

State of New Hampshire
Department of Resources and Economic Development
Division of Forests and Lands

State Lands Management Team - Request for Review

Date: December 26, 2012

Comments- If your agency does not attend the State Lands Management Team meeting we will need this form mailed back to us by the deadline date.

SLMT meeting date: 1-8-13
Deadline to comment: 1-24-13

Item #: SLMT 13-01-03 & 13-01-04

Project: Stark OHRV Connector Trail (13-01-03) & Columbia OHRV Connector Trail (13-01-04)

Property: Nash Stream Forest

Project Presenter: Chris Gamache

Agency Commenting: NH Fish & Game Department including Wildlife, Fisheries, and Law Enforcement Divisions

Please check one:

_____ Concur with no conditions.

___XX___ Concur with the following conditions: (Indicate major reservations about the project and the specific substantive changes or modifications desired.)

_____ Do Not Concur (Summarize the major legitimate reasons for not concurring including documentation or references to plans, statutes, etc.)

_____ No Comment

Non-Receipt of this review by the deadline implies consent.

Technical Comments:

Fish & Wildlife Concerns

Wildlife Division staff walked the proposed Columbia OHRV connector trail several times and agrees that the proposed location is the logical place to put the trail. It minimizes wetlands impacts and tree removal. However, the proposed trail will cross over streams in some locations.

There are several rare species in the vicinity that use streams and wetlands (e.g., wood turtle, Northern red belly dace) but none documented in the project area. Using existing snowmobile trails and access roads greatly reduces potential impacts to these and other wetland species, but winter use may not impact wetland habitats and associated fish and wildlife the same way as summer use (i.e., reptiles and amphibians not active during winter). Intensity of use is hard to predict but an important factor in determining habitat and wildlife impacts. Intense use of snowmobile trails by ATVs can cause significant trail erosion (as expressed by some foresters at SLMT who have had previous experience) which could lead to wetland sedimentation and damage to stream crossings that would render them impassable to fish and wildlife.

The Nash Stream Restoration Project, whose partners are DRED Division of Forests and Lands, NH Fish and Game Department and Trout Unlimited, has secured more than one million dollars to restore Nash Stream and its tributaries for the benefit of wild brook trout and anglers. This is the largest stream restoration project in the northeast and has received national attention. One aspect of this project is to restore connectivity of fish populations, and the focus of this is at road-stream crossings. To date, the project has restored connectivity at eight stream crossings (one of which is on the West Side Road where ATVs are currently allowed), and connectivity at several more crossings are planned to be done by 2016, including several on the Columbia Brook Road. Given the importance of the restoration project, both at the state and national level, it is imperative that connectivity of fish populations not be negatively impacted in the Nash Stream State Forest or watershed.

Stream connectivity is not only a concern within the Nash Stream State Forest, but also the entire proposed North Country ATV trail system. Yet, there didn't seem to be a clear plan for maintaining the Nash Stream SF or other proposed ATV trails. Also, summer use could have a negative impact on breeding birds, although admittedly there is no known research that can provide insight on this currently.

Potential wetland impacts including stream connectivity is of less concern with the proposed Stark OHRV Connector Trail because it would use a portion of Nash Stream Road, an existing gravel road that is open to vehicles. However, the Fish & Game Department questions the need

for ATVs to use Nash Stream Road. There appears to be another potential route for the Stark connector trail that would preclude the need to expand ATV use to the east side of Nash Stream. The alternative route would use existing trails on private land on the west side of Nash Stream. These trails are owned by the same person that owns the gas pumps that the proposed Stark connector trail would lead ATV riders to. This was brought up at SLMT and it was stated that the landowner does not want ATVs on his property, although it was not clear why. A concern about ATVs using an old gravel pit along the alternative route was mentioned, but that pit has been reclaimed. Additionally, the gas pumps are located in a large active gravel pit owned by the same person, so it's still unclear why using the alternative route is an issue.

Law Enforcement Concerns

The continued expansion of North Country ATV trail riding opportunities has increased the demand on law enforcement substantially. ATV registration sales continue to trend downward despite the increased riding opportunities. This demands that the NHFG Law Enforcement Division stretch existing funds and manpower thinner and thinner. Additional enforcement efforts on the Nash Stream SF or other new trails in the North Country will be marginal at best. There doesn't seem to be a clear plan for meeting law enforcement needs on the expanded Nash Stream SF ATV trail system or other proposed North Country ATV trails.

Moving Forward at Nash Stream SF

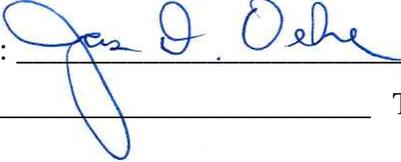
Nash Stream SF was protected through substantial efforts of multiple agencies and organizations with interests in the property's timber, wildlife, ecological, and recreational values. This was followed by another substantial effort of these same entities to develop a management plan that strived to balance these and other values. ATVs were not a part of the original management plan. Their use on Nash Stream was added to the plan in 2002 only after going through an amendment process. Based on this precedence and due to the concerns expressed here and by others at SLMT, the NH Fish & Game Department will concur with the proposed trail expansions at Nash Stream SF only under the condition that the planned expansions go through an amendment process that effectively gains input from a broad array of Nash Stream stakeholders. The plan amendment should adequately address potential impacts to fish, wildlife, and their habitats, especially wetland and stream connectivity issues, an assessment of law

enforcement and trail maintenance needs and how those needs will be met, and an assessment of alternative routes. Not following an amendment process that provides opportunity for all stakeholders to voice their opinions will likely lead to intense criticism by individuals and groups who are interested in the State Forest's other uses for which the property was originally acquired.

North Country ATV Plan

Additionally, due to the potential cumulative impacts to fish and wildlife from an expanded North Country ATV system, and the need for increased law enforcement to regulate use of that system, the NH Fish & Game Department requests that the NH Trails Bureau develop a North Country ATV plan that includes maps that clearly indicate the location of proposed trails, their proximity to state and other conserved lands (including easement lands), and locations of stream crossings. Plan text should also discuss potential impacts to fish, wildlife, and their habitats and how those impacts will be mitigated, an assessment of law enforcement and trail maintenance needs and how those needs will be met, and an assessment of potential impacts to other types of outdoor recreation including hunting, fishing, and wildlife watching that also contribute significant dollars to local and state economies.

This plan should be completed prior to moving forward with additional North Country trail expansions. Not doing so will surely lead to negative unintended consequences, some of which may be irreversible. Others of which will take substantially more time and effort to address compared to dealing with them up front.

Reviewer's Signature:  _____ Date: 1/28/13
Name: Jim Oehler Title: State Lands Habitat Biologist

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Division of Forests and Lands

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Item #: SLMT #13-01-04
Project: Columbia OHRV Connector Trail
Property: Nash Stream Forest
Project Presenter: Chris Gamache

Agency Commenting: NH- Division of Forests and Lands

Please check one:

- Concur with no conditions.
- Concur with the following conditions: (Indicate major reservations about the project and the specific substantive changes or modifications desired.)
- Do Not Concur (Summarize the major legitimate reasons for not concurring including documentation or references to plans, statutes, etc.)
- No Comment

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Technical Comments: This trail location has been reviewed by Forests and Lands as well as Fish and Game and DES. The trail was re-located from the original proposed location to better accommodate ATVs due to wet soils. There are two locations that are being presented; either the newly built trail or the existing gravel road, known as Kelsey Notch Road. Forests and Lands would like to see that only one of these trail locations be utilized. The location using the main road may have some neighbor issues. There is an outlot within Nash Stream and currently the landowner is less than receptive to public traffic. Either location is acceptable but one may

need some negotiating with the neighbor as well as the town. Adding more ATV trail within Nash Stream will require a revision of the management plan. Currently the language describes the West Side Trail and clearly states that “No other Roads or Trails are open to ATVs on the property.” This new trail would have to be added as another designated trail.

Reviewer's Signature: Margaret Machinist

Date: 1/22/13

Name: Margaret Machinist

Title: Regional Forester

State of New Hampshire
Department of Resources and Economic Development
Division of Forests and Lands

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