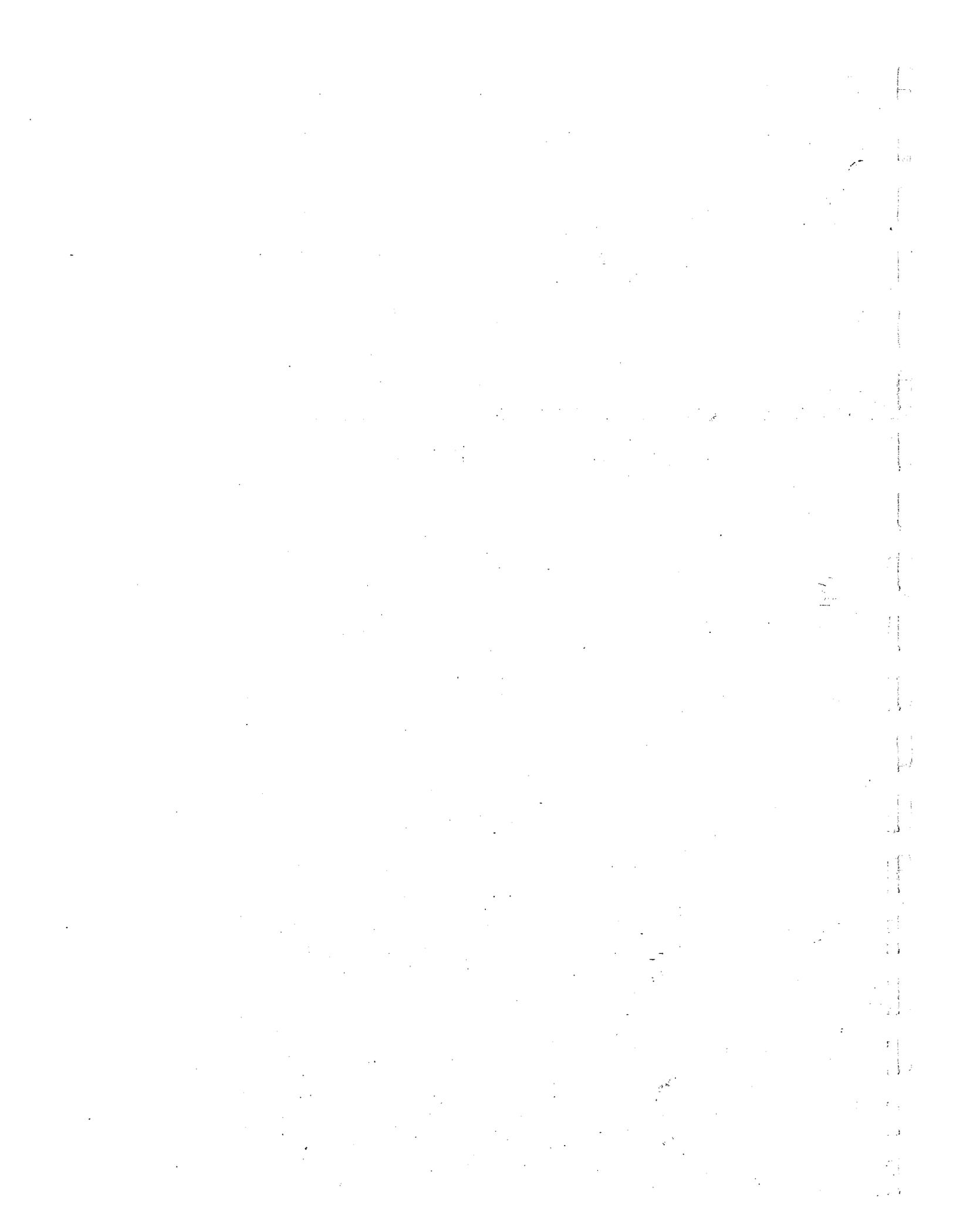


APPENDIX I

Regional Ecosystem Office Exemption Criteria

for

Certain Silvicultural Treatments



United States
Department of
Agriculture

Forest
Service

R-6/R-5

Reply to: 2470/1920

Date: May 9, 1995

Subject: Criteria to Exempt Specific Silvicultural Activities in LSRs and MLSAs from REO Review

To: Forest Supervisors, Owl Forests

Enclosed is a memorandum from the Regional Ecosystem Office (REO) exempting certain precommercial thinning, release, and reforestation activities within LSRs from REO review. I am pleased about this exemption and consider it a key step toward accomplishing ecosystem management objectives in a timely manner. However, since some readers will view the criteria as unnecessarily restrictive, I ask you to keep the following points in mind.

This is the first REO review exemption. It is based on proposals submitted to REO for review or upon proposals REO has discussed in the field. It is, of necessity, conservative. REO continues to express a desire to expand this exemption to other types of activities at the earliest possible time.

Before this memorandum was signed, all silvicultural activities were subject to REO review. Now most young stand thinning (including related sale), release, and reforestation proposals are not subject to review. This is a positive step, and there is little to be gained by discussing whether the criteria should have gone further at this time. Since no commercial thinning proposals have ever been submitted to REO for review, for example, REO had little basis to expand these criteria at this time.

The criteria to not infer a right or wrong, or consistency or non-consistency with standards and guidelines. The criteria simply draws the line between those proposals no longer subject to REO review, and those that remain subject to review. Proposals not meeting the criteria should be submitted for review as in the past, and REO expects to continue to meet its commitment to complete such reviews within 3 weeks, or less, of date received.

Note that the exemption for reforestation is in addition to the somewhat broader exemption already included in the standards and guidelines for reforestation activities required because of existing timber sales.

This exemption also applies to the Issue Resolution Team (IRT) since IRT review was only required in preparation for sending to REO. Specific questions about this exemption should be addressed to the President's Forest Plan coordinator on your unit.

/s/ John E. Lowe

JOHN LOWE
Region Forester, R-6

/s/ Steve Clauson (for)

LYNN SPRAGUE
Regional Forester, R-5

Enclosure

Appendix I.1. *REO Exemption Criteria for Precommercial Thinning, Release, and Reforestation*

I-1

Regional Ecosystem Office
P.O. Box 3623
Portland, Oregon 97208
(503) 326-6265
FAX: (503) 326-6282

Memorandum

Date: April 20, 1995

To: Regional Interagency Executive Committee
(See Distribution List)

From: Donald R. Knowles, Executive Director /s/ Don Knowles

Subject: Criteria to Exempt Specific Silvicultural Activities in LSRs
and MLSAs from REO Review

Pages C-12 and C-26 of the Record of Decision (ROD) for the Northwest Forest Plan state that "[t]he Regional Ecosystem Office may develop criteria that would exempt some activities from review." Enclosed are criteria that exempt certain young-stand thinning, release, and reforestation projects that are proposed in Late-Successional Reserves (LSRs) and Managed Late-Successional Areas (MLSAs) from review by the Regional Ecosystem Office (REO). These criteria were developed by an interagency work group and the REO based on the review of silvicultural projects, field visits, and discussions with agencies and technical specialists. The REO may expand the review exemption criteria as experience with additional forest management activities is gained. Please distribute the attached REO review exemption criteria to the field.

It is important to note that these criteria do not affect the kind of activities the ROD permits within LSRs and MLSAs. The criteria apply only to the requirement for REO review of silviculture activities in LSRs and MLSAs and only to a specific subset of silvicultural treatments. It should also be noted that compliance with the ROD's standards and guidelines and other statutory and regulatory requirements is not affected by these exemption criteria. For example, requirements to do watershed analyses and Endangered Species Act consultation are not affected by the REO review exemption criteria.

Enclosure

cc:

IAC Members (See Distribution List)

REO Review Exemption Criteria

Background

Standards and Guidelines (S&Gs) in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl" (referred to as the ROD) provide that silvicultural activities within Late-Successional Reserves (LSRs) and Managed Late-Successional Areas (MLSAs) are subject to review by the Regional Ecosystem Office (REO). The S&Gs also state that "REO may develop criteria that would exempt some activities [within LSRs and MLSAs] from review."

Based upon proposals submitted to REO for review, field visits, discussions with the agencies and technic 1 specialists, and our understanding of LSR objectives, REO is hereby exempting the following types of activities from the REO review requirement stated on pages C-12 and C-26 of the ROD. Silvicultural projects meeting the following criteria are exempted from REO review because such projects have a high likelihood of benefiting late-successional forest characteristics.

Activities must still comply with all S&Gs in the ROD (e.g., initial LSR assessments, watershed analysis, riparian reserves) and with other statutory and regulatory requirements (e.g., National Forest Management Act, Federal Land Management Policy Act, National Environmental Policy Act, Endangered Species Act, Clean Water Act). This exemption applies only to the REO review requirement found on pages C-12 and C-26 in the ROD. Silvicultural activities described in the S&Gs that do not meet the criteria listed below continue to be subject to REO review at this time.

Silvicultural treatments in LSRs and MLSAs are exempted from REO review (ROD, pages C-12 and C-26), where the agency proposing the treatments finds that the following criteria are met:

1. Young-Stand Thinning, commonly referred to as TSI or precommercial thinning, where:
 - a. Young stands, or the young-stand component (understory) of two-storied stands, is overstocked. Overstocked means that reaching the management objective of late-successional conditions will be significantly delayed, or desirable components of the stand may be eliminated, because of stocking levels. The prescription should be supported by empirical information or modeling (for similar, but not necessarily these specific, sites) indicating the development of late-successional conditions will be accelerated or enhanced.
 - b. Cut trees are less than 8" dbh, and any sale is incidental to the primary objective.
 - c. Tracked, tired, or similar ground-based skidders or harvesters are not used.
 - d. Treatments promote a natural species diversity appropriate to meet late-successional objectives; including hardwoods, shrubs, forbs, etc..
 - e. Treatments include substantially varied spacing in order to provide for some very large trees as quickly as possible, maintain areas of heavy canopy closure and decadence, and encourage the growth of a variety of species appropriate to the site and the late-successional objectives.
 - f. Treatments minimize, to the extent practicable, the need for future entries.
 - g. Cutting is by hand tools, including chain saws.

2. Release, also commonly referred to as TSI, where:

- a. There is undesirable vegetation (competition) which delays attainment of the management objective of late-successional conditions, or desirable components of the stand may be eliminated, because of such competition. The prescription should be supported by empirical information or modeling (for similar, but not necessarily these specific, sites) indicating the development of late-successional conditions will be accelerated or enhanced.
- b. Cut material is less than 8" dbh, and any sale is incidental to the primary objective.
- c. Tracked, tired, or similar ground-based skidders or harvesters are not used.
- d. Treatments promote a natural species diversity appropriate to meet late-successional objectives, including hardwoods, shrubs, forbs, etc.
- e. Cutting is by hand tools, including chain saws.

3. Reforestation and Revegetation, including incidental site preparation, release for survival, and animal damage control, where:

- a. No site preparation is required other than hand scalping.
- b. Reforestation is necessary to quickly reach late-successional conditions, protect site quality, or achieve other ROD objectives.
- c. Treatments promote a natural species diversity appropriate to meet late-successional objectives, including hardwoods, shrubs, forbs, etc.
- d. Treatments, either through spacing, planting area designation, or expected survival or growth patterns, result in substantially varied spacing in order to provide for some very large trees as quickly as possible, create areas of heavy canopy closure and decadence, and encourage the growth of a variety of species appropriate to the site and the late-successional objective.
- e. Treatments minimize, to the extent practicable, the need for future entries.

REGIONAL ECOSYSTEM OFFICE

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Phone: 503-326-6265 FAX 503-326-6282

MEMORANDUM

DATE: July 9, 1996

TO: Regional Interagency Executive Committee (RIEC)
Ken Feigner, Director, Forest & Salmon Group, Environmental Protection Agency
Robert W. Williams, Regional Forester, R-6, Forest Service
Stan M. Speaks, Area Director, Bureau of Indian Affairs
Michael J. Spear, Regional Director, U.S. Fish & Wildlife Service
William Steele, Jr., Regional Director, National Marine Fisheries Service
William C. Walters, Deputy Field Director, National Park Service
Elaine Y. Zielinski, State Director, Oregon/Washington, Bureau of Land Management

FROM: Donald R. Knowles, Executive Director

SUBJECT: Criteria to Exempt Specific Silvicultural Activities in Late-Successional Reserves and Managed Late-Successional Areas from Regional Ecosystem Office Review

Enclosed are criteria that exempt certain commercial thinning projects in Late-Successional Reserves (LSRs) and Managed Late-Successional Areas (MLSAs) from review by the Regional Ecosystem Office (REO), pursuant to pages C-12 and C-26 of the Northwest Forest Plan (NFP) *Record of Decision (ROD)*. These criteria were developed by an interagency work group and the REO based on review of silvicultural projects, field visits, and comments from agencies, researchers, and technical specialists.

We believe we are ready for these exemptions. Several versions of these criteria have been distributed to your agencies and others for review over the last several months. The comments received have been used to help clarify and focus the criteria. Use of the criteria will expedite implementation of beneficial-silvicultural treatments in LSRs and MLSAs. We suggest that you transmit them to your field units at your earliest convenience.

It is important to note that these criteria do not affect the kind of activities the ROD permits within LSRs and MLSAs. The criteria simply exempt a specific subset of silvicultural treatments from the requirement for project level REO review of silvicultural activities within LSRs and MLSAs. Please also note that compliance with the ROD's standards and guidelines and other statutory and regulatory requirements is not affected by these exemption criteria. For example, requirements to do watershed analyses and Endangered Species Act consultation are not affected by the REO review exemption criteria.

We expect implementation monitoring procedures of the Northwest Forest Plan to select enough silvicultural projects within LSRs and MLSAs, both exempted and reviewed, to determine if actual projects meet standards and appropriate criteria. Obviously, if any of you have questions or comments about the attached, please call me directly at 503-326-6266. Dave Powers at 503-326-6271, or Gary S. Sims at 503-326-6274.

cc: LAC, RMC, LSR Workgroup

Enclosure

**Criteria Exempting
Certain Commercial Thinning Activities
From REO Review**

Background

Standards and Guidelines (S&Gs) in the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (ROD)* provide that silvicultural activities within Late-Succession Reserves (LSRs) and Managed Late-Successional Areas (MLSAs) are subject to review by the Regional Ecosystem Office (REO). The S&Gs also state that the REO may develop criteria that would exempt some activities (within LSRs and MLSAs) from review.

Based upon project proposals submitted to the REO for review, field visits, discussions with the agencies, researchers, and technical specialists, and our understanding of LSR objectives, the REO is hereby exempting certain commercial thinning activities (sometimes referred to as density management activities) from the REO review requirement (ROD, pages C-12 and C-26). Silvicultural projects meeting the criteria below are exempted from REO review because such projects have a high likelihood of benefiting late-successional forest conditions. Many of the commercial thinning proposals reviewed thus far by the REO have met these criteria.

In some cases the criteria refer to the "prescription." All silvicultural treatments within LSRs will be conducted according to a silvicultural prescription fully meeting agency standards for such documents. A description of the desired future condition (DFC), and how the proposed treatment is needed to achieve the DFC, are key elements in this prescription. The description of desired future condition should typically include desired tree species, canopy layers, overstory tree size (e.g., diameter breast height), and structural components such as the range of coarse woody debris (CWD) and snags.

Some elements of these exemption criteria may seem prescriptive, and reviewers, suggested several changes to accommodate specific forest priorities. While such suggestions may have been within the scope of the S&Gs, there are several reasons they are not included here:

- These criteria are based on numerous submittals already reviewed by the REO and found to be consistent with the S&Gs. Other treatments such as thinning with fire, may be equally appropriate. The REO simply has not had sufficient experience with such prescriptions within LSRs to write appropriate exemption criteria at this time. Agencies are encouraged to develop and submit such prescriptions for review. The REO will consider supplementing or modifying these criteria over time.
- These criteria apply range wide. It may be more appropriate to seek exemption at the time of LSR assessment review where specific vegetation types, provincial issues, or objectives do not fit within these criteria or where silvicultural prescriptions are needed other than as described below.
- These exemption criteria are not standards and guidelines, and projects meeting LSR objectives but not fitting these criteria should continue to be forwarded to the REO for review.

Four other key points about thinning are important to consider when developing thinning prescriptions:

1. We urge caution in the use of silvicultural treatments within LSRs. Silvicultural treatments within old habitat conservation areas (Chase) and designated conservation areas (Daces) were extremely limited, and many of the participants in the Forest Ecosystem Management Assessment Team/Supplemental Environmental Impact Statement (FEMAT/SEIS) process advanced good reasons for continuing such restrictions. Only high eastside risks and a case made that late-successional conditions could clearly be advanced by treatments in certain stand conditions led decision makers toward the current S&Gs. Note that the "examples" for the westside (S&Gs, page C-12) are for "even-age stands" and "young single-species stands." Agencies must recognize when younger stands are developing adequately and are beginning to become valuable to late-successional species. Such stands should be left untreated unless they are at substantial risk to large scale disturbance.
2. Thinning can easily remove structural components or impede natural processes such as decay, disease, or windthrow, reducing the stand's value to late-successional forest-related species. Thinning prescriptions that say "leave the best, healthiest trees" could eliminate structural components important to LSR objectives.
3. While "historic" stand conditions may be an indicator of a sustainable forest, they are not the de facto objectives. The S&Gs require an emphasis toward late-successional conditions to the extent sustainable.
4. Treatments need to take advantage of opportunities to improve habitat conditions beyond "natural conditions." For example, exceeding "natural levels" of CWD within a 35-year old stand can substantially improve the unity of these stands for late-successional forest related species. Treatments must take advantage of opportunities to optimize habitat for late-successional forest-related species in the short term.

Relation to S&Gs and Other Exemption Criteria

Exempted thinnings must still comply with all pertinent S&Gs in the *ROD* (e.g., initial LSR assessments, watershed analyses, riparian reserves) and with other statutory and regulatory requirements (e.g., National Forest Management Act, Federal Land Management Policy Act, National Environmental Policy Act, Endangered Species Act, Clean Water Act). Interagency cooperation, monitoring, and adaptive management are key components of the *ROD* and were key assumptions underlying the development of these criteria. Additionally, field units are strongly encouraged to engage in intergovernmental consultation when developing projects. This exemption applies only to the REO review requirement (*ROD*, pages C-12 and C-26). Many treatments not meeting these exemption criteria may be appropriate within LSRs and MLSAs, and these treatments remain subject to REO review. These exemption criteria are in addition to criteria issued April 20, 1995, for Young Stand Thinning, Release, and Reforestation and Revegetation, and are in addition to exemption criteria adopted through the LSR assessment review process.

EXEMPTION CRITERIA

Silvicultural treatments in LSRs and MLSAs are exempted from REO review (ROD, pages C-12 and C-26) where the agency proposing the treatments finds that ALL of the following criteria are met:

Objectives

1. The objective or purpose of the treatment is to develop late-successional conditions or to reduce the risk of large-scale disturbance that would result in the loss of key late-successional structure. Further, the specific treatment would result in the long-term development of vertical and horizontal diversity, snags, CWD (logs), and other stand components benefiting late-successional forest-related species. The treatment will also, to the extent practicable, create components that will benefit late-successional forest-related species in the short term.

Timber volume production is only incidental to these objectives and is not, in itself one of the objectives of the treatment. Creation or retention of habitat for early successional forest-related species is not a treatment objective.

2. Negative short-term effects to late-successional forest-related species are outweighed by the long-term benefits to such species and will not lessen short-term functionality of the LSR as a whole.
3. The leave-tree criteria provide for such things as culturing individual trees specifically for large crowns and limbs and for the retention of certain characteristics that induce disease, damage, and other mortality or habitat, consistent with LSR objectives. "Healthiest, best tree" criteria typical of matrix prescriptions are modified to reflect LSR objectives.
4. Within the limits dictated by acceptable fire risk, CWD objectives should be based on research that shows optimum levels of habitat for late-successional forest-related species, and not be based simply on measurements within "natural stands." For example, recent research by Carey and Johnson in young stands on the westside indicates owl prey base increases as CWD (over 4") within Douglas-fir forests increases, up to 8- to 10-percent groundcover south of the town of Drain, Oregon, and 15-percent groundcover north of Drain, increasing to 15 to 20 percent in the Olympic Peninsula and Western Washington Cascades. Other references that could help identify initial considerations involving natural ranges of variability in CWD include Spies and Franklin, for discussions on Washington Cascades, Oregon Cascades, and Coast Ranges; and Graham, et al., for east of the Cascades.

If tree size, stocking, or other considerations preclude achievement of this objective at this time, the prescription includes a description of how and when it will be achieved in the future.

5. Agencies having an interest in LSR projects proposed under these criteria should continue to be given the opportunity to participate in project development.

Stand Attributes

1. The stand is currently not a complex, diverse stand that will soon meet and retain late-successional conditions without treatment.

2. West of the Cascades outside of the Oregon and California Klamath Provinces, the basal-area-weighted average age of the stand is 80 years. Individual trees exceeding 80 years in those provinces, or exceeding 20-inches dbh in any province shall not be harvested except for the purpose of creating openings, providing other habitat structure such as downed logs, elimination of a hazard from a standing danger tree, or cutting minimal yarding corridors. Where older trees or trees larger than 20-inches dbh are cut, they will be left in place to contribute toward meeting the overall CWD objective. Thinning will be from below, except in individual circumstances where specific species retention objectives have a higher priority. Cutting older trees or trees exceeding 20-inches dbh for any purpose will be the exception, not the rule.
3. The stand is overstocked. Overstocked means that reaching late-successional conditions will be substantially delayed or desirable components of the stand will likely be eliminated because of stocking levels.

Treatment Standards

1. The treatment is primarily an intermediate treatment designed to increase tree size, crown development, or other desirable characteristics (S&Gs, pag B-5, third paragraph); to maintain vigor for optimum late-successional development; to reduce large-scale loss of key late-successional structure; to increase diversity of stocking levels and size classes within the stand or landscape; or to provide various stand components beneficial to late-successional forest-related species.
2. The prescription is supported by empirical information or modeling (for similar, but not necessarily these specific sites) indicating that achievement of late-successional conditions would be accelerated.
3. The treatment is primarily an intermediate thinning, and harvest for the purpose of regenerating a second canopy layer in existing stands is no more than an associated, limited objective as described below under openings and heavily thinned patches.
4. The treatment will increase diversity within relatively uniform stands by including areas of variable spacing as follows:
 - Ten percent or more of the resultant stand would be in unthinned patches to retain processes and conditions such as thermal and visual cover, natural suppression and mortality, small trees, natural size differentiation, and undisturbed debris.
 - Three to 10 percent of the resultant stand would be in heavily thinned patches (i.e., less than 50 trees per acre), or in openings up to 1/4 acre in size, to maximize individual tree development, encourage some understory vegetation development, and encourage the initiation of structural diversity. (revised per REO memorandum of September 30, 1996)

The treatment does not inappropriately "simplify" stands by removing layers or structural components, creating uniform stocking levels, or removing broken and diseased trees important for snag recruitment, nesting habitat, and retention of insects and diseases important to late-successional development and processes.

5. To the extent practicable for the diameter and age of the stand being treated, the treatment includes falling green trees, or leaving snags and existing debris to meet or make substantial progress toward meeting an overall CWD objective.
6. Snag objectives are to be identified as part of the DFC. Prescriptions must be designed to make substantial progress toward the overall snag objective, including developing large trees for future snag recruitment and retaining agents of mortality or damage. To the extent practicable for the diameter and age of the stand being treated, each treatment includes retention and creation of snags to meet the DFC. Publications useful in identifying snag-related DFCs include but are not limited to Spies, et al.

To the extent snag requirements for late-successional species are known, one objective is to attain 100 percent of potential populations for all snag-dependent species.
7. The project-related habitat improvements outweigh habitat losses due to road construction.

Cited References:

- Carey, A.B., and M.L. Johnson. 1995. Small mammals in managed, naturally young, and old-growth forests. *Ecological Applications* 5:336-352.
- Graham, R.T., A.E. Harvey, M.F. Jurgensen, T.B. Jain, J.R. Tonn, and D.S. Page-Dumroese. 1994. Managing coarse woody debris in forests of the Rocky Mountains. Res. Paper INT-RP-477. USDA Forest Service, Intermountain Research Station, Ogden, UT. 12p.
- Spies, T.S. and J.F. Franklin. 1991. The structure of natural young, mature, and old-growth Douglas-fir forests in Oregon and Washington. Pages 19-121 in: Ruggiero, L.F., K.B. Aubly, A.B. Carey, M.H. Huff (tech. coords.). *Wildlife and Vegetation on Unmanaged Douglas-fir Forests*. Gen. Tech. Rep. GTR-PNW-285. USDA Forest Service, Pacific Northwest Research Station, Portland, OR.