understory"*.

Page 5 Table 1 establishes the proposed acreage totals of silvicultural treatment for management area 2.1 lands in the Peabody West habitat management unit which result in 10.6% even-aged silviculture (235 acres) and 89.4% uneven-aged silvicultural practices (1,985 acres).

Page 8 Para 6 explains that for the 1,250 acres that will be treated as uneven-aged single tree and group selection combined, *"Groups would be placed in areas where desirable advance regeneration could be released to enhance species composition and/or increase softwood habitat. The size of individual openings under this treatment would range from a single tree crown width up to about 2 acres"*.

One of the driving factors for shifting to more uneven-aged management is explained on Page 21 Para 5: *"The proposal is consistent with forest plan guidelines in considering cumulative impacts for scenery management (forest plan, p. 3-6). No other even-aged treatment has occurred in the analysis area in the past 30 years, and no reasonably foreseeable silvicultural proposals are identified within the analysis area. Therefore, the proposed action would not contribute measurably to cumulative scenery impacts in the analysis area"*.



Ruffed Grouse Society & American Woodcock Society supports science-based sustainable forestry, promotes diverse forest landscape mosaics, and applauds the positive impacts this diversity has on resilience, climate, people, forests, and wildlife. Given that MA 2.1 is not meeting its habitat objectives and there is tension between scenery impacts and vegetative practices like even-aged silviculture, we are available to work with the Forest Service team in the future to identify ways to mitigate these tensions and ensure forest habitat conditions aren't overly compromised by aesthetic considerations. Regarding the single-tree and group selection silviculture, we're also eager to discuss spatial layout options and clustering techniques for the group areas to maximize positive wildlife habitat benefits.

Ruffed Grouse Society and American Woodcock Society is a supporter of the Peabody West Integrated Resource Project. As a national and regional conservation partner with members and a chapter in the Granite State, we support the Forest Service's efforts to initiate this project and we look forward to working with the agency as a key partner and stakeholder.

On behalf of our members and supporters, we thank you for your careful consideration and action to support healthy forests, abundant wildlife, climate solutions and promoting a conservation ethic in New Hampshire. RGS & AWS would be happy to comment further or address questions on these considerations in your future deliberations.

Respectfully submitted,

*Todd H. Waldron*

Todd H. Waldron

Northeast Forest Conservation Director

Ruffed Grouse Society & American Woodcock Society

*For more information visit the RGS & AWS website at [RuffedGrouseSociety.org](https://RuffedGrouseSociety.org). Follow us on Facebook and Instagram @RuffedGrouseSociety.*

## LEAHY DECLARATION - EXHIBIT 8

## LEAHY DECLARATION - EXHIBIT 8



Brunswick, ME

Greenville, ME

January 10, 2020

Boston, MA

Northampton, MA

Alexandria, NH

Bretton Woods, NH

Jennifer Barnhart, District Ranger  
 White Mountain National Forest  
 Androscoggin Ranger District  
 300 Glen Road  
 Gorham, NH 03581

Blairstown, NJ

Dear Ms. Barnhart,

Haverstraw, NY

New York, NY

The Appalachian Mountain Club offers comments on the following two issues in response to the Peabody West Integrated Resource Project scoping newsletter.

Bethlehem, PA

Hermit Lake Complex

Over the past several decades there has been a consistent decline in use at Hermit Lake Shelters. This decrease in overnight use is at odds with use trends throughout the White Mountains and throughout major destinations in the Northeast. In the past 10 years the number of annual overnight visitors has decreased from a high of 5,621 in 2008 to a low of 3,704 in 2018.

As the current operator of the Hermit Lake Shelters, AMC caretakers can gain insights into these trends through talking with users. Many of these conversations point to the overnight accommodations not meeting the needs of the current population of users. This manifests through consistent requests for more tent camping options and comments that folks are not interested in staying in unheated, open shelters in the winter months or staying in communal shelters during the summer.

These observations lead us to support the removal of the shelters 6, 7 and 8 as well as the addition of more tent platforms or durable surfaces for camping. However, replacing the lost occupancy and footprint from these shelters with similar shelters seems to ignore current use trends within the ravine and beyond.

In addition to the feedback we receive at Hermit Lake Shelters, AMC has seen a decrease in interest for use of shelters throughout the White Mountains. It is not uncommon for the staffed shelter sites throughout the White to double up tents on platforms at a site before anyone claims a space in the shelter. Replacing the shelters at Hermit Lake with more shelters may be necessary to preserve the historical integrity of the complex but doing so will not meet the need of today's user.

AMC's hut system throughout the White Mountains has seen an increase in use during the same timeframe that Hermit Lake Shelters has seen a decrease. Focusing on the self-

## LEAHY DECLARATION - EXHIBIT 8



service season, one can see an increase from 6,762 in 2008 to 7,367 in 2018. During this time there has been an effort to build a rustic system of cabins in Vermont. The Vermont Huts Association and the Green Mountain Club's refurbishing of derelict cabins highlight the recognition of cabins meeting the needs and interests of current users. This recognition goes beyond the bounds of New England as seen through the efforts of the Alaska Huts Association, Summit Huts in Colorado and American Prairie Reserve in Montana to name a few.

The increased popularity of cabins for overnight accommodations can be seen year round but is felt particularly strongly in the winter. It is not uncommon when conducting rounds during the winter months to find tents set up inside both 3 and 4 walled shelters at Hermit Lake. Providing a 4 walled cabin with a basic heat source would meet the needs of the user.

This infrastructure would serve another major recreation trend, backcountry skiing. Whether one considers the success of the Granite Backcountry Alliance locally or the broader backcountry skiing movement across the US, it is difficult not to recognize this new major player in backcountry recreation. The Peabody West IRP itself supports this increased demand through a glade cutting project on Pine Mountain. During this boom we have seen increased use in the ravine but a decreased use of overnight facilities. Heated cabins throughout the US have found success in accommodating backcountry skiers with new organizations and collectives popping up everywhere.

As a response to the above stated trends the AMC supports the construction of a small cabin in the former footprint of one of the current shelters. This cabin could be heated and house 8-12 overnight recreationists. Wood could be brought in from off-site via snow machine or helicopter. This project would remain within the current management guidelines of the Pinkham Notch Scenic area as laid out in the Forest Plan. It seems only logical to have such an offering in one of the most iconic backcountry skiing areas in the Northeast.

In conclusion, AMC supports the proposed action to remove old shelters and increase the number of tent platforms. AMC believes that a 4 walled heated cabin should be considered rather than adding another 3-sided shelter.

If you have questions about this comment please contact AMC Huts Director James Wrigley

#### New Road Construction

The scoping newsletter states that the project will include one mile of new road construction, but provides no information on the actual location of this new road. We

## LEAHY DECLARATION - EXHIBIT 8



know that the project area includes part of the Great Gulf Inventoried Roadless Area, though this fact was not included in the scoping letter.

The AMC is not opposed to timber harvesting within those portions of IRAs designated as Management Area 2.1. However, we believe that such harvesting should be limited to areas accessible from the existing road network. Without further information we do not know what (if any) effect the new road would have on the Great Gulf IRA. We would oppose any expansion of the road network into the IRA, even if the road construction would be within the allowed limits designed to maintain the wilderness potential of the IRA.

If you have any questions about this comment please contact AMC Senior Staff Scientist David Publicover at [dpublicover@outside.org](mailto:dpublicover@outside.org).

We thank you for the opportunity to provide these comments.



## LEAHY DECLARATION - EXHIBIT 9



Brunswick, ME

Greenville, ME

September 2, 2022

Boston, MA

Northampton, MA

Alexandria, NH

Bretton Woods, NH

Josh Sjostrom, District Ranger  
White Mountain National Forest  
Androscoggin Ranger District  
300 Glen Road  
Gorham, NH 03581

Blairstown, NJ

**Re: Peabody West Integrated Resource Project #55659**

Haverstraw, NY

Dear Mr. Sjostrom,

New York, NY

Bethlehem, PA

The Appalachian Mountain Club offers the following comments in response to the Peabody West Integrated Resource Project Draft Environmental Assessment.

#### Vegetation and Wildlife Habitat Management

We have no issues with the project as it currently stands regarding timber management.

#### Recreation

Hermit Lake Complex – we recognize that proposed improvements to Hermit Lake have been removed from this project EA to allow for additional engineering support to review potential design and scope. We appreciate that the activities at Hermit Lake remain a priority and look forward to cooperative planning and engagement as the Hermit Lake Special Use Permittee. As current operators of Hermit Lake, AMC can provide valuable insights on user trends, assessment of existing infrastructure, and improvements to infrastructure and experience that meet the current population of users. AMC looks forward to working with the White Mountain National Forest Androscoggin Ranger District in achieving shared goals and resulting investments.

Mountain Biking Trails – we recognize the value of enhancing mountain biking opportunities in the project as proposed. We would also encourage quality recreation opportunities to include multiple use trails that are graded and hardened to accommodate use by people of all abilities, not just hikers and mountain bikers that are athletically inclined. Improvements to Hayes-Copp and Leavitt's Link backcountry ski trails as year-round mountain biking and multiple-use trails is one incremental step toward such opportunities.

The existing network of National Forest System Roads in the project area also present opportunities for a multiple use corridor that could be graded, hardened, sufficiently widen to accommodate groomers and two-way pedestrian use, and suitable for use by



people of all abilities including families with children, seniors, and persons that require mobility aids.

Specifically, (p. 9-10) "About 9 miles of existing and proposed National Forest System Roads (system roads) would be reconstructed, and about 3 miles of unauthorized road in the project area would be added to the Forest Service Road system...About 0.6 mile of new road are proposed for construction". Reference to Figure 3 identifies roads or portions of roads to be reconstructed including FR 72 (Culhane Brook), FR 263 (Libby South), FR 2318 (currently unauthorized), and FR 264 (Jackknife). These road reconstructions, constructions, and improvements should be made such that a non-motorized multiuse trail is available that traverses the project area from the Dolly Camp Campground in the south, along FR 72 and FR 263, to the northern border of the project area (to be extended by others into the Town of Gorham).

Such a multiuse trail in this vicinity has been proposed and discussed over the last two or three decades. It not only would provide alternative recreational use for people visiting and staying at Dolly Copp Campground, but also day use by WMNF visitors looking for casual, family-friendly, close-to-nature experiences. Non-motorized multiple use and easy-access trails are not easily found and rarely present on the WMNF, and the USFS can "provide a sustainable range of quality recreation opportunities" through such investment.

Connectivity to current and planned recreation paths to the north (Gorham and Randolph) – and conceivably a connection to the multiple use Presidential Range Rail Trail - cannot be realized if the USFS does not consider such amenities on WMNF lands. An extension southward to Great Glen Outdoor Center and the AMC Pinkham Notch Visitor Center as a distant goal is not possible without a corridor through this project area. Please consider plans for a non-motorized multiple use corridor from Dolly Copp Campground to Gorham using Forest System Roads that are being reconstructed as part of the Peabody West Integrated Resource Project.

Thank you for the opportunity to provide these comments.

Sincerely,

Chris Thayer  
Director of External Affairs and Contracts  
[cthayer@outdoors.org](mailto:cthayer@outdoors.org)