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**Deschutes  
National Forest**

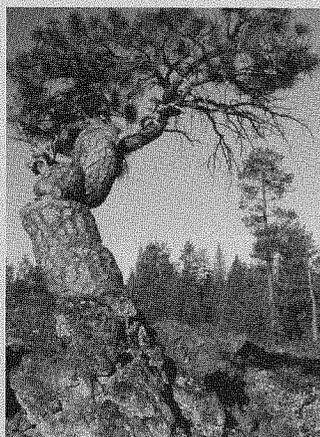
August 1994



# Newberry National Volcanic Monument Comprehensive Management Plan

## Record of Decision

**Deschutes National Forest**



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## I. INTRODUCTION

This Record of Decision describes the future management of Newberry National Volcanic Monument, Newberry Special Management Area, Transferal Area, Transferal Area Adjacent, and Transferal Corridor, as defined in the legislation (Public Law 101-522) establishing these designations. The Monument and these associated areas together comprise a block of land totaling approximately 58,000 acres, beginning about six miles south of Bend, Oregon, and encompassing the Newberry Caldera area, about 20 miles northeast of LaPine, Oregon. The Monument and associated areas are managed by the Deschutes National Forest. The legislation establishing Newberry National Volcanic Monument and associated areas requires the Forest Service to prepare a management plan for the Monument and associated areas. The Notice of Intent to prepare this plan was published in the Federal Register on October 20, 1992. (57 FR 47836)

This decision establishes the Newberry National Volcanic Monument Comprehensive Management Plan (hereafter called the Monument Plan). The Monument Plan directs management goals and objectives for the Monument and associated areas; defines management zones; describes desired future conditions; sets standards and guidelines; outlines a monitoring program; and identifies priorities and criteria for research opportunities.

The Monument legislation (P.L. 101-522) specifically exempts the Monument Plan from the need to amend the Deschutes National Forest Land and Resource Management Plan (LRMP) but directs that the Monument Plan be incorporated into the Forest Plan at its next regularly scheduled revision. This document therefore is not an amendment of the Deschutes National Forest LRMP. The Monument legislation was passed after the LRMP was adopted, and supersedes any Forest Plan direction that is inconsistent with the purposes for which the Monument was established. Because the Monument legislation supersedes the LRMP, the direction provided in the Monument Plan takes precedence over the LRMP. The only time LRMP direction will apply to the Monument (and associated areas) is when specifically directed by the Monument Plan, or when the Monument Plan does not address a particular issue, and LRMP direction on that issue is consistent with the intent of the Monument legislation.

A draft environmental impact statement (DEIS) analyzing four different alternatives for future management was released for public review in January, 1994. The Notice of Availability was printed in the Federal Register on January 7, 1994 (59 FR 1017). Comments were received on the draft EIS up to February 28, 1994. These comments resulted in changes to the draft preferred alternative and to the analysis. These changes are reflected in this decision and the final environmental impact statement (FEIS) on which it is based.

### *Authority*

The final EIS and Newberry National Volcanic Monument Comprehensive Management Plan (Monument Plan) were developed under Public Law 101-522, and the applicable provisions of the National Forest Management Act (NFMA) and its implementing regulations (36 CFR 219).

The Monument Plan provides programmatic guidance for Newberry National Volcanic Monument programs and resource management decisions over the next 10-15 years. It may be amended within that time in response to monitoring results or changing conditions.

## II. DECISION

My decision is to adopt Alternative C-Modified (preferred alternative) for management of Newberry National Volcanic Monument and associated areas.

Alternative C-Modified is a modification of the draft EIS preferred Alternative C, and was prepared in response to public comments and new information. Differences between Alternative C and C-Modified include:

- a) Addition of the Monument Trail, linking all management zones of the Monument
- b) Deletion of proposed new road construction for a scenic loop drive in the Transition Zone. Instead, existing road surfaces will be improved on the loop drive already present in the Transition Zone.
- c) Less proposed vegetation management, especially in lodgepole pine communities.
- d) Substantial reduction of proposed vegetation management activities within the North and South Paulina Roadless Areas.
- e) Identification of integrated resource priorities and areas of concern and opportunity to consider when planning site-specific activities within the Monument or associated areas.
- f) Revisions to standards and guidelines to eliminate redundancy with other laws, regulations, policies, and rules, and to focus more strongly on intent and desired results.
- g) Increased emphasis on rehabilitation and improvement of existing facilities rather than extensive construction of new facilities.

Key aspects of this decision include:

- 1) Establishment of management goals and objectives for the Monument and associated areas (Special Management Area, Transferal Area, Transferal Area Adjacent, and Transferal Corridor) and description of desired future conditions.
- 2) Definition of management zones and management emphases within each of the zones.
- 3) Standards and guidelines for management activities within the Monument and associated areas.
- 4) Establishment of a monitoring program.
- 5) Identification of research criteria and priorities.

The Newberry National Volcanic Monument Comprehensive Management Plan will be phased in and implemented over the anticipated 10-15 year life of this management plan. Many of the actions, especially those involving ground-disturbing activity, will require site-specific planning and environmental analysis, as required by the National Environmental Policy Act (NEPA) prior to implementation. Other actions that don't require ground disturbance and that fall within existing Forest Service administrative authorities, can be implemented without further environmental documentation. Included within this group are actions such as imposition of campground quiet hours, enforcement of trail regulations and monitoring of resource

conditions and visitor activities. Implementation of actions associated with the Monument Plan are contingent on overall funding levels and Congressional priorities within the Forest Service budget.

Effective May 4, 1994, I have been delegated the authority, by the Chief of the the Forest Service, to designate a Research Natural Area (RNA) to the RNA system. The supporting NEPA analysis and disclosure required by law and regulation is complete to establish this Mokst Butte Research Natural Research Area of approximately 1,250 acres surrounding Mokst Butte in Newberry Monument. This Mokst Butte RNA was previously recommended for designation as an RNA in the ROD for the 1990 Forest Plan, prior to passage of the Monument legislation.

### III. REASONS FOR THE DECISION

I made these decisions by weighing each of the alternatives against several factors. I reviewed the environmental consequences of the Monument Plan and alternatives, and I evaluated how the alternatives responded to the mandate of the Monument legislation and other applicable laws, public issues, Advisory Council recommendations, and management concerns. No single factor was predominant in making the decision. I considered and balanced all of the factors in selecting the alternative that I believe will provide the greatest net public benefit. Factors relating to the decision and a discussion of each issue follow.

#### *Response to Key Issues*

As required by the Monument Legislation (Public Law 101-522), in the context of the five key aspects described above, the Monument Plan provides direction on the following:

#### **PUBLIC LAW 101-522, SEC. 6. MANAGEMENT PLAN**

(b) (1) "Recreation, including consideration of a full range of existing and appropriate new facilities and programs for recreation during all seasons of the year.

(2) Vegetation, including consideration of a full range of management options, and a program to reestablish old growth ponderosa pine ecosystems.

(3) Roads and facilities, including --

- (A) consideration of the general location, design, construction, and maintenance criteria;
- (B) standards for motorized vehicle use;
- (C) traffic management; and
- (D) criteria for the closing and obliteration of roads.

(4) Fire and fuel management prescriptions, including consideration of a full range of management options for fuel hazard reduction and prescribed fire and fire control strategies to minimize the risk of catastrophic wildfire and to meet other resource objectives.

(5) Wildlife management, including general prescriptions for wildlife habitat improvements.

(6) Research, including identification and prioritization of research opportunities.

(7) Monitoring, including monitoring needs for air, water, wildlife, soil, and other resources. The Secretary, in cooperation with the Secretary of the Interior, shall maintain a research and monitoring program for geothermal resources for the purpose of identifying and assessing the impact that present and proposed geothermal development in the vicinity of the Monument and Special Management Area may have on the values for which such Monument and Special Management Area were established.

(8) Conflicts, including consideration of potential conflicts among uses and resources."

In the course of public involvement and discussions with other agencies, state and local governments, tribes, and the Advisory Council, as well as within the Forest Service, these and other planning issues were identified. Several became key issues that were used in designing alternatives. Each alternative responds to the key issues in different ways and degrees. Improvement of the situations represented in the issues was a primary objective in this planning effort. I have selected the alternative that I feel offers the greatest improvement of the situations while also addressing other factors. Issues are seen and understood differently among individuals and I have listened to and considered a range of viewpoints in deciding how to deal with these issues. Appendix B of the final EIS has the full documentation of public comments on these issues. I have carefully weighed all public comments received on the draft EIS. The key issues are identified and discussed below.

#### KEY ISSUE 1 - RECREATION

##### **What types and mix of recreation opportunities should the Monument provide?**

The lands that make up the Monument have the capability of providing a broad range of recreation settings and opportunities. The Monument presently provides a mix of setting and opportunities:

--Highly developed facility-dependent recreation opportunities are available at the Lava Lands Visitor Center and developed campgrounds;

--Natural appearing settings easily accessed by roads can be found in some parts of the Monument;

--And many of the lands within the Monument provide opportunities for recreation (summer non-motorized, winter motorized) experiences in semi-primitive, undeveloped areas away from roads.

This mix of settings and opportunities represents four of the six Recreation Opportunity Spectrum (ROS) classes (the system used by the Forest Service to plan and manage recreation resources and activities).

To determine the appropriate mix of settings and opportunities to provide in the Monument, I considered a variety of recreation use and trend data. I considered past and current use levels in the Monument, concerns voiced through the public participation process, Advisory Council recommendations, and local, state and national recreation trend information in my decision.

I have decided to retain the current range of recreation settings and opportunities (ROS categories of semiprimitive nonmotorized, semiprimitive motorized, roaded natural, and rural), but have allocated more acres for unroaded recreation. I believe this mix best responds to peoples' concerns that the Monument not be overdeveloped and continue to provide opportunities for solitude and outdoor challenge.

Probably the most controversial aspect of the recreation mix question for the Monument has been whether or not to allow the use or access of Oregon Class I, II and III all-terrain vehicle (ATV) recreation. There has been incidental ATV use on the Monument in both summer and winter seasons. Since the late 1970's various closure orders restricting this type of use were applied to the Newberry caldera. An all-season ATV closure order was established within Newberry caldera in 1987. No ATV trails presently exist within the Monument, nor is the Monument a widely used or popular destination area for ATV riding. An ATV trail system of 300+ miles has been approved (although the decision is presently under appeal) on 110,000 acres on Deschutes National Forest lands a few miles east of the Monument.

During the scoping process, two ATV interest groups submitted ideas for ATV areas and trails. Some of these ideas, in the form of an ATV pass-through corridor in the Transition Zone and an access corridor to East Lake Resort were incorporated in Alternative A presented in the DEIS. The preferred alternative identified in the DEIS (Alternative C) did not allow ATV access or use (for classes I, II, and III) within the Monument. This alternative was consistent with Advisory Council recommendations and the majority of written and oral suggestions and comments received on this topic.

The public comment period brought a range of comments on the issue of ATV access. Some commentators could see no reason to exclude ATV's from the Monument; others felt that ATV's resulted in damage to soils, and disturbance to wildlife and other recreationists. Some were concerned about incompatibility of ATV's with other forms of recreation, and others cited safety issues.

The Advisory Council affirmed its earlier recommendation to exclude ATV's other than snowmobiles from the Monument, in both summer and winter. Reasons offered by the Council for this recommendation included:

There is no overwhelming need for ATV's in the Monument, and there are other areas on nearby federal lands which have been designated for this activity.

Summer ATV use and "shoulder season" winter ATV use could result in damage to sensitive soil and plant resources, especially with limited funds available to enforce regulations.

User conflicts and safety problems would be likely to increase if ATV access is allowed.

People have expressed their preference for maintaining the quiet, low-key atmosphere within the Monument, and ATV access would not be consistent with this preference.

I have decided to exclude the use of Class I, II, and III ATV's within Newberry National Volcanic Monument. ATV use is expected to grow at a moderate rate according to State Comprehensive Outdoor Recreation Plan (SCORP) projections. The Deschutes National Forest has responded to this need by providing a high-quality ATV trail-riding opportunity east of the Monument (the East Fort Rock OHV Trail system). The Monument is not recognized as a premier ATV riding area, and has received only incidental ATV use, in either summer or winter.

On balance, I believe that the public interest is best served by providing for ATV use on areas outside the Monument. Providing for ATV access to the Monument would result in higher likelihood of user conflicts with other recreation activities, would reduce the quiet, low-key recreation setting that the Monument provides, and could increase potential for damage to sensitive soil and plant resources. Trail maintenance and administrative costs for ATV trails are relatively high; providing for dual designations on roads into or through the Monument could pose safety concerns. The Monument is an extensively-used and increasingly popular destination area for snowmobile recreation. Promoting winter ATV use on groomed snowmobile trails would increase trail grooming needs, decrease the enjoyment of some users, and increase safety concerns, especially as the number of other winter users increases.

Another topic of concern for some commentators was the quality of fishing and boating experiences offered by Paulina and East Lakes. Commentors noted that both lakes provided high-quality fisheries. A few commentors asked us to restrict motorized boating on one or both lakes, either eliminating motors entirely or allowing only electric trolling motors on one of the lakes. Some wondered what was meant by providing for faster, larger boats on Paulina Lake and emphasizing smaller boats on East Lake. Others felt the moderate increase in boating opportunities provided for in Alternative C was appropriate.

I have decided to adopt the moderate increase in boating opportunities described in Alternative C-Modified. This will be accomplished through improvement of existing boat ramp facilities at East Lake, as well as expansion (15-30%) of boat ramp capacity at Paulina Lake. Motorized use will be permitted on both lakes at the current 10 mile per hour speed limit. The intent is that through facility design, more of the motorized use gradually shifts to Paulina Lake. This in turn should allow for a quieter, more slow-paced boating opportunity on East Lake.

I do not believe that elimination of motorized boating use on the lakes is warranted at this time. Motorized boating use has been a long-standing and popular activity on both lakes. The 10 mile per hour speed limit established by the State Marine Board has kept user conflicts and noise at acceptable levels, providing for a high quality experience. The public has generally favored maintaining motorized boating on both lakes, as have the Oregon Department of Fish and Wildlife and the Oregon State Marine Board. With implementation of the standards and guidelines I have adopted as part of this plan, the modest increase in boating opportunities on Paulina Lake is not anticipated to have significant adverse environmental effects on water quality, wildlife, or the quality of the recreational experience.

#### **How can the quality of recreation experiences within the Monument be maintained?**

Throughout the Monument planning process, there has been consistent and widespread sentiment that the quality of recreation experience provided by the Monument is very important, and is at risk from overuse and overdevelopment. Some commentors are concerned about the increasing number of visitors drawn to the Monument and the resulting potential for degradation of ecosystems, recreation settings, and the quiet, slow-paced atmosphere valued by many. Others feel the Monument can accommodate more use and should invite more, through expansion of facilities, roads, trails, and recreational programs.

Alternative C-Modified recognizes that visitation to Central Oregon and the Monument is increasing. It strikes a balance between responding to increased recreational demand and protection of sensitive resources by:

- Providing for some expansion of day-use opportunities such as trails and interpretive programs;
- Dispersing some use away from the caldera by offering more day use opportunities in other parts of the Monument;
- Keeping overnight use in the caldera at present levels;
- Limiting the number of resorts to the two presently in the caldera;
- And designating substantial acreage for unroaded recreation.

The alternative focuses on upgrading the quality and serviceability of current facilities (which could include some redesign, expansion or relocation) as the highest capital investment priority, rather than development of new facilities.

I intend for overnight visitor use in the Newberry caldera to remain at about the current level and for the number of overnight campgrounds to remain the same. To improve the quality of existing overnight use facilities, some redesign will likely be needed, as well as the addition of some campsite spaces. Roads and facilities are discussed in more detail under Key Issue 2.

I also intend to implement the use of visitor shuttle buses to Paulina Peak, if needed to maintain a high-quality experience and prevent or reduce resource problems, during peak seasons and high use hours. At other times, private vehicles could continue to drive the road to the peak.

The monitoring program included as part of Alternative C-Modified will help assess the effects of management and uses on the values of the Monument. This monitoring program will include collection of data to help us determine a more precise carrying capacity for the Monument, as well as what follow-up actions to take to ensure that the carrying capacity is not exceeded. These could include establishing permit or reservation systems. Further analysis and public involvement would take place before such measures were implemented.

Other measures to protect Monument resources from over-use include road closures and/or obliteration, and my decision (as part of Alternative C-Modified) not to develop a new scenic loop drive.

#### **What kind and extent of recreation access should be provided to and within the Monument?**

Many commentors asked for more trails to provide for a range of experiences, and to connect more parts of the Monument. I have decided to expand summer and winter trail systems by 35 - 45 miles, as described in Alternative C-Modified, to respond to public demand for additional trail opportunities. The first priority for trail systems will be rehabilitation to correct existing resource problems or user conflicts. This may require trail redesign or relocation, or creation of new trailhead or staging areas, pending more detailed environmental analysis.

Alternative C-Modified incorporates the Monument Trail described in Alternative A, which links all zones of the Monument and is intended to serve a variety of users along its different segments, including hikers, horseback riders, and mountain bikers. I anticipate this trail and other trails will be developed in phases, as funding permits. The 35-45 miles of new trail will include additional trails for hiking, horseback riding, mountain biking, nordic skiing, snowmobiling, and interpretation. Some of these uses may be combined on some trail segments. The design and level of difficulty of trails will reflect the nature of the recreation experience being provided. For example, in areas of the Monument reserved for semiprimitive recreation experiences that emphasize solitude, trails will be fewer, more challenging, and designed for fewer people.

Planned trail expansion will include development of the Monument trail, linking the five management zones within the Monument; development of new nordic ski trails, especially in the caldera; expansion of the snowmobile trail system; development of a hiking and biking trail between the two lakes in the caldera; extension of horse and hiking trails in the Flanks Zone; development of hiking and bicycling trails in the Transition Zone; and expansion of interpretive trails near Lava Butte. Approval and design of specific trail segments will depend on site-specific analysis.

#### **KEY ISSUE 2 - ROADS AND FACILITIES**

Since almost all roads and facilities within the Monument are intended to support recreation uses, this issue is tied closely to issues about levels of use and quality of experience with the Monument. In this area, there was broad general agreement that Monument roads and facilities should avoid "overdeveloping" the Monument, in terms of increasing infrastructure development and thereby drawing many more visitors

to already crowded areas. At the same time, many commentors noted deficiencies in existing facilities and roads, and made various suggestions for specific improvements. A few commentors wanted additional roads; others advocated closing most roads. Many commentors wanted additional trails of different types. The Advisory Council recommended expansion of the Lava Lands Visitor Center.

### **What kinds of facilities should we provide?**

Alternative C-Modified focuses on improving the existing facilities and road system, rather than on providing significant new development. I have decided that the present amount of overnight facilities in the Newberry caldera is generally appropriate. Some redesign or relocation of existing facilities is needed to improve quality of experience or correct resource damage, and this redesign may require the addition of some campsites. The portal station at the entrance to the caldera will be relocated and redesigned to better manage and direct visitation in the caldera.

I intend for Lava Lands Visitor Center to remain as the primary interpretive and information hub for the Monument. The public has expressed strong support for expanding interpretive programs associated with the Monument, and Alternative C-Modified responds to this preference with a strong emphasis on providing for a high-quality, expanded interpretive program. Lava Lands Visitor Center will most likely need improvement or expansion to support this increased interpretive program. Decisions about the extent of improvement to Lava Lands Visitor Center will be based on site-specific analysis.

Other small interpretive facilities, such as viewing platforms and interpretive kiosks are also scheduled for development or improvement, generally near roads or other developed facilities. Again, these will be implemented as needed to support expanded interpretive services, and after appropriate NEPA analysis.

Alternative C-Modified proposes the eventual development of a group campground in the Transition Zone to serve educational and/or research groups. Development of this campground will not likely occur before the third or fourth decade of implementation, assuming the demand for this type of facility is warranted at that time. Ogden and Newberry group campgrounds already provide group camping opportunities close to or within the Monument, and are not presently overbooked. This is consistent with the Alternative C-Modified emphasis on improvement of existing facilities before developing new facilities, and responds to public concerns about over-use and overdevelopment of the Monument.

General public opinion regarding resorts is that two resorts within the caldera provide enough of this type of recreation experience. People also feel that the traditional style of the existing resorts is appropriate for the Monument. I agree and have decided to limit the number of resorts within the Monument to two. Expansion of the existing resort facilities will be allowed as consistent with goals and objectives for the Monument, and with completion of a site-specific analysis and Master Plan.

Some commentors also felt the quality of services and facilities needed improvement. Deschutes National Forest staff will continue to work with the resort owner to better meet visitor expectations regarding resort services and facilities.

### **What road access should be provided?**

Alternative C-Modified does not provide for a new scenic loop drive in the Monument at this time. This approach is consistent with public concerns about overdevelopment of the Monument, Advisory Council recommendations against development of this new road, and the expense associated with providing this new opportunity. The surface of Roads 9720 and 9710, which access the Transition Zone (and provide a loop drive opportunity), will be improved for visitor comfort and safety. Access to Lava Lands Visitor Center and Lava River Cave will be improved with better road connections linked to the Cottonwood Road

interchange. These improvements will reduce current and anticipated visitor safety concerns by improving ingress and egress to Lava Lands Visitor Center, Lava River Cave, and Lava Cast Forest in light of projected traffic increases on Highway 97. Improvements linked to the Cottonwood Road interchange will be made in cooperation with the Oregon Department of Transportation.

To better protect sensitive resources and enhance wildlife habitat, I intend to implement road closure or obliteration on about 41 miles of roads within the Monument. Roads within the Flanks Zone of the Monument will be closed, except for Forest Service Road 21 exiting the east side of the caldera, Road 2127, and the road to Paulina Peak. Other anticipated road closures consist primarily of short spurs and loops of aggregate or native surface road segments in the Transition and Lava Butte Zones. Specific road segments to be closed or obliterated and the scheduling of these closures/obliterations depends on further site-specific environmental analysis and coordination to meet resource objectives for wildlife habitat, recreation, cultural resource protection, and vegetation.

It is my intent to maintain the roadless character of the North and South Paulina Roadless Areas to the extent consistent with the purposes of the Monument legislation. The North Paulina Roadless Area (in the Transferal Area) is subject to valid existing geothermal lease rights. It is possible that insect, disease, or fire conditions within the roadless areas inside the Monument could pose a serious threat to resources outside the Monument. If this is the case, vegetation management to reduce the threat to acceptable levels could be needed. I intend that proposals for such management first consider methods that do not require roading. If roads are the only feasible and practical means of accomplishing such management, they should be considered temporary and are to be closed, obliterated or converted to trails (if consistent with the trail management objectives of the area) at the conclusion of the project.

This approach to roads and facilities best responds to public concerns about over-development and over-use of the Monument and is consistent with Advisory Council recommendations on the issue of road access. By concentrating on improvements to what we already have rather than emphasizing new facilities or roads, I believe we can make the best use of taxpayers' dollars while fulfilling our legislative mandate to conserve, protect, interpret, and enhance Monument resources.

### **KEY ISSUES 3 AND 4 - VEGETATION, FIRE AND FUELS**

Although they have some separate aspects, these two key issues are so interwoven, it is more effective to discuss them together.

#### **How should old-growth ponderosa pine ecosystems be restored?**

The Monument legislation requires that the Forest Service provide for natural ecological succession of vegetation to the maximum extent practical. It also requires the management plan to consider a program to reestablish old-growth ponderosa pine ecosystems. An important aspect of responding to this direction is understanding what natural ecological succession means in the ponderosa pine communities of the Monument.

In Central Oregon, wildfire was an integral part of ponderosa pine ecosystems before settlement of the area by Euro-Americans. Research (as evidenced by fire-scarring such as tree scorch) indicates that, on average, wildfire burned through ponderosa pine stands every 8-12 years. "Light" ground fires that did not scar trees may have occurred even more often. The effect of this fire frequency was the creation of large, open, park-like stands of ponderosa pine old growth. Ponderosa pine communities typically included large areas where many of the trees were very big and old, and were spaced relatively far apart. The understory was very sparse, consisting primarily of grasses and occasional small shrubs.

The advent of EuroAmerican settlement drastically changed the frequency and extent of fire in ponderosa pine communities in Central Oregon. With fire suppression, many more young trees and shrubs survived. Dense understories became established, favoring a different mix of plant and animal species, creating more structural stand diversity, more dead and down woody material, and much higher fuel loads. Logging activities removed most of the larger trees in the old growth ponderosa pine stands.

Many of the ponderosa pine stands in what is now the Monument look and function differently than they did 120 years ago. The open, park-like ponderosa stands of yesteryear were well adapted to frequent, low-intensity fires; most of the large ponderosa pines survived these fires and benefitted from the reduction of competing vegetation. The large ponderosa pines in today's stands are much less likely to survive a wildfire because fuel loads in most stands are so high that fires will burn very intensely and move into the tree's crown very quickly. The dense overstory of trees provides more shade to the forest floor, which favors the establishment of shade-tolerant species, such as white fir. White fir in turn shades out ponderosa pine seedlings, which require more sunlight to become well-established. The dilemma facing us today is how to return these lands to natural ecological succession and conditions without losing most of the existing ponderosa pine old-growth to severe wildfire (and thereby losing biodiversity as well as an irreplaceable genetic source for future old growth).

Alternative C responded to current conditions and legislative direction by proposing a program to reestablish old growth ponderosa pine ecosystems on about 8,000 of the 10,000 acres of ponderosa pine and mixed pine (ponderosa and lodgepole) within the Monument. The program emphasized the use of prescribed fire, and where needed, mechanical treatment to reduce fuel loads to acceptable levels before prescribed fire was applied. The goal was to return the ponderosa pine ecosystems to a fire-based condition that would eventually be self-sustaining with prescribed *natural* fire, or to a lesser extent, prescribed fire. This would allow fire to play a role closer to its natural influence on ecological processes and conditions.

During the public comment period, commentors generally favored the use of prescribed fire to accomplish this end. However, some were concerned that the approach in Alternative C was too extensive and too heavy-handed. They argued that inadequate consideration was given to the wildlife values offered by today's more structurally diverse and species-rich ponderosa pine stands. Others felt that a program this extensive did not comply with the intent of the legislation to allow natural ecological succession of vegetation to continue to the maximum extent practical.

Alternative C-Modified incorporates the same basic philosophy regarding the reintroduction of fire as Alternative C, but is more conservative in terms of rate and extent of vegetation activities. Fire is an important component of natural ecological succession in ponderosa pine communities and should be reestablished as such. In some areas present-day fuel loads will require some human intervention to restore conditions to a level that allows the reestablishment of the natural fire regime without loss of the existing old growth and the irreplaceable genetic pool represented by these trees. Next to prescribed natural fire, prescribed fire is the preferred tool to most closely mimic natural ecological processes.

Alternative C-Modified takes a more conservative approach in implementation. The amount of restoration activities (prescribed fire and/or mechanical treatments such as thinning) undertaken to reintroduce fire in ponderosa pine stands would range from 120-400 acres in the first decade. Over the long term, about 3,700 acres would undergo such restoration activities. The remaining 6,300 acres would continue to provide more structural habitat diversity and a richer species mix.

I have decided on this more conservative approach for two reasons. First, although those who commented on this topic generally support the concept of reintroducing fire as a component of the ponderosa pine ecosystems, there is likely to be apprehension on the part of the general public about fire risk, smoke, and changes to visual quality or wildlife habitat in this National Monument. I feel an intensive public participation process and a go-slow approach will be especially important in gaining understanding and acceptance during the first years of this program. Secondly, Alternative C-Modified has assumed more

variability in the fire regime, 8-35 years instead of 8-12. This results in providing more structural habitat diversity and visual diversity where fire continues to be excluded.

### **How should biodiversity and healthy ecosystems be maintained?**

The above discussion focused on the biodiversity and ecosystem health in ponderosa pine communities. Some commentors also expressed concerns about intended activities in lodgepole pine and mixed conifer. Lodgepole pine communities comprise the most extensive forest type within the Monument and make up most of the forests within the North and South Paulina Roadless Areas. Mixed conifer communities occur in large but relatively scattered patches, primarily on the north and east flanks of Newberry Volcano. Fire did play an integral role in natural ecological succession of lodgepole pine communities, but in different ways and timeframes than for ponderosa pine. Research suggests a fire periodicity of 25-100 years in these stands, depending somewhat on weather patterns and elevation. Fire, insects, and disease together combine to form a characteristic disturbance pattern for Central Oregon lodgepole pine forests. Research indicates that a mosaic of stand ages and sizes was characteristic of these forests. With fire suppression, the tendency has been toward larger areas of lodgepole pine stands of about the same age, some with heavy fuel build-ups. Insects such as mountain pine beetle have a natural role to play in these forests, and stands of dead trees resulting from mountain pine beetle are common occurrences. Areas of standing or down dead trees have increased with the exclusion of fire. As with ponderosa pine, the question is to what extent (if any) human intervention is needed before fire can resume its role in the natural ecological succession of these communities, without unacceptable risk to human safety or severe damage to other values of the Monument, such as wildlife habitat.

Alternative C proposed that most of the lodgepole pine communities (some 23,000 acres) eventually be managed with prescribed fire or mechanical thinning, to reduce fuel loads, provide defensible boundaries for fire management, and keep mountain pine beetle mortality limited to about a third of the stands. The intent was to eventually recreate the mosaic pattern believed to be characteristic of pre-EuroAmerican lodgepole pine forests and rely primarily on fire to sustain this mosaic. Several commentors expressed concerns about this approach. Some felt any vegetation management was inappropriate in the roadless areas, because the value they offer as wildlife habitat, places for solitude, and areas for unroaded recreation would be degraded by roads and vegetation management activities. Others felt not enough was known about the effects of prescribed fire in lodgepole pine forests to warrant such an extensive approach.

Alternative C-Modified will avoid vegetation activities in the North and South Paulina Roadless Areas, except when some management must be done to reduce serious threats to resources outside the Monument or unacceptably high fire hazards which could seriously damage Monument resources. This will require further site-specific analysis before such a decision is made. I believe this approach, described in Alternative C-Modified, will retain the biodiversity and wildlife habitat values presently offered in the lodgepole pine and mixed conifer communities. There will be some small-scale testing of prescribed fire treatments in lodgepole pine communities to learn more about the effectiveness of prescribed fire as a means of restoring conditions that allow the use of prescribed *natural* fire. In the next ten years, acres anticipated to be treated could range from approximately 170 to 760 acres.

### **What should our policy be about fire safety in the Monument? How should we use fire to promote healthy ecosystems?**

The safety of the public and of facilities is always of paramount importance in questions of how to respond to fires. Fire suppression will be conducted in a timely, energetic, and thorough manner, with public and firefighter safety as the highest priority. I also intend the development of fire management action strategies to allow for prescribed natural burns to occur (where feasible and safe) within the North and South Paulina Roadless Areas. Because of the time and funding required to develop these strategies, I do not expect

prescribed natural fire to be a feasible management option for most of the Monument within the first 10 years of plan implementation. Over time, as prescribed natural fire becomes a management option, it will encourage the formation of mosaics and increase stand diversity within lodgepole pine communities. Within the Newberry caldera and around developed sites elsewhere on the Monument, fire suppression will continue to be the primary strategy, for reasons of public safety.

## KEY ISSUE 5 - FISH AND WILDLIFE

### **What changes (if any) should we make in our present wildlife management approach?**

Comments received both during initial scoping and the public comment period indicate the public's strong appreciation for the fish and wildlife of the Monument. Commentors mentioned the value of fish and wildlife from the standpoint of viewing and recreation opportunities, recognized the importance of providing high-quality habitat, and emphasized their desire to see wildlife abundance and diversity continue, and if possible, increase. There were numerous specific suggestions on how to improve conditions for particular wildlife species. The main concern expressed about the preferred Alternative (C) was that its approach to vegetation management could have overall detrimental effects on wildlife habitats, populations and diversity.

I believe Alternative C-Modified responds well to these concerns. I intend to allow ecological succession of vegetation in the North and South Paulina roadless areas to continue on its present course to the extent that this can be done without creating serious threats to resources outside Monument boundaries. A large portion of the lodgepole pine stands will continue to provide the habitat values they presently offer, subject to change from wildfire (some would be expected, even with suppression), insects, and tree diseases. Over time, habitat change will occur in these stands as these disturbance agents play out their roles, and as prescribed natural fire strategies are implemented. In a few places where fuel loads are extremely high, vegetation management may be needed to reduce serious threats to resources from wildfire. Every effort will be made to reduce serious threats with methods that do not require roads. Only the minimum number of acres required to reduce serious threats to acceptable levels will be treated.

Alternative C-Modified provides a program to restore stands of open, park-like ponderosa pine that were prevalent in the area prior to EuroAmerican settlement, primarily through the use of prescribed fire. The approach identified in Alternative C has been refined to better reflect the variability in historic fire regimes in ponderosa pine, and to better reflect other wildlife habitat values, such as big game cover and migration corridors. The result is that fewer acres of ponderosa pine will be treated, and the treatment rate will also be slower. The alternative I have selected will retain more structural habitat diversity while increasing landscape-scale diversity through restoration of the rare "historic" ponderosa pine old growth in some areas. This in turn should contribute to increased species diversity by creating suitable habitat for species associated with open park-like ponderosa pine, such as white-headed woodpeckers and flammulated owls.

### **How should we minimize conflicts between recreational visitors and wildlife?**

In Alternative C-Modified, the North and South Paulina roadless areas fall into the Flanks Zone, which is to be managed for solitude and semiprimitive recreation experiences. This will provide large blocks of land that are unroaded and in which wildlife will experience relatively little disturbance from recreation activities.

I have decided to establish two Bald Eagle Management Areas within the Monument, both on East Lake. These two areas are both presently used by bald eagles. I also intend to manage the north shore of Paulina Lake to retain habitat components favorable for bald eagle nesting and reproduction, although

no eagles yet occupy this area. The Advisory Council has recommended this approach and the United States Fish and Wildlife concurs. The bald eagle is a federally threatened species. Consultation with the USFWS has occurred as required under the provisions of the Endangered Species Act, and the USFWS has determined that the proposed action (my decision) would have no adverse effects on the bald eagle.

I also intend to implement some limitations on access to Lava River Cave in winter, to ensure protection for hibernating bats. Depending on the extent of bat populations in the cave, this could include restricting access to guided tours and/or limiting how far into the cave visitors may go during the winter season.

#### **How should we manage for high-quality fishing?**

Most people appear to be satisfied with proposed management of fisheries, with only five comments received on this topic during the comment period. I intend to cooperate with the Oregon Department of Fish and Wildlife (ODFW) in providing for a moderate increase in fishing opportunities, to accommodate increased demand for this recreational opportunity. ODFW is responsible for the management of fish populations and sets fishing regulations.

#### **KEY ISSUE 6 - INTERPRETATION**

##### **What type and level of interpretation will be provided, and where?**

In both initial scoping and comments received on the DEIS, the public has expressed strong support for expanded interpretive and educational programs. This is a key feature of the alternative (Alternative C-Modified) I have decided to implement. Interpretive trails will be added, interpretive signing will be improved, and a variety of interpretive programs and displays will serve the different needs and interests of visitors to the Monument.

I expect that as demand for interpretive programs and services continues to rise, facilities may need to be improved or expanded to provide a high-quality experience. Market analysis, feasibility studies, and other site-specific planning will be done to decide the specific design of any improvements or expansions. This is also discussed in my response to Key Issue 2, Roads and Facilities.

##### **What subject matter should be interpreted?**

Themes for interpretive programs related to the Monument will be developed and clearly articulated. They will center around the key topics of geology, archaeology, and ecosystems. These topic themes directly reflect the purposes and values for which the Monument was established, and received general support from the public.

#### **COMPATIBILITY WITH OTHER PLANS AND AGENCY GOALS**

As discussed in Chapter IV of the EIS, this decision was weighed against the plans and policies of various federal, state and local agencies. Specifically the decision was found to be consistent with U.S. Fish and Wildlife Service recovery plans and Oregon Department of Fish and Wildlife habitat goals. It is consistent with the State of Oregon Comprehensive Outdoor Recreation Plan goals, and with the goals and plans of the Oregon State Marine Board and the Oregon Department of Transportation. I have incorporated some of the Oregon Department of Fish and Wildlife recommended modifications to the draft preferred alternative into my decision.

With the modifications adopted between the draft and final EIS, I believe my decision is consistent with the goals of local and state governments and the Warm Springs, Klamath, and Burns Paiute Tribes. While there are sure to be minor points of disagreement in any plan as complex as this, I believe my decision provides the ecosystem-based orientation and the balance between sustainable uses and resource protection desired by the State, the Tribes, the counties, and the communities associated with the Newberry National Volcanic Monument.

#### IV. PUBLIC INVOLVEMENT CONDUCTED

##### Overview of Initial Scoping

Shortly after the legislation establishing Newberry National Volcanic Monument was passed, Forest Service planners met several times with the Monument Citizens Committee, the community group which had spearheaded the drive for its creation. These meetings included 20 - 30 people from various interest groups, and served as the starting point for identifying the issues and concerns needing to be addressed in the upcoming management plan.

The Forest Service also held an internal "Vision Retreat" in the summer of 1992, bringing together a cross-section of creative and interested employees. The purpose of the retreat was to brainstorm ideas and issues for innovative land stewardship and ecosystem management for this Congressionally-designated Special Area.

The Forest Service held a series of public scoping meetings in the fall of 1992 in La Pine, Sunriver, Bend and Salem, to invite public comment on issues and the scope of the project. There was extensive publicity for the meetings on radio, TV, in newspapers, and on posters and flyers. Participants saw a slide show on Newberry Monument and were invited to draw or write their ideas and concerns on a Vision Map. Vision maps were also distributed to public places, schools and businesses throughout Central Oregon, and were mailed to over 1,000 people on an extensive mailing list.

The Forest Service also visited four high schools in Central Oregon to make presentations on the Monument and solicit students' comments. Asking for the thoughts of "future generations" added spice and new information to scoping efforts for the Monument.

Throughout the planning process, the Forest Service also printed and mailed *Newberry Update*, a newsletter designed to keep people informed about the issues and progress of the Management Plan.

##### Public Comment on the DEIS and Draft Plan

Following the publication of the Draft EIS in January, 1994, the Forest Service held another series of open houses in Central Oregon to discuss the draft plan and answer questions. These open houses were held in February, 1994 in Bend, La Pine, and Sunriver. They included a slide show on the Monument's features, displays on the different alternatives, and the opportunity to comment on the plan and ask questions directly to Forest Service personnel.

We received 161 comments during the formal comment period. Most of the comments (75%) came from Central Oregon, although we did receive comments and ideas from around the Northwest. We received comments from recreational groups, environmental interests, private companies, federal and state agencies, Indian tribes, archaeological experts, and many individuals.

People were mostly concerned about recreation; over 100 of the letters we received commented on some aspect of recreation. Other issues that generated concern were how to provide for natural ecological succession of vegetation, how best to protect old growth ponderosa pine, use of prescribed fire, water and air quality, and protecting fish and wildlife.

In response to public comments received between draft and final, the Forest Service developed a new alternative, C-Modified. This alternative is similar to C in the draft, with its emphasis on education, interpretation, and ecosystems -- but proposes a scaled-back approach to vegetation management, and includes a Monument Trail, linking all five management zones.

A detailed discussion of public involvement is included in Appendix A and Forest Service responses to comments are included in Appendix B of the FEIS.

#### Advisory Council Advice

The legislation establishing Newberry National Volcanic Monument called for the creation of an Advisory Council to "advise the Secretary of Agriculture on the preparation of the initial management plan" for the Monument. The Council is made up of 11 members, representing various interests, such as recreation, environmental, tourism, timber, scientific, fish and wildlife, geothermal, Deschutes County, and a Governor's representative. The Deschutes National Forest Supervisor and the Prineville District Manager of the BLM serve as ex-officio members of the Council. The Newberry Advisory Council convened in June, 1992, and has met regularly for the past two years. All Advisory Council meetings are open to the public.

The Advisory Council has reviewed much of the planning work done for the Monument, and has spent considerable time in the field looking at issues and opportunities. Some of the topics they have discussed include: insect and disease in forest communities; the role of fire in Central Oregon forests; how best to manage for restoration of old growth ponderosa pine ecosystems; use of all-terrain vehicles within the Monument; lake ecology; recreational demand and visitor satisfaction; air and water quality issues; and winter recreation conflicts and solutions. In 1994, the Advisory Council provided recommendations to the Forest Service about what they would like to see in the management plan for the Monument, especially regarding vegetation management and the issue of ATV's (All-Terrain Vehicles). Their specific recommendations are presented in Chapter 2 of the FEIS.

## V. ALTERNATIVES CONSIDERED

### Alternative A

This alternative would protect the special values identified in the Monument legislation, while emphasizing developed recreation opportunities. It would accommodate the highest number of visitors to the Monument. This alternative provides access to many areas within the Monument, and has the most roads, trails, and facilities. Camping capacity in the Monument would increase significantly to accommodate more visitors. Many different kinds of "controls" could be used to direct recreational activities in ways that protect other resources. This is the most people-oriented alternative, designed to provide large numbers of visitors a quality experience in NNVM.

Some of the most popular places in the Monument would be busy, bustling, and humming with life and activity under this alternative. A wide variety of safe, directed activities would guide and inform visitors about unique opportunities. Interpretation would be state-of-the-art, and often high-tech. For example, at Lava Lands Visitor Center, children and adults might use interactive video displays that show volcanoes

erupting or native Americans hunting along the Deschutes River 10,000 years ago. The Monument would offer information and activities for people of all ages and interests.

#### Alternative B

This alternative would increase opportunities for self-guided exploration and discovery of the Monument's many special features. It emphasizes opportunities for solitude, and consequently accommodates the smallest number of visitors. Camping capacity would be reduced in the caldera, and no new campgrounds would be built. Roads, trails and facilities would be designed to provide for dispersed recreation outside the caldera and developed recreation within the caldera.

This would be a quieter, slower-paced Monument. People would have more opportunities to be alone and discover things on their own. There would be fewer signs or guidelines or restrictions -- and perhaps more risk. Enhancements for wildlife habitat would receive high emphasis, and that could possibly limit human access in some areas. At the Interpretive Center, visitors could check out discovery packs that may include binoculars, field guides, and maps directing them to more remote destinations. More areas of the Monument remain undisturbed. Interpretive programs rely mainly on roving interpreters who offer low-key information, and if needed, aid.

#### Alternative C

This alternative would showcase the unique geologic and archaeological resources of Newberry Monument. It would highlight the long and rich history of the earth -- and how people, plants and animals have adapted to living in the shadow of Newberry Volcano. This alternative would emphasize education, interpretation, and ecosystems. Alternative C provides a variety of learning experiences at many levels, including self-guided tours, classes, research opportunities, and hands-on projects designed to engage visitors. Another primary emphasis of the alternative is the use of prescribed fire in the Monument's ecosystems, with the goal of recreating the large, open, park-like stands of ponderosa pine that were present before EuroAmericans arrived in Central Oregon and reintroducing fire as an agent of ecological change.

Recreational development in this alternative would be moderate, accommodating about the same number of visitors as today. A visitor center and educational complex in the Lava Butte zone would be the interpretive hub of the Monument. Visitors could choose from a wide diversity of available experiences, from one hour to one day; from a casual stroll on a lava field to an in-depth, university-sponsored archaeological dig.

#### Alternative C-Modified

This is the alternative developed between draft and final EIS in response to public comments. This alternative is the same as Alternative C with its emphasis on education, interpretation, and ecosystems -- but includes some modifications. Vegetation management is scaled back. We propose to "go slow" in the first decade, using an intensive public involvement process. The goals of vegetation management would be to 1) Establish and maintain the open, park-like stands of old growth ponderosa pine in suitable areas of NNVM, and 2) Reduce the fire hazard which is now present in some areas of the Monument to levels which allow for the restoration of natural (prescribed) fire as a key component in natural ecological succession, and thus for the restoration of sustainable ecosystems.

The Monument Trail, linking all management zones, is also added to this alternative, offering a unique opportunity for non-motorized recreation including hiking, mountain biking, and horseback riding. A new loop road linking Lava Lands and Lava Cast Forest is dropped in this alternative. Overall recreational development is moderate. Overnight visitor use would be about the same as today, offering a quality

overnight experience to visitors. Interpretive and educational programs would be featured, improved, and expanded.

#### Alternative D

This is the no action alternative, as required by the National Environmental Policy Act. This alternative would continue management of the Monument according to direction provided in the 1990 Deschutes National Forest Plan. In this alternative, some areas of the Monument are "zoned" for General Forest, some are designated for Developed Recreation, some are classified as "Scenic Views", or "Eagle Habitat."

The description of each of these alternatives is in Chapter 2 of the FEIS.

#### Mitigation

Mitigation measures have been developed through interdisciplinary efforts and incorporated into all the alternatives. Additional mitigation measures are provided in the Standards and Guidelines of the Management Plan. These mitigation measures are designed to preserve and protect resources such as: archaeological sites, wildlife habitat, threatened or endangered plants and animals, scenic views, old growth ponderosa pine stands, and others. The Management Zone allocations serve an important role in mitigation through separation of competing uses. All practical means to avoid or minimize environmental harm with the selected alternative have been adopted. Additional mitigation measures will be developed and implemented at the project level, tiered to and consistent with the measures described in the Monument Plan.

#### VI. ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Previously in the Record of Decision, I have described the selected alternative and given the reasons for its selection. The National Environmental Policy Act also requires that one or more environmentally preferable alternative be identified. "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources." (Council on Environmental Quality, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations" (40 CFR 1500-1508), Federal Register Vol. 46, No. 55, 18026-18038, March 23, 1981; Question 6a.)

All the alternatives would provide protection to the environment afforded by the requirements of the Monument Legislation, and in the case of Alternative D, the No-Action alternative, the standards and guidelines of the Deschutes National Forest 1990 Land and Resource Management Plan.

Alternative B would do the most to restrict recreational access and developments but would propose more mechanical treatments of vegetation than Alternative C-Modified, including treatments in the North and South Paulina Roadless Areas.

Alternative C-Modified is the environmentally preferable alternative. Alternative C-Modified would enhance recreational and interpretive resources with redesign of existing facilities and trails and development of some new trails. This would displace some vegetation and decrease solitude in some wildlife habitats. On the other hand, Alternative C-Modified does more to retain the present ecological characteristics and recreational values of the North and South Paulina Roadless areas by avoiding vegetation treatments in

these areas. Alternative C-Modified relies more on fire (prescribed and prescribed natural) to protect and restore ponderosa pine old growth ecosystems, and thus more closely approximates natural ecological processes in these ecosystems. This increases vegetative diversity across the Monument landscape by restoring the open park-like old-growth ponderosa pine stands of the past, but may reduce the present vegetative diversity within particular stands of mixed pine and fir.

## **VII. IMPLEMENTATION**

The Monument Plan will be implemented through identification and scheduling of projects to meet management goals and objectives. Priorities for projects and management activities are displayed in the Activity Schedule in the Management Plan. Individual projects will be subject to site-specific analysis in compliance with the National Environmental Policy Act. This process may result in a decision not to proceed with the proposed project, even if it is compatible with the Monument Plan. Other adjustments to schedules may occur based on results of monitoring, budgets, and unforeseen events.

The Monument Plan's scheduled projects are translated into multi-year program budget proposals. The proposals are used for requesting and allocating funds needed to carry out planned management direction. Upon approval of a final budget for the Monument, the annual work program will be updated and carried out.

The Forest Supervisor has authority to change the implementation schedule to reflect differences between proposed annual budgets and actual appropriated funds. As a result, projects and activities in individual years may differ from those projected in the Monument Plan.

Upon implementation of the Monument Plan, all projects will be in compliance with Monument Plan direction. Subject to valid existing rights, all permits, contracts, cooperative agreements, and other instruments for the use and occupancy of National Forest System lands within Newberry National Volcanic Monument are to be consistent with management direction adopted by this Record of Decision.

### **Monitoring and evaluation**

Monitoring provides information on progress and results of implementation. It involves gathering data, observations and information which can then be evaluated to determine whether conditions are within the bounds and intent set by the Plan. It also provides the basis for assessing the need for adjustments to management and/or amend of the Plan itself. The monitoring program adopted as part of my decision is discussed in detail in the Monument Plan.

Three types of monitoring will be conducted:

Implementation monitoring will determine if plans, projects and activities are implemented as designed and in compliance with Monument Plan goals, objectives, and standards and guidelines.

Effectiveness monitoring will determine if plans, projects and activities are effective in meeting management direction.

Validation monitoring will determine whether initial data and assumptions used to develop the Monument Plan are correct, or if there is a better to meet planning regulations, policies, goals, and objectives.

Evaluation of results of the monitoring program and recommendations for any follow-up actions needed will be documented in an annual report. Results of evaluations will lead to the following types of decisions:

Continue practice, no change necessary.

Refer the situation to the appropriate Forest officer for corrective action.

Modify the management practice through Plan amendment.

Modify the land designation through Plan amendment.

Revise the Plan.

If through monitoring and evaluation, it is determined that management objectives cannot be achieved without violating standards and guidelines, the Monument Plan will be amended. In amending the Monument Plan one or more of the following may be changed: allocations, management prescriptions, or standards and guidelines.

## **VIII. FINDINGS REQUIRED BY OTHER LAWS OR REGULATIONS**

### **Consultation Required by the Endangered Species Act**

Consultation on the preferred alternative in the FEIS was conducted with the Fish and Wildlife Service in accordance with the Endangered Species Act. The biological evaluation done for the FEIS found no effect on any listed species, and the Fish and Wildlife Service concurred with this evaluation.

Because this decision does not authorize any site-specific activities, potential effects on threatened, endangered or proposed species will be evaluated through consultation on a project level basis when site-specific information is available. The Monument Plan establishes bald eagle management areas (BEMA's) that contain the constituent habitat elements required by the species.

### **Review by the Environmental Protection Agency**

The Environmental Protection Agency (EPA) reviewed the Draft Environmental Impact Statement and raised no environmental objections.

### **Public Law 101-522, Newberry National Volcanic Monument Act**

This Plan meets the intent and direction provided in the establishing legislation for Newberry National Volcanic Monument.

### **Other Laws, Regulations, and Guiding Documentation**

The Monument Plan complies with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation, signed December 1988, and the requirements of the Mediated Agreement of May 1989. Unwanted vegetation will be treated using a variety of methods, including

manual, mechanical, biological, burning, and herbicides. Projects will comply with the Mediated Agreement by following direction provided in the Region 6 Guide to Conducting Vegetation Management Projects in the Pacific Northwest Region.

Both prescribed fire and mechanical means will be used to restore ecological processes in appropriate parts of the Monument. A site-specific analysis will determine the best treatment method(s), the size of the project, and other parameters, constraints or guidelines, consistent with the above direction.

I have considered the relevant laws and regulations including, but not limited to: the Clean Air Act as amended; the Clean Water Act; Protection of Wetlands Executive Order 11990; the Safe Drinking Water Act; the National Historic Preservation Act of 1966, as amended; the Archeological Resources Protection Act of 1979, the Native American Religious Freedom Act; and the National Forest Management Act of 1976. Furthermore, I have considered the effects disclosed in the FEIS and public comment received during the public involvement process. I have concluded that my decision, with the required mitigation measures, meets all applicable laws, regulations, and policies and is consistent with the purposes for which the Newberry National Volcanic Monument was established and is being administered.

#### **IX. EFFECTIVE DATE AND IMPLEMENTATION**

This decision will be implemented no sooner than seven days after publication of legal notice in *The Bend Bulletin* and the *Oregonian*.

#### **X. CONTACT PERSON**

For information contact: Carolyn Wisdom, Ft. Rock Ranger District, 1230 NE Third Street, Bend, OR 97701 (503) 383-4702.

**XI. RIGHT TO ADMINISTRATIVE REVIEW**

I encourage anyone concerned about the Monument Plan or Environmental Impact Statement to contact the Forest Supervisor in Bend, Oregon, before submitting an appeal. It may be possible to resolve the concern or misunderstanding in a less formal manner.

This decision may be appealed in accordance with the provisions of 36 CFR 217 by filing two copies of a written notice of appeal within 90 days of the date specified in the published legal notice. The appeal must be filed with the Reviewing Officer:

Jack Ward Thomas, Chief  
USDA Forest Service  
Auditor's Building, NFS  
P.O. Box 96090  
Washington, D.C. 20090-6090

The Notice of Appeal must include sufficient narrative evidence and argument to show why this decision should be changed or reversed (36 CFR 217.9).

For a period not to exceed 20 days following the filing of a first level Notice of Appeal, the Reviewing Officer shall accept requests to intervene in the appeal from any interested or potentially affected person or organization (36 CFR 217.10(b)).

Decisions on site-specific projects are not made in this document.

If you would like more information about the Monument Plan or FEIS, or would like to review planning records, please contact:

Special Projects Coordinator  
Fort Rock Ranger District  
1230 N. E. Third Street  
Bend, OR 97701  
(503) 388-5664

*for* 

JOHN E. LOWE  
Regional Forester  
Pacific Northwest Region  
USDA Forest Service

8-1-94  
Date

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