



United States
Department of
Agriculture

Forest
Service

September
2005



Decision Memo

U.S. Army Corps of Engineers, Maine Army National Guard Bog Brook Training Site Special Use Permit Renewal

Oxford County, Maine

Prepared By
The Androscoggin Ranger District
White Mountain National Forest

For More Information Contact:

Thomas M. Moore
Special Use Permit Administrator
Androscoggin Ranger District
300 Glen Road
Gorham, NH 03581
(603) 466-2713 ext. 226
TTY (603) 466-2856
tmmoore@fs.fed.us

This document is available in large print.

Contact the Androscoggin Ranger District Office

1-603-466-2713

TTY 1-603-466-2856

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication or program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202/720-2600 (voice and TDD).

To file a complaint of discrimination, write the USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC, 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). The USDA is an equal opportunity provider and employer.

Decision Memo
U.S. Army Corps Of Engineers
Bog Brook Training Site
Special Use Permit Renewal

1.0 -- Decision

After conducting an environmental analysis and seeking public comment on the Maine Army National Guard (MEARNG) and U.S. Army Corps of Engineers (USACOE) request to renew their special use permit to operate the Bog Brook Training Site in the White Mountain National Forest, I have decided to renew their special use permit for a tenure of 10 years. The special use permit authorizes the U.S. Army Corps of Engineers to occupy National Forest System lands and facilities to serve as a training site for the Maine Area National Guard. The USACOE and the MEARNG have requested that the permit be issued to the COE, which serves as the long-term real estate asset holder for State National Guard organizations.

1.1 -- Rationale for the Decision

An analysis of the resource conditions (see Section 4.2) revealed no extraordinary circumstances that would require further environmental analysis.

The MEARNG has maintained and operated the Bog Brook Training Site successfully since 1982 serving as a military training facility. With no compelling reasons such as poor performance, and with support expressed by those who participated in the environmental analysis, I believe a decision to renew the permit is in the government's best interest.

2.0 -- Location, Features, and Background

Renewal of the permit would authorize uses identical to the previous permit.

The original special use permit was issued to the MEARNG in 1984, renewed in 1991, and expired in 1996. Periodic permit amendments have enabled continued use of the site.

The permit authorizes the operation of a training facility at the Bog Brook Training Site and covers 47.5 acres of National Forest System Land (see Map 1 page 10) and 12 Forest Service owned facilities.

The Maine Army National Guard has occupied the camp facilities continually since 1984. They have built two additional dorm buildings and a classroom/storage building. The buildings have been winterized as has the water system making this facility available for use twelve months a year. The facility is available for use by other organizations such as the

Young Marines program, for training or education, and also provides seasonal housing for temporary Forest Service employees.

MEARNG continues to improve the facilities by upgrading the utilities for each dorm and facility, improving road drainage, and performing annual maintenance on the road and facilities. MEARNG has demonstrated responsible land stewardship by following annual permit operating plan guidelines and has been responsive to the U.S. Forest Service.

3.0 – Bog Brook Training Site Operations

The Forest Service requires MEARNG to submit an annual operating plan that identifies work projects, staffing plans, training dates and details associated with operating and maintaining the facilities. The facilities are inspected regularly and compliance with the permit clauses are overseen by a Forest Service permit administrator.

4.0 -- Category of Exclusion and Environmental Analysis

Renewal of USACOE special use permit for the Bog Brook Training Site is in the category of actions identified in Forest Service Handbook (FSH) 1909.15 Chapter 30, Section 31.2 (15):

“Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are no changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorizations.”

4.1 -- Rationale for Category

I find that the above category is appropriate for this analysis and decision because the USACOE is not proposing changes in the facilities, uses, or services currently authorized, and continues to comply with the terms and conditions authorized by the Forest Service. I have determined that there will be no resulting significant effects on the environment, and therefore the proposed action requires no further analysis in an environmental assessment (EA) or an environmental impact statement (EIS).

4.2 -- Resource Conditions and Extraordinary Circumstances

The environmental analysis included on-site surveys for rare plants and heritage resources, and also determined if any extraordinary circumstances exist that could result in significant effects to the environment. In accordance with FSH 1909.15 Chapter 30, the following specific resource conditions were examined:

4.2a -- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

A Biological Evaluation of the permit area was conducted to analyze and document if suitable habitat exists and what potential effects could occur as a result of this decision. Field reconnaissance closely examined habitat and potential for populations, and determined that the renewal of the special use permit:

- would have no effect on any federally listed species, and
- may impact the following RFSS, but would not likely cause a trend toward federal listing or loss of viability for eastern small-footed myotis, northern bog lemming, wood turtle, or Bailey's sedge.

The determination for wood turtles is based on management direction in the Bog Brook Integrated Natural Resource Management Plan (INRMP) that requires MEARNNG to educate people using the facility about how to identify species of concern and avoid possible impacts (INRMP section 7.4 Management Area of Threatened and Endangered Species Habitat). This direction does not eliminate the potential for impacts, but it does minimize the risk of impacts as much as is feasible.

Additional information on all species is in the Biological Evaluation, which is available in the Project File located at the Androscoggin Ranger District Office.

4.2b -- Floodplains, wetlands, or municipal watersheds

The permit area is not in the floodplain for the Androscoggin River, but it does include a portion of the shrub-scrub wetland adjacent to Bog Brook. The INRMP restricts activities in wetlands to foot-traffic only and acknowledges that foot-traffic would be very limited as people avoid getting wet unless necessary and there would not be a need to cross this wetland, which is at the edge of the permit area. Therefore renewing the permit should not result in any adverse impacts to wetlands or floodplains. The Bog Brook Training Site is not located within a drinking water protection area. Forest Plan standards and guidelines are designed to protect water quality and aquatic habitat. Therefore, renewal of the special use permit is not expected to result in any impacts to municipal watersheds.

4.2c -- Congressionally Designated Areas

The Caribou Speckled Mountain Wilderness is the closest congressionally designated area to the Bog Brook Training Site. This Wilderness area is located about 12 miles east. Renewal of the special use permit will not result in any impacts to the Wilderness.

4.2d -- Inventoried Roadless Areas

The Bog Brook Training Site is near the Wild River Inventoried Roadless Area as identified in the Forest Plan (USDA 2005a). The Bog Brook Training Site is excluded from the Roadless Area as were all areas on the Forest with long-term special use permits. Authorized operations and activities at the Bog Brook Training Site are confined to the permit area and do not make use of the surrounding forest. Permit renewal will not affect the roadless area

4.2e -- Research Natural Areas (RNAs)

The White Mountain National Forest currently has three designated Research Natural Areas – The Bowl, Alpine Garden, and Nancy Brook. The Forest Plan also identifies several additional Candidate Research Natural Areas. None of the RNA's or Candidate RNA's are nearby or will be affected by renewal of USACOE special use permit.

4.2f -- American Indians and Alaska Native Religious or Cultural Sites/Archaeological Sites, or Historic Properties or Areas

An examination of cultural resources data followed by field surveys and consultation with the State Historic Preservation Office has revealed no known sites located in the permit area, hence there will be no impacts to cultural or archeological sites. This is an administrative action with no proposed changes, and there will be no effects to the site. The permit area will be re-evaluated with any future proposals that would involve ground-disturbing activity or other physical disturbance.

5.0 -- Public Involvement

The White Mountain National Forest listed the renewal of U.S Army Corps of Engineers special use permit for the Bog Brook Training Site on the Schedule of Proposed Actions beginning in October 2005, and mailed scoping reports to 69 interested and affected parties on July 25, 2006. The four respondents support renewing the U.S Army Corps of Engineers' special use permit for the Bog Brook Training Site because the Bog Brook Training Site serves the Maine Area National Guard well by providing a year-round training facility for military training operations. See Appendix A for details regarding public comments and Forest Service responses.

6.0 -- Consistency with the Land and Resource Management Plan (Forest Plan) and other Applicable Laws

My decision to renew the USACOE special use permit for Bog Brook Training Site operations is consistent with the Forest Plan. Standards and Guidelines in the Forest Plan are designed so that on-the-ground activities comply with applicable regulations, laws, and executive orders.

6.1 -- Forest Plan

Renewing this special use permit meets the goals and objectives of the White Mountain National Forest by renewing permits when appropriate and in a timely manner (USDA, 2005a, Ch. 1, page 1-7.)

The Bog Brook Training Site is located in Management Area (MA) 2.1. While the Forest Plan does not address administrative facilities or special uses in MA 2.1 specifically, the Bog Brook Training Site is consistent with the goals within this management area, which allow for a wide range of uses.

Management direction in the Environmental Impact Statement for the Forest Plan describes the Desired Future Condition as follows:

Stewardship of the National Forest continues to be a collaborative effort between local communities, forest users, private sector entities, nonprofit partners, and other government agencies (USDA 2005b, Ch. 1, 1-9.)”

Bog Brook Training Site promotes this Desired Future Condition by providing use of government owned facilities for training and support of other Government Agency needs.

The Bog Brook Training Site is consistent with the purpose of MA 2.1, General Forest Management which allows for a full mix of recreation opportunities and development levels (USDA 2005a, Ch. 3, pgs. 3-4 through 3-8.)

6.2 -- Special Uses – Forest Service Manual 2700

My decision to renew the USACOE special use permit complies with Forest Service regulations as stated in Forest Service Manual 2700, which directs the management of special uses in the national forests. The regulations provide the authority and terms and conditions necessary for granting and administering special use permits.

7.0 -- Implementation Date

Renewal of USACOE Bog Brook Training Site special use permit may proceed immediately. A new permit is expected to take effect by October 1, 2006.

8.0 -- Administrative Review or Appeal Opportunities

This decision is not subject to administrative review or appeal, pursuant to 36 CFR 215.8.

9.0 -- Contact Persons

For more information, contact Katherine W. Stuart, District Ranger, or Thomas M. Moore, Special Use Permit Administrator, at 300 Glen Road, Gorham, NH 03581; (603) 466-2713 ext. 210 (TTY 603-466-2856); email kstuart@fs.fed.us, or tmmoore@fs.fed.us.

10.0 -- Signature and Date

I have concluded that renewing U.S. Army Corps of Engineers Bog Brook Training Site special use permit may be categorically excluded from documentation in an environmental impact statement or environmental assessment, because the scope of activities will not individually or cumulatively have a significant effect on the quality of the human environment. My conclusion is based on the information presented in this document and in the Project File.

/s/ Katherine W. Stuart

KATHERINE W. STUART
District Ranger

DATE: September 21, 2006

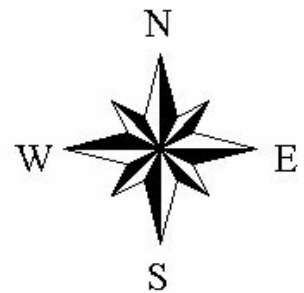
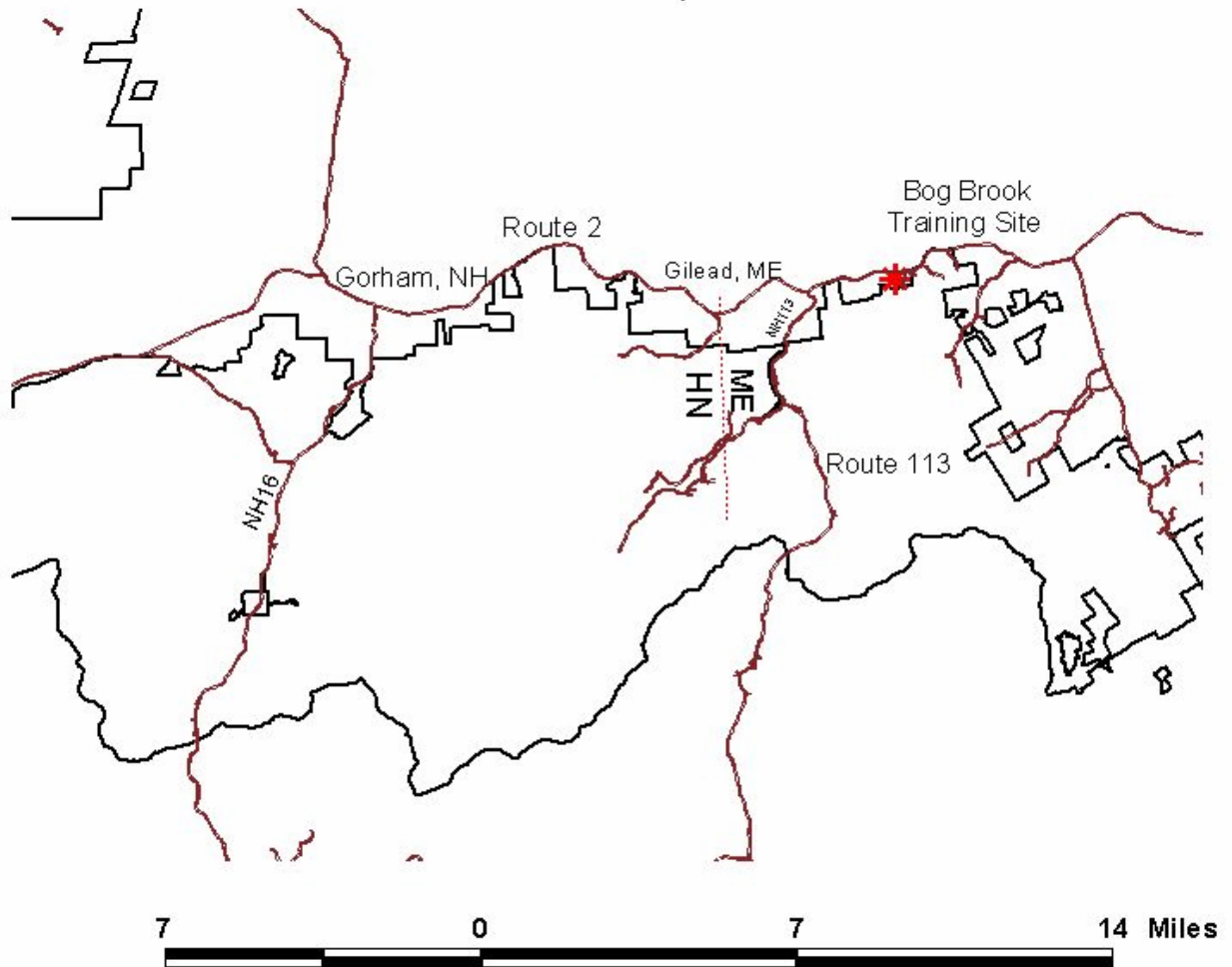
References

USDA (U.S. Department of Agriculture, Forest Service). 2005a. Land and Resource Management Plan. Laconia, NH: USDA-FS, Eastern Region, White Mountain National Forest.

USDA (U.S. Department of Agriculture, Forest Service). 2005b. Final Environmental Impact Statement: White Mountain National Forest Land and Resource Management Plan. Laconia, NH: USDA-FS, Eastern Region, White Mountain National Forest.

2006 Bog Brook Integrated Natural Resource Management Plan; U.S. Army Corps Of Engineers

Map 1: Bog Brook Training Site Town of Gilead Oxford, Maine



Appendix A
U.S. Army Corps of Engineers
Bog Brook Training Site Special Use Permit
Scoping Comments and Forest Service Responses

Public Involvement

10/01/2005 - present: Listed on the White Mountain National Forest's Schedule of Proposed Actions. Distributed via mail and available on www.fs.fed.us/r9/white and (since 04/01/2005) www.fs.fed.us/sopa/.

July 25, 2006: Mailed 69 scoping reports to interested and affected parties that provided the project description and contact information.

- 5 were returned as undeliverable.
- 1 requested to be kept informed of the analysis and decision without providing comments.
- 4 responded with comments.

The respondent, who requested to remain informed, requested electronic notice.

Support of Proposed Action

All comments are noted and available in the project file.

Four respondents support the COE Bog Brook Training Site special use permit renewal. The reasons for support are:

- Training of the National Guard should be provided without question.
- "Renew it (permit) and the heck with it"
- "The COE and MEARNG are good tenants and work for us!"
- "...they and the USFS are protecting our land."
- "...Continue to allow MEARNG and the COE use of the area so long as they abide by USFS public use policy."