

*Oregon Chapter Sierra Club
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September 22, 2008

Acting Regional Forester,
Pacific Northwest Region Forest Service,
Jeff Walter, Forest Supervisor,
Ochoco National Forest,
William Queen, District Ranger,
Lookout Mountain Ranger District,

Notice of Conditional Withdrawal of the East Maury Project Appeal

In accord with the agreement below, modifying the Record of Decision for the East Maury Vegetation Management FEIS Project, reached by the Ochoco Forest Service Supervisor Jeff Walter, and Lookout Mountain District Ranger William Queen, and by Asante Riverwind, Eastern Oregon Forest Organizer for the Oregon Chapter Sierra Club, Karen Coulter, Director of LOWD-Blue Mountains Biodiversity Project, and Tim Lillebo of Oregon Wild, Appellant organizations hereby conditionally withdraw our appeal of this project. It must be noted this agreement represents only some of our many concerns with this project, and is made in good faith by all parties towards cooperatively resolving significant conservation science and legal issues. The USFS-Ochoco NF letter of resolution, modifying the East Maury FEIS decision is presented here in full:

File Code: 1950

Date: September 17, 2008

Route To:

Subject: 1950; Informal Disposition of East Maury Fuels and Vegetation Management Project -- Appeal #08-06-00-11-215. Settlement Agreement

To: Asante Riverwind
Eastern Oregon Forest Organizer
Oregon Chapter Sierra Club
P.O. Box 5534
Bend, Oregon 97708

This constitutes my decision to modify my July 8, 2008, decision to implement a modified Alternative 2 of the East Maury Fuels and Vegetation Project. On August 22, 2008, Asante Riverwind filed an appeal of the Record of Decision for the project on behalf of the Sierra Club, League of Wilderness Defenders/Blue Mountains Biodiversity Project (LOWD/BMBP), and Oregon Wild.

Bill Queen, District Ranger for the Lookout Mountain Ranger District, on my behalf, contacted Asante Riverwind and offered to meet to resolve the issues raised in the appeal. Bill and I met on September 11,

2008, with Asante, Karen Coulter (LOWD/BMBP), and Tim Lillebo (Oregon Wild). On September 12, Bill reviewed the project in the field with Asante and Karen. On September 16, via conference call, the appellants agreed to drop their appeal, in total, based on the following changes I agreed to make to my decision:

1. Drop the commercial harvest in proposed units 3, 13, 37, 61, 107, 185, 186, 189, and 192. In addition, unit 195 would be modified to only use “light on the land” ground based equipment or to use a small cable yarder to harvest the portion of the unit immediately beneath the existing system road and down to the break in slope. In the portion of the unit adjacent to the creek, no commercial harvest will occur. Precommercial thinning and prescribed fire will be retained, as prescribed, throughout the unit. The vegetation treatments will be focused on restoration and enhancement of aspen through the removal of some of the younger post-fire suppression trees, while retaining mature and old characteristic pines and firs. Lastly, any new road construction associated with any of the above units will be dropped.

2. Drop the horse logging unit adjacent to Forest Road # 409.

3. Within the Drake Timber Sale planning area (Drake), and Tack Timber Sale units 1, 3, and 5, re-examine any orange barked ponderosa pine “old-growth groves” similar to unit 97, with the purpose of retaining all (with exceptions limited to safety objectives) of the old-growth co-horts in these groves. In the remaining Tack and all of the Keen units, strive to retain the majority of these co-horts. Characteristics of these groves vary, with some including past harvest and others evidencing little or no past logging. Retention of mature and old characteristic trees in all areas is important for the present and future old growth and forest ecological integrity across the project area.

4. The Historic Range of Variability analysis for the project area indicates a higher proportion of Douglas-fir types currently exist than that would have been found historically. Project objectives include increasing the overall percentage of ponderosa pine across the project area. However, upon review of a portion of unit 119, I agree to increase the retention of individual healthy, Douglas-fir trees within the Drake area, at the expense of fewer overall ponderosa pine trees (i.e. where appropriate, choose larger healthy Douglas-fir over smaller healthy ponderosa pine). The overall residual stocking objectives will be at the high or mid end rather than low end as necessary, to ensure large mature firs and pines are retained.

5. Retain inclusions of mixed conifer found on north slopes and in slightly moister sites for wildlife habitat diversity across the Drake area. Exclude these ecotones from cutting units. Where existing skid trails run through these areas, they can be re-used if needed to facilitate harvest in the adjoining cutting units.

6. Target the mid-point of the residual density stocking objectives in the Drake units to guard against marking units to lowest end of the stocking objective (i.e. to avoid what is currently marked in unit 166). Identify orange barked trees to retain as noted in item #3 above, in unit 166.

7. Implement the proposed aspen enhancement treatment in Unit 243 (Double Cabin campground) by thinning from below. Mark this unit jointly with appellants. Objectives in this area include no decrease in stream shading, and no increase to stream temperatures, accomplished by the retention of maturing shading trees. Objectives also incorporate the retention of campground aesthetics and forest integrity.

8. Include Asante Riverwind in the post-sale soil monitoring of some of the Half-way timber sale units to facilitate understanding and learning about the monitoring methods and protocols. Where necessary to meet Ochoco LRMP standards, protect soil integrity and native species vegetation, and prevent


sedimentation of area waterways, modify unit provisions to prevent or minimize harmful ground disturbance.

Jeff Walter
Forest Supervisor

cc: Tim Lillebo, Karen Coulter, Bill Queen, Paul Cuddy

Signed this 22nd of September, 2008, conditionally withdrawing our appeal as per the above resolution agreement changing the record of Decision for the East Maury Project.

For all Appellants,



Sierra Club
By: Asante Riverwind
Its: Eastern Oregon Forest Organizer

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