



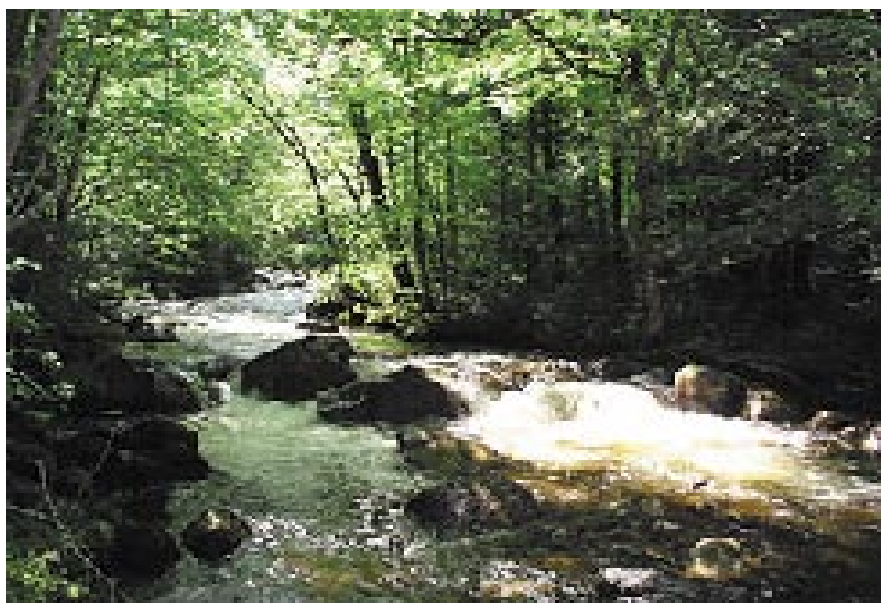
## Enviros fight N.H. logging project in test of interpretation of roadless rule

Colleen Luccioli, *E&E* Reporter

Two conservation groups last week appealed a controversial U.S. Forest Service decision to allow a logging project in the Kilkenny Roadless Area in the White Mountain National Forest. Though the appeal focuses on the Kilkenny project, the Sierra Club and the Center for Biological Diversity claim that their overall objective is to counter the potentially precedent-setting nature of the decision to allow logging in roadless areas.

“The roadless areas are protected areas. If this project did not include the 300 acres in the Kilkenny Roadless Area, we wouldn’t be fighting this. This is about protecting the designated protected area,” argued Catherine Corkery, the New Hampshire Sierra Club chapter director.

The project involving Kilkenny is the first to propose logging in a roadless area, but conservation groups are gearing up to battle other plans they expect from the Forest Service calling for logging in other roadless areas within the White Mountain National Forest. Specifically, the groups are preparing an appeal to a December decision to allow logging in roadless parts of the Kancamagus



The Mill Brook project includes plans for vegetation management, wildlife habitat improvement and watershed restoration, such as along the area pictured above. Photo courtesy of the Forest Service.

scenic highway area of the forest. Also, the groups expect a final decision later this month allowing logging in a separate project for the Stevens Brook area of the forest.

At the heart of the debate is interpretation of the roadless rule issued in the waning days of the Clinton presidency. Conservation groups maintain that the Forest Service is misinterpreting the rule, and the issue has come to a head with the White Mountain National

Forest, since it is one of the few forests to issue a revision of its forest management plan after the roadless rule was finalized.

Mollie Matteson, a conservation advocate with the Center for Biological Diversity, said, “The reason this case and other projects in the White Mountain National Forest are particularly important is that we believe the Forest Service is misinterpreting the roadless rule. It’s important to us not to let

the Forest Service get away with this.”

Katherine Stuart, Androscoggin district ranger, explained that there are two separate inventories of roadless areas and that the Kilkenny is not classified as roadless under the 2001 rule. Furthermore, she argued, “The court rulings are not clear on this issue. Different courts have issued different rulings on how to manage these areas.”

### **Dispute over Kilkenny**

Large roadless areas are relatively scarce in the northeastern United States, mainly due to a relative lack of large public lands, and the Kilkenny area is one of the largest and most isolated remaining roadless tracts in the eastern United States.

In a decision released Nov. 17, the Forest Service approved logging on 313 acres in New Hampshire within the Kilkenny. The logging would be performed as part of the Mill Brook project, a vegetation management and watershed restoration plan.

In comments submitted by the Sierra Club and the Center for Biological Diversity in March over the proposed alternatives to the logging plan, the groups argued that the logging plan should avoid the roadless area, “thus sparing this ecologically important area from intrusion and harm.” Conservation groups contend that the logging and road access proposed for the Kilkenny area will diminish its remote, roadless qualities; disturb and fragment wildlife habitat; and threaten an important trout fishery.

The option avoiding logging in the roadless area was categorized as Alternative 3 in the environmental assessment, and the option of

folding 313 acres of roadless area into the plan was Alternative 2.

In justifying the decision, Stuart wrote, “Alternative 2 will provide environmental benefits by improving forest health, increasing wildlife habitat diversity, and more broadly, increasing biological diversity across the Mill Brook landscape.”

Stuart noted, “This alternative will harvest more acreage than Alternative 3.” However, she wrote, “The additional acres harvested under Alternative 2 have a mix of treatment objectives, including the objective to improve stand quality through uneven-aged management techniques of selection cutting. Specifically, individual tree and group selection harvests will release or regenerate hardwood and softwood species by removing older and/or lower quality trees.”

Stuart also wrote, “I also selected Alternative 2 because the Mill Brook project environmental analysis concludes that after implementing Alternative 2, lands in the Kilkenny [inventoried roadless area] will continue to meet roadless inventory criteria and could be considered for wilderness in the future.”

But the conservation groups do not agree that logging in that area is necessary for the Mill Brook project. “It’s pretty radical to go in and chop down trees in a designated area,” charged Corkery of the Sierra Club in an interview this week.

Corkery explained that among the attributes making the area ecologically important, the roadless area hosts habitat for many rare species and important natural hatcheries for brook trout and brown trout. “Some of the biggest natural hatcheries outside of Maine for brown trout are in the roadless

area,” she said.

The groups are awaiting a decision on their appeal, and they have not ruled out legal action if their appeal is denied. According to Stuart, an informal resolution process will make a determination by Jan. 20. If no resolution results from that process, a standing appeal review team would be formed to provide a determination by Feb. 17.

“Ultimately, what’s needed is a permanent, nationally consistent and enforceable policy to protect all roadless areas,” the Center for Biological Diversity’s Matteson said.