

Decision Notice
for the
Revised
Continuation of Interim Management Direction
Establishing Riparian, Ecosystem
and Wildlife Standards for Timber Sales

United States Forest Service
Region 6
Colville, Deschutes, Fremont, Malheur, Ochoco,
Okanogan, Umatilla, Wallowa-Whitman and Winema
National Forests in Oregon and Washington

Introduction:

This Decision Notice identifies that revised vegetative structural stages of the interim ecosystem standard and a clarified interim wildlife standard, as specified in the attached Regional Forester's Forest Plan Amendment #2, will replace the 1994 versions of each standard as adopted on May 20, 1994. The revised structural stages and clarified wildlife standard will amend nine national forest plans on the east side of the Cascade Mountains (listed above), pending completion of the environmental impact statement as part of the Eastside Ecosystem Management Strategy, Pacific Northwest Region (Eastside EIS). The environmental assessment (EA) for this revision does not analyze or disclose site-specific environmental impacts. Neither does it disclose environmental impacts of the 1994 interim direction already disclosed in the May 20, 1994, EA. Site-specific analyses and appropriate National Environmental Policy Act (NEPA) documentation will occur on the project level to insure compliance with applicable laws.

This revised interim direction will apply to the design and preparation of all timber sales on eastside forests, except personal use firewood sales, post and poles sales, sales to protect health and safety, and sales to modify vegetation within recreation special uses areas. Five other types of sales are exempt from the revised interim ecosystem standard only: precommercial thinning sales; sales of material sold as fiber; sales of dead material that is less than 7 inch dbh with incidental green volume; salvage sales with incidental green volume located outside currently mapped old growth; and commercial thinning and understory removal sales located outside mapped old growth.

This Decision Notice amends the Forest Plans for the Colville, Deschutes, Fremont, Malheur, Ochoco, Okanogan, Umatilla, Wallowa-Whitman and Winema National Forests in Oregon and Washington.

Background:

The 1994 interim management direction was the result of an interdisciplinary analysis conducted to determine the best approach for maintaining future planning options concerning wildlife habitat associated with Late and Old structural stages, fish habitat, and old forest abundance. The 1994 interim direction established a three-step analysis during timber sale preparation to defer harvest of certain Late and Old structure timber stands unless certain conditions were met. Specifically, timber harvesting was deferred in riparian areas and limited in areas of Late and Old structure stands. The 1994 interim direction was and remains intentionally restrictive, reflecting a conservative interpretation of riparian, wildlife, and ecosystem needs for the short-term.

Concern about the adequacy and propriety of the Historic Range of Variability (HRV) process and the rigidity of the complete deferral of timber activities in the riparian areas existed before and after the adoption of the 1994 interim direction. A regional review team has monitored the effectiveness and understanding of implementing the 1994 interim direction since its adoption, primarily through field trips to the National Forests since May 1994 and forest reports to the Regional Forester. App. C. Administrative appeals of the 1994 interim direction reflected the controversy over some of the components. App. E.

Coupled with the extension of preparation time for the Eastside EIS from November 1994 and sometime in 1996, Regional Forester John E. Lowe directed the regional review team to report on available options to correct ineffectiveness, misperceptions of implementation and the expanded time frame.

The review team produced a monitoring report with seven findings.¹ From the findings, the Regional Forester directed an analysis be done to revise the interim direction, focusing on Findings 1 and 2: revision of the structural stage descriptions in the HRV and the options of relieving stress on old growth stands, respectively. Clarifying language has been proposed for the interim wildlife standard to respond to Finding 4, but no revision

¹ Finding 1: Some HRV stand descriptions are in conflict with eastside vegetative types; Finding 2: Some old-growth features are at risk under the interim direction; Finding 3: Fixed riparian widths are not appropriate on dynamic systems; Finding 4: Wildlife requirements are not appropriate in all situations; Finding 5: New and ongoing research cannot be implemented under the interim direction; Finding 6: Other timber sale preparation issues; and Finding 7: Successful methods of implementing interim direction.

to the riparian standard or the HRV process is under consideration.

As the review team's report indicated, implementation of this conservative approach warrants re-evaluation, but the original intent of the 1994 interim management direction, i.e. to preserve future planning options until completion of the Eastside EIS, remains intact. No change in forest plan land allocation for management areas is proposed. Current risks to species, ecological groupings of species, and habitats will be assessed in the Eastside EIS which will provide a long-term strategy for ecosystem management on the eastside forests.

Alternatives Considered:

Alternative 1 - No Action. This alternative would keep in place the May 20, 1994 interim direction for timber sale preparation until superceded by the Eastside EIS. Site-specific projects would undergo NEPA analysis and consultation with National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service, if required.

Alternative 2 - Selected Action. This alternative would revise the vegetative structural stages used in the interim ecosystem standard to determine HRV to better represent the eastside forest settings. The interim wildlife standard would be clarified to reflect the revised structural stages and to address past misunderstanding of the standard's implementation.

The revision would establish seven categories of structural stages rather than the existing four categories in the 1994 interim direction.² The proposed seven categories would require HRV to be determined based on the following structural stages:

1. Stand Initiation
2. Stem Exclusion; open canopy
3. Stem Exclusion; closed canopy
4. Understory Reinitiation
5. Multi-strata without Large Trees
6. Multi-strata with Large Trees; and
7. Single-stratum with Large Trees.

²The 1994 interim ecosystem standard currently requires the Historic Range of Variability to be determined using the following four categories: 1) EARLY: early seral stages; 2) MIDDLE: An understory re-initiation phase and beginning of old-growth phase; 3) LATE: late seral stages; overstory vigor declines; and 4) OLD: old structure stage, overstory decadent, sem decay and top breakage. See App. A for the complete description.

The latter two structural stages, Multi-strata with Large Trees; and Single-stratum with Large Trees, will be comprised of timber stands previously classed as Late or Old.

With the revision of the vegetative structural stages comes the need to clarify the interim wildlife standard's relationship to it. Additionally, the regional review team's monitoring report identified misunderstanding in implementing the interim wildlife standard. The intent, objectives, and assumptions used and applied to the 1994 interim wildlife standard are not revised.

As a result, the interim wildlife standard now explains that Late and Old structural stages can be either Multi-strata with Large Trees or Single-Stratum with Large Trees. Instructions are provided on how to proceed from HRV analysis under the interim ecosystem standards to either Scenario A or B in the interim wildlife standard. Intent statements are included for connectivity requirements, snags, green tree replacements and down logs requirements, and the goshawk requirements in Scenario A and for Scenario B, generally. The statements are intended to assist in implementing the interim standard and do not revise it. None of the clarifying statements changes the availability or deferral of Late and Old-forest associated wildlife habitat.

Decision:

My decision is to select Alternative 2, set forth in full in the attached Regional Forester's Forest Plan Amendment #2. This decision revises the vegetative structural stages used to determine HRV to better reflect eastside forest settings. It also adopts clarifying statements within the interim wildlife standard to relate to the revised structural stages and assist in implementation. The 1994 interim direction will continue to apply to timber sales previously announced in the eastside Forests' Schedules of Proposed Actions. This Decision will apply to timber sales not yet proposed.

Rationale:

I have chosen Alternative 2 because the revised vegetative structural stages and the clarified wildlife statements are the best solution to respond to the difficulties encountered in the first eight months of implementing the 1994 interim direction, the extended preparation time for the Eastside EIS, and the continuing threats to forest health by insects, disease and fuel accumulation, while still being assured that management options remain during the development of the Eastside EIS. The revised structural stages in the interim ecosystem standard, coupled with the clarified interim wildlife standard, will not reduce the abundance of old-forest structure below historic levels; thus options are preserved for a long-term strategy. Alternative 2 will allow some timber harvest, limited to thinnings, group or individual tree selection, in stands where old-forest conditions, either Multi-strata with Large Trees or Single-stratum with Large

Trees, are at or above HRV and timber harvest must maintain or enhance old-forest conditions.

The implementation difficulties are reflected in the regional review team monitoring report, specifically Findings 1, 2 and 4.³ The integrity of the 1994 interim direction is strengthened by this revision because the structural stages more accurately reflect the warm/dry and hot/dry environs of the eastside forests. The new structural stages will allow a more accurate portrayal of HRV and facilitate my intent to implement ecosystem management. The increasing fuel loads, mortality and decay in our forests concern me gravely and without this revision, we were simply unable to begin a process of returning our forests to a healthier condition by reducing the risk of catastrophic wildfire, reducing stress and working toward a historic balance of structural stages. Thus, revision is appropriate.

Of great importance is that the revised vegetative structural stages can accommodate specific application across each of the eastside forests. What is a "large tree" or "common occurrence of large trees" on the Fremont National Forest in Oregon is not necessarily the same on the Okanogan National Forest in Washington and the revised classification allows this appropriate distinction. Forest Supervisors retain the option to amend their individual forest plans when site-specific conditions warrant a deviation from these revised interim standards.

Similarly important is that the requirements of the interim wildlife standard do not change, although interpretations and intent statements have been added. Because of this, any timber sale prepared according to this revision will not remove any stands of Multi-strata with Large Trees or Single-stratum with Large Trees (both are Late and Old structure) below the HRV for each stage for a given biophysical environment. What can occur, and only when the abundance of the structural stage is at or above HRV, are thinning, group or individual tree selection sales of the understory, and only then if the removal maintains or enhances the old-forest conditions. This opportunity allows us to reduce stress on the big trees by treating the understory, while also relieving some of the fuels accumulation.

Public involvement:

During the week of March 10, 1995, notices were published in twenty newspapers of local circulation explaining the Forest Service's proposal to revise the environmental assessment which

³ Finding 1: Some HRV stand descriptions are in conflict with eastside vegetative types; Finding 2: Some old-growth features are at risk under the interim direction; and Finding 4: Wildlife requirements are not appropriate in all situations.

led to the May 20, 1994, decision to implement the 1994 interim direction. The notice explained the intent was to revise the HRV to allow more flexibility in implementation and the possibility of some changes in the interim wildlife standard in response. Comments were due to the Forest Service by April 10, 1995. The draft revision and clarifications were sent to the mailing list on April 7 and the comment period was extended to April 20, 1995.

In addition, a March 10, scoping letter was sent to 78 addressees, generating 29 letters with over 150 individual comments. Categories of comments included; fisheries and riparian, HRV, wildlife, and economic or procedural issues.

The largest single category of comments were the fish and riparian issues. Because no change was proposed to the 1994 interim riparian standard, these comments were considered outside the scope of the analysis.

Comments on the HRV ranged from the validity of HRV as a measure of natural conditions to the scope of the analysis or time frames used. Additional concerns were that adjustments of the HRV might allow unsound projects, yet others believed a revision would make no appreciable change in the opportunity to harvest timber.

The interim wildlife standard prompted a significant number of comments. Several comments challenged the green tree replacements methodology. Others believed the revised vegetative structural stages would affect wildlife corridors and cause forest fragmentation.

As with Amendment #1, many commenters believed a revision would cause a reduction of timber volume available for harvest. Other commenters reported their satisfaction with the effect of deferring timber harvest as required by the 1994 interim direction and were cautious about any revision to allow more flexibility and likely higher timber harvest.

Finding of No Significant Impact:

I have determined that overall, the action to be taken under this Decision is not a major federal action and will not significantly affect, either individually or cumulatively, the quality of the human environment. Insofar as this Decision limits where and how timber sales can occur, but does not approve, require, nor mandate any particular timber sale or associated ground-disturbing activity, this Decision makes no irreversible or irretrievable commitment of resources. Further site-specific NEPA analysis is required for each timber sale affected by this Decision. Any irreversible or irretrievable commitment of resources and the significance of any environmental impact will be identified and assessed at that time.

I have considered the following factors in this determination:

1. This Decision is programmatic, rather than site or project specific and revises existing interim direction for timber sales on portions of eight national forest in eastern Oregon and Washington. The effects are local, rather than statewide, regionwide or nationwide.
2. The effect of the revised vegetative structural stages in the interim ecosystem standard is limited in time and scope because it will be in effect only until a longer term strategy is adopted in the Eastside EIS in 1996. Of the activities undertaken on these eastside national forests, only timber sales are affected. Furthermore, the revision is only to the vegetative structural stages in the interim ecosystem standard, leaving in place the existing process by which to determine historic range of variability, as well as the 1994 interim riparian and wildlife standards.
3. No known unusual circumstances exist because the Decision does not impose any highly uncertain, unique or unknown environmental risks. The revision is based on professional scientific interpretation of research and forest conditions. The revision is, in fact, based on the vegetative structural stages being used in the Eastside EIS, developed scientifically and specifically for the eastside forests.

No unique characteristic of the eastside national forests would be adversely affected by the revision.

No adverse effects to any historical places or loss of scientific, cultural or historic resource would occur because no ground-disturbing activities are approved, required or mandated by this Decision and existing forest plan standards adequately address mitigation measures for these resources.

4. The revision does not produce any significant irreversible, irretrievable or cumulative effects for the following reasons: 1) no ground-disturbing activities are approved, required, or

mandated by this Decision; 2) the Biological Evaluation for threatened, endangered and sensitive species concluded the proposed action would have no effect; 3) site-specific consultation will occur with Fish and Wildlife Service and the National Marine Fisheries Service under the provision of the Endangered Species Act; and 4) the purposes of the revision is to more accurately reflect the eastside forest vegetative structural stages, which in turn will lead to a more accurate determination of HRV.

This Decision is not related to other actions with individually insignificant but cumulatively significant impacts because the revised ecosystem standard is programmatic, does not approve, require, or mandate any timber sale, is in effect only until the Eastside EIS is completed, and is designed to more accurately reflect the vegetative structural stages of the eastside forests.

5. This Decision will not threaten to violate federal, state, or local requirements imposed for the protection of the environment because no ground-disturbing activities are approved, required, or mandated by this Decision and any timber sale planned using the revised vegetative structural stages standard will receive appropriate NEPA analysis.

6. The revised vegetative structural stages will not likely cause highly controversial environmental effects because controversy in this context refers to cases where there is a substantial dispute as to the size, nature, or effect of the federal action, rather than any opposition to its adoption. The scientific basis for these revised structural stages have been evaluated by Forest Service ecologists, silviculturists, wildlife biologists and research scientists.

7. This Decision will not set a precedent for future actions likely to result in significant environmental consequences, nor will it represent a decision in principle about future considerations because the Eastside EIS will develop an ecosystem management strategy that will supercede this Decision. Furthermore, the revision is based on the scientific developments for vegetative structural stages for the Eastside EIS.

Therefore, I have concluded that no significant adverse or beneficial effects on the physical, biological or human environment will occur, thus no environmental impact statement will be prepared.

NFMA Finding of Non-Significant Amendments:

I find that adoption of the revised vegetative structural stages will not significantly change the forest-wide impacts disclosed in the forest plan Environmental Impact Statements for the above listed National Forests. Pursuant to 16 U.S.C 1604(f)(4), 36 C.F.R. 219.10(f), Forest Service Manual 1922.5, and Forest Service Handbook 1909.12, Chapter 5.32, I have determined that these forest plan amendments are not significant based on the following factors:

Timing: As pointed out in the EA, the revised vegetative structural stages in the interim ecosystem standard, along with the remaining 1994 interim standards for riparian and wildlife, will only be in effect until the Eastside EIS is completed in 1996. The effect of the revised structural stages is to more accurately describe the eastside forest settings in determining the HRV of any given biophysical environment. The revised structural stages are expected to be superceded by similar classification system in the Eastside EIS. Therefore, the timing of the amendments does not make them significant for the current forest plans.

Location and Size: During the life of the revised vegetative structural stages, it is expected only small portions of each eastside forest will be affected. The standard only applies to timber sales preparation. Therefore, only those areas that would have timber sale activities are directly affected. Approximately 50,000 acres could be planned for timber sales over the next year, out of over 11 million acres of national forest lands on the eastside forests.

Goals, Objectives, and Outputs: The revised vegetative structural stages apply to the classification of vegetation for the preparation of timber sales. They do not alter the long-term relationship between levels of goods and services projected by the forest plans. I do not expect any significant change in timber outputs over what might be available if the sales were designed without the amendment. Any increase in volume would not exceed the projected levels over the planning period. The revised vegetative structural stages are necessary to preserve options for long-term ecosystem strategies and to meet other forest plan goals such as diversity and healthy ecosystems.

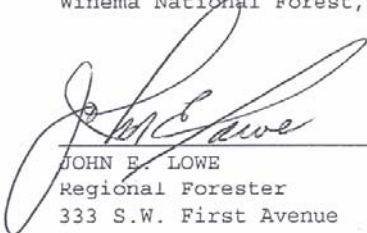
Management Prescription: The revised ecosystem standard does not change the desired future condition for land and resources from that contemplated by the existing management direction in the forest plans in the short-term. It does not affect the whole planning area, but only those portions of the land where timber harvest is contemplated in old-forest structure. The revised ecosystem standard does not change forest plan allocations or management areas.

Appeal Rights: Implementation of this Decision shall not occur until seven days following the publication of the legal notice of the Decision in the newspaper of record.

The decision to revise the vegetative structural stages of the 1994 ecosystem standard through a non-significant forest plan amendments is subject to appeal pursuant to 36 C.F.R. 217, not 36 C.F.R. 215.⁴ Any written Notice of Appeal must be fully consistent with 36 C.F.R. 217.9 (Content of Appeal) and must include the reason for appeal. A written notice of appeal, in duplicate must be filed with Jack Ward Thomas, Chief, USDA Forest Service, Reviewing Office, within 45 days of the date that legal notice of this Decision appears in the newspaper of record.

For further information, contact Jim Schuler, Regional Appeals Coordinator, Regional Office, Portland, Oregon, (503)326-2322. The revised environmental assessment for the Continuation of Interim Management Direction Establishing Riparian, Ecosystem, and Wildlife Standards for Timber Sales is available for public review at the following offices:

Regional Office, 333 S.W. First Avenue, Portland, OR
Colville National Forest, 765 S. Main, Colville, WA
Deschutes National Forest, 1645 Highway 20 E., Bend, OR
Fremont National Forest, 524 North G St., Lakeview, OR
Malheur National Forest, 139 N.E. Dayton St., John Day, OR
Ochoco National Forest, 3000 E.3rd, Prineville, OR
Okanogan National Forest, 1240 Second Ave. S., Okanogan, WA
Umatilla National Forest, 2517 S.W. Hailey Ave., Pendleton, OR
Wallowa-Whitman National Forest, 1550 Dewey Ave., Baker City, OR
Winema National Forest, 2819 Dahlia, Klamath Falls, OR


JOHN E. LOWE
Regional Forester
333 S.W. First Avenue
P.O. Box 3623
Portland, OR 97208-3623

6/5/95
Date

⁴The regulation at 36 C.F.R. 215.1 indicates that 215 only applies to "projects and activities implementing forest plans." Pursuant to 36 C.F.R. 215.4(e), the decision to make non-significant amendments to forest plans is expressly subject to appeal under 36 C.F.R. 217.