

Decision Memo
Fremont-Winema National Forest
Forest Plan Amendment
Fremont LRMP Management Area 15
Moist Lodgepole Pine

Decision & Summary

It is my decision to amend the Fremont Land and Resource Management plan to eliminate the limitation to only treat 10% of Management Area 15 (Moist Lodgepole Pine) at one time.

36 CFR 219.13 (b)(3) says:

Amend the plan consistent with Forest Service NEPA procedures. The appropriate NEPA documentation for an amendment may be an environmental impact statement, an environmental assessment, or a categorical exclusion, depending upon the scope and scale of the amendment and its likely effects....

36 CFR 220.6(e)(16) describes the categorical exclusion that allows plans to be amended without completing and Environmental Assessment or and Environmental Impact Statement. It says:

Land management plans, plan amendments, and plan revisions developed in accordance with 36 CFR 219 et seq. that provide broad guidance and information for project and activity decision making in a NFS unit. Proposals for actions that approve projects and activities, or that command anyone to refrain from undertaking projects and activities, or that grant, withhold or modify contracts, permits or other formal legal instruments, are outside the scope of this category and shall be considered separately under Forest Service NEPA procedures.

This amendment has recently been completed at the project level and was found to have no effects. Interdisciplinary teams reviewed the proposed amendment at the project and forest levels and found that no extraordinary circumstances exist relevant to the amendment. The amount and types of treatments are not different than what was analyzed in the original plan. Only the timing of the treatments would change.

How the 2012 Planning Rule applies to the plan amendment¹

I prepared this forest plan amendment under the 2012 Planning Rule for the Fremont Land and Resource Management Plan. The 2012 planning rule has different provisions than the 1982 Planning Rule under which the existing plan was originally developed.

Purpose and Need of the Amendments

The Fremont Land and Resource Management Plan was published in 1989. Due to changing understanding of forestry and ecosystems, delayed management, and the growing threat of catastrophic megafires, the plan needs to be updated.

The amendment would allow for thinning and harvesting more than 10% of the moist lodgepole pine areas, management area 15, to reduce tree densities and increase age class diversity. The guidance for

¹ [Amendment Applies to all future Projects]

management of MA 15 from the Fremont LRMP, is that the “Management emphasis for wet (CL-M1-11 and moist (CL-M3-11) lodgepole pine ecosystems will be to provide wildlife habitat”.

The current condition of MA15 consists of overcrowding and homogenization of the forest in structure (single age/canopy) and density (many stands of a similar density during the same time period), making the distribution of tree diameter classes, canopy heights, horizontal spatial heterogeneity (skips and gaps) uncommon. These homogenous conditions decrease the value of wildlife habitat in MA15, in addition to the health and resiliency of the forest on a stand and landscape scale, not reaching the goals of the LRMP. Additionally, landscape and stand level homogenous high tree densities lead to elevated risk of historically uncharacteristic large, high-severity wildfires and decreased ability to meet the multiple resource objectives in the LRMP.

Lodgepole pine dominated forests occur on harsher sites such as cold air basins and drainages, and were historically characterized by a mixed severity fire regime of widely ranging fire intensities and frequencies that interacted with disease and bark beetle mortality (Agee, 1993; Simpson, 2007). A typical disturbance scenario included selective removal of about a third of the stands every 60 years, either by insects, fire, or a combination of the two (Agee, 1993). The mixed severity disturbance regime likely created a patchy multi-aged forest mosaic (Merschel et al., 2014; Agee, 1994).

The Forest aims to retain and regenerate Lodgepole Pine where it historically occurred. However, timing and extent of past management did not meet the area regulation type, and since LRMP inception the forest has grown beyond the ability to manage to meet MA15 objectives by only treating 10 percent of lodgepole pine in an area every decade, on a 100 year rotation schedule. This amendment will also allow the Forest to mimic a more typical historic disturbance scenario.

Proposed Action

This amendment would allow treatment as needed to meet the objectives in MA 15.

In the Fremont Land and Resource Management Plan (LRMP), the Management Area (MA) 15 emphasis is Fish and Wildlife Habitat and Water Quality. The goals are described as:

Water bodies and courses, their riparian vegetation, and the immediately adjacent upland areas will be managed to maintain or improve water quality, fish habitat, recreation opportunities, and riparian habitat for dependent wildlife species

Class I and II (perennial and intermittent) streams and water bodies with high recreation, fish, or wildlife values will be managed to provide the habitat capacity needed to meet the ODF&W trout management objectives. The long term goal is to approach the historical riparian condition.

Class III (perennial) streams will be managed, at a minimum, to maintain their existing water quality conditions and bank and channel stability.

Class IV (intermittent) streams will be managed, at a minimum, to ensure that the cumulative effects of land-disturbing activities will not jeopardize downstream objectives for perennial streams.

Wet and moist meadows in poor condition will be managed to obtain a fair or better range condition and a stable or upward trend. Meadows in good or better range condition will not be allowed to degrade to lower conditions. The long term goal is to approach the historical climax ecological condition.

Management emphasis for wet (CL-MI-11) and moist (CL-M3-11) lodgepole pine ecosystems will be to provide wildlife habitat.

Under Moist Lodgepole, timber management, Standard and Guideline A says:

The timber in each moist lodgepole pine area will be harvested on a 100-year rotation schedule (no more than ten percent of an area cut per decade).

The proposed amendment would change that to say:

Moist lodgepole pine areas may be treated to reduce tree densities and increase age class diversity, meeting management area objectives.

Compliance with the Rule's Procedural provisions

As explained below, this amendment complies with the procedural provisions of the 2012 Planning Rule (36 CFR Part 219.13(b)).

Using the best scientific information to inform the planning process (§ 219.3):

An interdisciplinary team (IDT) was formed to look specifically at the amendment. All IDT members reviewed the best available science that contributes to this Decision Memorandum.

The Fremont LRMP MA 15 amendment was analyzed at the project scale in the East Hills EIS.

Providing opportunities for public participation (§ 219.4) and providing public notice (§ 219.16):

This amendment was scoped in December 2017 for 30 days and again in January 2018 for an additional 30 days. A legal notice was published in the newspaper of record (Herald & News) on January 30, 2018. A description of the amendment as well as the substantive requirements was sent to 49 people/groups including industry, federal agencies, tribes, local government, state agencies, and environmental groups. The Forest Service received letters from 4 individuals during scoping. The draft Decision Memorandum was released for a 30-day public comment period and a legal notice was published in the Herald and News on June 1, 2018. The Forest Service received comments from one group. The proposal was first published in the Fremont-Winema Schedule of Proposed Actions (SOPA) on January 2, 2018.

Using the applicable format for plan components (§ 219.7 (e)): This revision is specific to a management area and applies only in the management area outlined in the description.

Wording will be changed or omitted from the Plan for the proposed plan amendment, formatting will stay the same.

The plan amendment process (§ 219.13):

The responsible official determined that the amendment, which is currently needed in large scale planning projects, would be needed in the future, and should be applicable Forest-wide to increase planning efficiency.

Effective date (§ 219.17(a)(2)): This is a management area plan amendment that is not being analyzed in an EIS. The plan amendment is effective immediately.

Objection opportunity (Subpart B):

This decision is subject to the objection procedures outlined in 36 CFR 219 subpart B. This Decision Memorandum was made available for a 45-day objection opportunity beginning with the publication of a legal notice in the Herald & News on December 5, 2018. The document and project record are available on the project web site at: <https://www.fs.usda.gov/project/?project=52968>. The Objections Reviewing Officer was Glenn Casamassa, Regional Forester.

Who may file an objection (36 CFR 219.53): Only individuals, or organizations that submitted substantive formal comments specific to the proposed plan amendment during any designated opportunity for public participation (scoping or public comment periods) may object.

Timeline for filing of objections (36 CFR 219.56): Evidence of and responsibility for timely filing is described in 36 CFR 216.56(a). The objection must be postmarked or received within 45 days of the legal notice announcing this decision, which was in the Klamath Falls Herald and News newspaper, the newspaper of record for the Winema National Forest. The publication date of the legal notice in the

Klamath Falls Herald and News is the exclusive means for calculating the time to file an objection, and those wishing to object should not rely on dates or timeframes provided by any other source.

Requirements of an Objection (36 CFR 219.54): All objections must be filed, in writing, with the reviewing officer for the plan. All objections must be open to public inspection during the objection process.

No objections were received during the objection period.

Compliance with the Rule's Applicable Substantive Provisions

Because the Fremont Land and Resource and Management Plan was prepared using the 1982 planning rule procedures, the current planning rule requires that those substantive rule provisions that are directly related to the amendment apply, within the scope and scale of the amendment. As explained in the discussion that follows, both the purpose and the effects of the amendment are such that multiple provisions are directly related to each amendment, and have been applied within the scope and scale of the respective amendment.

Planning rule requirements that are directly related to the amendment.

The rule requires that substantive rule provisions that are directly related to the amendment must be applied to the amendment. A determination that a rule provision is directly related to the amendment is based on any one or more of the following criteria:

1. The purpose of the amendment (§ 219.13(b)(5)(i));
2. Beneficial effects of the amendment (§ 219.13(b)(5)(i));
3. Substantial adverse effects associated with a rule requirement (§ 219.13(b)(5)(ii)(A)); when an EA or CE is the NEPA documentation for the amendment, there is a rebuttable presumption that there is no substantial adverse effect, and thus no direct relationship between the rule and the amendment based on adverse effects (§ 219.13(b)(5)(ii)(B)).
4. Substantial lessening of protections for a specific resource or use (§ 219.13(b)(5)(ii)(A)).

5. Substantial impacts to a species or substantially lessening protections for a species (36 CFR 219.13(b)(6)).

Lift the 10% treatment restriction in moist lodgepole pine stands for MA15

Scope and scale of the amendment

The scope and scale of the amendment is defined by the purpose for the amendment, described below. It is limited to Management Area 15 in the Fremont National Forest Land and Resource Management Plan.

Applying these criteria, I have made the following determination.

The purpose of this amendment is to reduce tree densities and increase age class diversity in MA15 by allowing thinning and harvesting of more than 10% of the moist lodgepole pine areas at one time. This will allow the forest to reach the management goals to provide wildlife habitat in MA15. Because of this purpose, the directly related provision of the rule is therefore: § 219.8 (a), *the plan must include plan components, including standards or guidelines, to maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds in the plan area, including plan components to maintain or restore their structure, function, composition, and connectivity.*

The amendment would allow implementation of future projects to restore ecological integrity to MA15, wet and moist lodgepole ecosystems. The current condition of MA15 consists of overcrowding and homogenization of the forest in structure (single age/canopy) and density (many stands of a similar density during the same time period), making the distribution of tree diameter classes, canopy heights, horizontal spatial heterogeneity (skips and gaps) uncommon. This amendment allows for treatment as needed to reach the management goal of providing wildlife habitat.

Having applied those rule provisions, I found that the rule requirements did not require a change to the proposed amendment and therefore no changes were made to it.

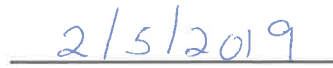
Based on the NEPA analysis for this CE and the project specific amendment in the East Hills EIS, I have determined that the proposed amendment does not have adverse effects and does not lessen protections.

Project and activity consistency with the plan

This amendment applies to the area analyzed under the Fremont Plan. The project is consistent with the Forest Plan.



Barry L. Umler
Forest Supervisor



Date

Citations

Agee 1993 Fire Ecology of Pacific Northwest Forests. Island Press. Washington, D.C.

Merschel, A. G., Spies, T. A., and Heyerdahl, E. K. 2014. Mixed-conifer forests of central Oregon: effects of logging and fire exclusion vary with environment. *Eco. Appl.* 24 (7): 1670-1688
Ecological Applications, 19(4), 2009. pp. 1003-1021.

Simpson, M., 2007. USDA-FS PNW Tech Paper. R6-ECOL-TP-03-2007. Forested Plant Associations of the Central Oregon Cascades.