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Reviewing Officer, Regional Forester
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Notice of Conditional Withdrawal of the Oregon Chapter Sierra Club & League Of Wilderness Defenders – Blue Mountains Biodiversity Project Objection to the HFRA Dads Creek Wildland Urban Interface Project EA

Pursuant to 36 CFR 218, the Oregon Chapter Sierra Club and the League Of Wilderness Defenders – Blue Mountains Biodiversity Project hereby conditionally withdraw our objection to the Malheur National Forest's Dads Creek Wildland Urban Interface Project EA.

As noted previously, we filed our objection reluctantly, to meet the legal necessity of addressing objections filed respectively by King Williams, Dr Johnson's Prairie Wood Products, Malheur Timber Operators, and Grant County's Boyd Britton (as well as any additional objections that may have been filed). Our organizations have been part of the Blue Mountains Forest Partners collaborative process from its inception, which initiated and created the common ground foundation for the Dads Creek Wildland Urban Interface Project EA HFRA project. We are filed our objection primarily to ensure the Dads Creek Wildland Urban Interface Project decision honors the collaborative agreements, restoration objectives, common ground units, and implementation focus and methods developed and recommended to the Forest Service over the course of the past two years spent creating this project.

While we are hereby withdrawing our objection, our organizations continue to have significant conservation concerns with portions of the Dads Creek Wildland Urban Interface Project's ecologically excessive commercial logging-thinning and road construction plans. We also have significant concerns with the omission of needed actions to effectively restore the area's Oregon State 303(d) listed waterways, recover forest wildlife and rare plant populations that are or may be evidencing declining population and distribution trends, and better reduce ecologically harmful roads and potential OHV use and abuse in the greater project area. Despite these remaining significant scientifically-based conservation concerns, as stated previously in our objection, in deference to BMFP's past and ongoing common ground collaborative efforts we are willing to conditionally withdraw our objection, allowing the implementation of this first Malheur Forest Service - BMFP collaborative Dads Creek Wildland Urban Interface Project. While the project as proposed is not without its conservation science shortcomings, at this time it is

representative of the best common ground we could reach in two years of collaborative process. Additionally, as efforts to reach common ground with the timber industry, Grant County, and other area objectors have now proven successful, and all objections other than that of Oregon Wild and our joint Sierra Club and LOWD BMBP objection have now been withdrawn, and as the Dads Creek Wildland Urban Interface Project has not been – and will not be - changed from its current proposed decision, we withdraw our objection on the following conditions:

1. All other objections have been withdrawn and/or dismissed;
2. The Dads Creek Wildland Urban Interface Project EA HFRA decision is unchanged as proposed in the legal notice published in the Blue Mountain Eagle on September 17th, 2008: “Modification of the proposed action includes not constructing 0.8 miles of proposed temporary road near the Dixie Butte Inventoried Roadless Area. Commercial thinning in units 10, 12, and 18 accessed by this road would not occur. Precommercial thinning and underburning would still occur as described in the EA. All other proposed actions identified in the EA made available on September 3, 2008 are the same.”

If objections exist that have not been resolved, or legal standing is established for objections that currently have been dismissed for the lack of standing; if the decision is modified from that proposed in the September 17, 2008 legal notice, or if this project is changed such that it would increase logging volume levels, construct additional roads, result in greater environmental impacts, or impair non-logging-thinning restoration actions, our objection will instead continue in its full legal standing until all other objections have been withdrawn or dismissed and the decision adheres to that as stated above in the Sept. 17th 2008 legal notice.

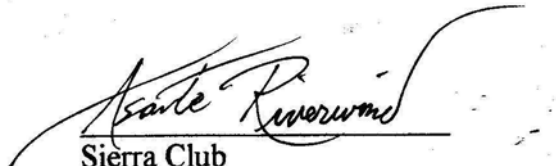
The Dads Creek Wildland Urban Interface Project as proposed embodies the best common ground restoration project planning that both the Malheur Forest Service and the participants of the Blue Mountains Forest Partners collaborative group have been able to achieve, concluding the past two years of project planning and development. The intent of the collaborative Dads Creek Wildland Urban Interface Project is to help restore the ecological integrity and resilience, wildlife and aquatic forest habitat of the project area, and to provide for an ecologically-sound reduction in the risk of a severe fire in the area’s forests and adjacent community. Our organizations’ conservation priorities are focused upon protecting existing forest integrity, wildlife habitat, and watersystems – preventing additional significant irreparable ecological harms to public lands; and upon restoring the ecological functioning, resilience, native species habitat, biodiversity, hydrological functioning, salmonid populations and habitat, and water quality of damaged and degraded public lands. It has been with these focal priorities that our conservation organizations have participated in good faith in the development of the Dads Creek Wildland Urban Interface Project. As the county and industry participants in BMFP have reportedly agreed to withdraw their objections to BMFP’s scientifically-based common ground consensus restoration recommendations for the Dads Creek Wildland Urban Interface Project, or as these objections have been reasonably and lawfully dismissed, despite our remaining significant conservation-science concerns and legal issues, we agree to this conditional withdrawal of our objection also.

It is important that the implementation of the Dads Creek Project respect and adhere too the restoration intent of this project, and effectively accomplish its ecological objectives. The success or lack thereof of the Dads Project as one of generally legitimate restoration within BMFP parameters, and its adherence to common ground agreements in the Dads Creek Project, will help us all as we assess and develop other current and future projects. This often contentious diverse collaborative process has been a learning process for all, helping BMFP participants fully understand the meaning and boundaries of consensus collaboration, legitimate restoration, and the complex issues of addressing community issues and economics within the parameters of forest restoration.

Throughout, our organizations have and continue to appreciate the intent, diverse learning dialogue and consensus process of BMFP collaborative efforts. It remains our hope that BMFP common ground agreements and scientifically sound restoration objectives will be honored, in the Dads Creek

Wildland Urban Interface Project implementation and effectiveness, and in developing future projects as well. As BMFP participants are able to engage in respectful consensus collaboration, incorporating the recommendations of greater scientific consensus with site-specific project conditions regarding restoration objectives, locations, and methods - including protecting and restoring the habitat of the region's imperiled wildlife, aquatic, and native botanical species, there will continue to be a good foundation for the area's ongoing collaborative process. In the spirit of common ground restoration, we hereby conditionally withdraw our objection as noted above to the Dads Creek Wildland Urban Interface Project, signed this 20th of October, 2008.

For both the Sierra Club and LOWD-Blue Mountains Biodiversity Project,



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